

MARYSVILLE CITY COUNCIL MINUTES

00241

OCTOBER 9, 1989

7:30 p.m.

Council Chambers

PRESENT: Rita Matheny, Mayor
Councilmembers:
Ken Baxter, Mayor ProTem
Mel Schank
Dave Weiser
Bill Roberts
Larry Hots
Bob Lashua
Lee Cundiff (excused)
Administrative Staff:
John Garner, City Administrator
Phil Dexter, Finance Director
Jim Allendoerfer, City Attorney
Dave Zabell, Public Works Director
Mike Corcoran, City Planner
Jim Ballew, Parks & Recreation Supt.
Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Matheny called the meeting to order at 7:30 p.m. and led the flag salute.

ROLL CALL:

Finance Director/City Clerk Dexter called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilor Lashua noted on page 6 of the October 2, 1989 minutes, in the second to last paragraph, next to last line, the word "believe" should be "know". He then moved that the minutes be approved as corrected. Councilor Schank seconded and the motion passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

PRESENTATION:

Ellen Thompson, on behalf of the Snohomish to Arlington Trail Coalition, addressed the Council and explained that this is a grass roots citizen advocacy acquisition group that it trying to obtain Burlington Northern right of way for recreational purposes. She stated that the cities of Snohomish, Arlington and Lake Stevens have already joined in support of the group and they are looking now to Marysville for endorsement. She noted that the project was originally on the county parks comp plan for 14 years and \$100,000 was put aside but was taken out because of a perceived "lack of interest" according to the county. She said the group is trying to convince the county and state again that there is interest in preserving the BN bed/corridor which was built in 1889, so this is also a "centennial" project. She noted that we need trails like this in the county before all the available land is gone and added that this type of recreational facility is in demand and also very feasible. She noted it would also be important to the county from an economic standpoint as a tourist attraction and will also provide a safe place for kids, seniors, etc. She said the citizens committee has received \$1.1 million of state matching funds and Don Britton is working on legislation to facilitate donations toward the matching funds at this time. She added that Burlington Northern has been very cooperative but it's a long process because of the conversion of deeds.

Councilor Roberts asked about specific sources of funding and Ms. Thompson said they would be looking for county support as well as regional support.

Councilor Lashua took issue with Ms. Thompson's comment that abutting property owners were in favor because he stated he is an abutting property owner and was not even aware of the trail project or committee being formed. He said he was in favor, just that

he had not been informed until now.

Ms. Thompson said that out of six board members of the committee, three own land adjacent to the proposed trail; that there was a meeting about two months ago for adjacent property owners and there was no real negative reaction.

Councilor Lashua asked about maintenance of fences in the future, noting he has an agreement with BN to maintain his fences.

Ms. Thompson agreed that was a concern that needs to be brought up and it's possible they could be maintained by the Parks Dept.

Councilor Lashua asked about parking and Ms. Thompson agreed that was another issue that needs to be addressed and that in Whatcom and King counties they have had very positive responses to their trail proposals. Right now, with very little use, she said it's difficult to maintain the trail and keep it rid of vandalism, also. She said they were asking for City Council support/endorsement by way of a resolution with copies to the county.

Councilor Schank asked what happened to the \$100,000 and Ms. Thompson explained that it was the feeling at that time that the trail wasn't a project worth pursuing and so the \$100,000 was apparently used elsewhere.

Councilor Schank said he remembered an assessment in Snohomish County for trails in the past and Ms. Thompson said she wasn't familiar with that but she knew that part of the fuel tax was supposed to be used for parks, also.

Councilor Lashua asked about the boundary and Ms. Thompson said the plan is for the trail to run from downtown Arlington to downtown Snohomish and BN is being very cooperative.

Councilor Baxter pointed out that none of the proposed trail is within Marysville city limits and Ms. Thompson agreed, stating however that people from Marysville will want to take part in using the trail.

PROCLAMATION:

Mayor Matheny read a Proclamation proclaiming October 14, 1989 as "Help Firefighters Give Burns the Boot Day".

PETITIONS & COMMUNICATIONS:

1. Letter from Marysville School District dated 9/12/89.

PUBLIC HEARINGS:

1. Vacation of Ash Avenue between 2nd & 3rd Streets - Continued to 10/23/89.
2. Six Year Transportation Plan.

Public Works Director Zabell stated he recommends approval as presented at last meeting.

Councilor Schank moved and Councilor Hots seconded for approval. Passed unanimously.

Councilor Roberts asked about the status of 528 & 67th and Public Works Director Zabell stated that the state has concluded that a two way stop is adequate but a representative will be at the next Traffic Advisory Committee meeting.

Mayor Matheny asked about the 4th & Cedar signal timetable and Public Works Director Zabell said it was estimated to be completed sometime around the middle of November in conjunction with the two other signal projects along 4th. He added that when a signal pole is installed, it takes the cement 21 days to cure, just for infor-

mation.

Councilor Schank moved that Resolution #1384 be passed, adopting the Six Year Transportation Plan 1990-1995. Councilor Hots seconded and the motion passed unanimously.

CONSENT AGENDA:

1. Acceptance of Contract 8904 - Painting Elevated Water Tank.
2. Traffic Signing Various Locations.
3. Speed Bumps.
4. September, 1989 Payroll - \$338,325.66.
5. October 9, 1989 Claims - \$214,426.00.

In response to Councilor Lashua's query regarding #3, Public Works Director Zabell said Public Works gets requests all the time about putting in speed bumps and the letter in the packets is for information regarding how speed bumps don't reduce speed.

Councilor Lashua moved and Councilor Schank seconded that Consent Agenda Items 1 through 5 be approved. Passed unanimously.

REVIEW BIDS: None.

CURRENT BUSINESS:

1. City Hall Remodel Plans.

City Administrator Garner said Councilor Baxter chaired the committee and invited him to lead the discussion.

Mayor Matheny asked where the entrance would be on the plans and Councilor Baxter stated there would be two entrances, one in the park and one on Delta. He pointed out how the old building has been extended. He said the parking would displace present sidewalks on 6th but will give the City one more parking place than is required by ordinance; the building would be 2 story with an elevator, the roof line would extend, there would be partitions in lieu of all permanent interior walls, Council Chambers would be smaller than existing. He invited discussion on size of Council Chambers and lounge area, whether City Administrator, City Attorney and Finance Director should be downstairs or upstairs and remodeling of the old building needs to be discussed also, he said.

Mayor Matheny asked about the exterior and Councilor Baxter said stucco would be the easiest and most cost effective because of low maintenance and the building would have a metal roof.

Carol Kapua (owner of Nature's Cache) spoke from the audience and expressed concern over part of the park being used for the City Hall remodel. Councilor Baxter clarified that it will only be the sidewalk that's taken so the size of the park is not being taken away except for the playground area.

City Administrator Garner added that one of the Rotary projects is bringing back the wading pool in the park so they need to know what's happening in the park. He said Gene Gunther (former mayor) specifically remembers that there was some ruling that no park was to be reduced for extension of City Hall.

Councilor Lashua stated he remembered a question regarding the use of the park and/or restrictions and has since found out there are no covenants.

City Attorney Allendoerfer stated he remembered a campaign to save the area around City Hall and Councilor Baxter pointed out that no one seems to be able to agree on what to do about this problem and this has been going on for 18 yrs. with nothing being done yet.

Stan Smith (County Plans Examiner) spoke from the audience, expressing his concern over the reduction in size of the park over the years as well as loss of trees.

Councilor Baxter admitted some of the trees have died and never were replaced. Parks & Recreation Supt. Ballew asked if the large maple would have to come out and it was decided that was a possibility.

Carol Kapua mentioned again that she had a concern about the park getting smaller and smaller and asked why the City can't build up and just leave the park as is.

Councilor Baxter explained that part of the problem is parking and Mayor Matheny mentioned she would like to see the old city hall turned into a museum or senior center. Councilor Lashua added that the museum idea is a great concept but too costly at this point.

Bob Wicks, Architect, explained that the proposal allows the public to enter from Delta, gives a nice appearance from Delta, and meets code as far as parking.

There were several suggestions from the audience regarding parking including the suggestion that the City apply for a variance so as not to have to utilize the playground area and sidewalks on the north side.

Parks & Recreation Supt. Ballew said he would like the Parks Board to review the proposal at their upcoming meeting on 10/12/89 and he invited Councilor Baxter to the meeting.

Councilor Lashua questioned how many people would support another \$3 million bond for a new city hall, especially with the upcoming EMS tax levy and school levy. After some discussion about increased taxes and quality of life, Councilor Schank said he would like to see a question posed to the public through the Globe as to how they feel about the city hall issue.

Parks & Recreation Supt. Ballew noted that the parks survey revealed an interest in turning the old city hall into a museum and/or theatre and that there was also some support of a bond/levy for new city hall facilities. Councilor Baxter noted that the remodelling would run about \$750,000 however to start over would be about \$2.5 to \$3 million, so there's a big spread. Mayor Matheny commented that one of the large expenses in the Public Safety Building was the extra expense for the jail facility.

Carol Kapua asked how big of a piece of property would be needed and Councilor Baxter guessed about 1/2 a city block up to 2 acres.

Councilor Schank said again that he would like to see the question posed to the public by way of the Globe and Councilor Hots agreed, stating he would concur with the majority of public opinion.

Parks & Recreation Supt. Ballew suggested a questionnaire with a dual approach--firstly regarding a community center and city hall concept and the funding of property.

Stan Smith said he felt the City would not be gaining by remodeling at this point with present construction costs and Carol Kapua said losing part of the park is a serious concern.

There was discussion regarding waiting to hear from the public and draw plans up accordingly and City Administrator Garner stated that his idea is to buy land adjacent to the Public Safety Building and then put up modular buildings until there is enough money for the permanent structure.

Councilor Baxter said a smaller building could be built at this time but then he explained the urgent need for office space for the Parks Dept. as well as City Hall and a smaller building would not be able to accommodate both.

City Attorney Allendoerfer stated he felt the best way would be to hire a consultant experienced in this particular problem and

then go to the public with a questionnaire after a consultant is hired. In the meantime, rent some office space, he suggested.

Councilor Schank said he would not be in favor of a consultant necessarily; that it could be done by committee which would save the City money.

There was further discussion regarding this issue having in a sense gone backwards because the issue of where to locate city hall has still not been resolved.

Councilor Roberts agreed that probably some kind of professional package needs to be presented to the public by a consultant. He added that a certain amount of additional revenue is going to be realized from the newer homes that will probably be in the range of \$180,000 in assessed value, so that will certainly add to the City's tax base. He said he would prefer to see the preservation of city park if the City can afford it and there was some discussion regarding available rental space.

Councilor Weiser concurred that a professional opinion should be sought with regard to the number of square feet needed for office space at City Hall and there was discussion regarding the possibility of "staging" the project, so that it wouldn't have to be accomplished nor paid for all at the same time.

Councilor Schank moved that a questionnaire be put in the Globe based on remarks tonight, but there was no second to the motion.

There was discussion regarding response on the Comp Plan opinion poll and City Planner Corcoran noted that there has only been a 1% response from the Globe portion of the poll, 30-35% response on the one sent out with a self-addressed envelope by Cheyne & Co.

After further discussion, Councilor Roberts moved to seek a professional consultant to draw up some kind of report on a site selection/analysis, size, funding, staging. Councilor Baxter seconded and the motion passed unanimously.

2. Giffore/Kotilainen Annexations. (Councilor Roberts stepped down.)

City Planner Corcoran reported that the City Council had asked that the Planning Dept. pursue a larger annexation area, including Sunnyside, Kellogg Marsh, Glendale, Cherry Tree Lane. He presented a vicinity map and noted that the map of non-protest agreements revealed the area north of the "yellow line" would have a 60% sufficiency based on covenants on file, however Sunnyside Hills is only 28% non-protest. He said the question now is whether the two annexations should be separate or together.

Councilor Schank asked what the reaction of the property owners in the area is and City Planner Corcoran stated he did not know at this point; that the total annexation would be about 170 acres north of the yellow line.

Councilor Lashua noted that without Sunnyside Hills, they will end up an island.

Councilor Roberts noted that Kellogg home sites have no non-protests on file--apparently it slipped through the cracks.

City Planner Corcoran commented that it looked like Sunnyside Hills will have to stand on its own.

Councilor Hots asked about annexed property owners having to contribute towards 64th improvements and Public Works Director Zabell stated no, they wouldn't have to unless there's an agreement like there was with Ripper.

Councilor Baxter moved that the Giffore and Kotilainen annexation boundaries be established as presented and be brought in together with covenants. Also, that the Giffore proponents and staff be

directed to bring a 10% petition for annexation back to City Council. Councilor Schank seconded the motion.

Councilor Hots asked what the total cost of 528 will be and City Public Works Director Zabell stated \$4 to \$500,000.

City Attorney Allendoerfer commented that it may be time to reopen negotiations with Glenwood because they want to annex and there was discussion regarding hiring Paula Morgan as negotiator. City Administrator Garner said he would be happy to call Hal Markus (owner of Glenwood).

There was further discussion regarding the value of Glenwood annexing into the City, whether or not there should actually be three separate annexations (Giffore, Kotilainen, Sunnyside Hills); the fact that more manpower is needed to be contacting property owners; the need to keep momentum in the annexations.

The motion passed.

After further discussion regarding the definition of "contiguous" (contiguous to city limits or contiguous to each other), Councilor Lashua moved to reconsider the last motion. Councilor Weiser seconded, passed.

Mr. Roberts explained that his group has been working on the surrounding area and are willing to support it at the 10% hearing.

Councilor Baxter moved to establish the annexation boundary as per the Giffore original boundaries plus the area north of the 60th St. (yellow line) to 64th St. including Glenwood, for the 10% petitions. In the meantime, annexation to be discussed with Glenwood Mobile Homes as well as street improvement on 64th. Councilor Schank seconded. Passed.

NEW BUSINESS:

1. Planting Trees in Parking Strip on 3rd St.

Bill Benson, 1716 3rd St., addressed the Council and stated that as a neighborhood improvement project, they would like to plant trees along 3rd, with two trees per lot. He said there is only one homeowner out of 12 (Art Chadwick) that has not made a commitment; that blooming plum has been suggested; and that the property owners would maintain the trees.

Councilor Weiser said he believed the Public Works office has recommended the trees be planted no closer than 30' from each intersection.

Public Works Director Zabell agreed, adding that the City has an underground water line on the north side of the street and also that as far as the cleaning operation, it involves making sure there's enough room for the cleaning equipment around the trees.

Parks & Recreation Supt. Ballew stated he spoke with Carol Kapua about the plans and she informed him it would be a 6' tree at installation and he said he has requested annual pruning and appropriate maintenance of the trees.

Councilor Schank moved that the tree planting be approved, with approval of the Public Works and Parks Departments. Councilor Hots seconded the motion and it passed unanimously.

LEGAL MATTERS/ORDINANCES & RESOLUTIONS:

1. TIP 89-2 (Signalization along 528) - Public Hearing to be set.

Councilor Schank moved and Councilor Weiser seconded to set a public hearing date of 11/13/89. Passed unanimously.

2. Hearing Examiner.

City Attorney Allendoerfer explained that an ad has been prepared with applications to be submitted by 11/15/89 however the Bar Assn. doesn't have an issue of their magazine to be published until December.

Mayor Matheny asked about the Hearing Examiner being someone with a land use background vs. an attorney and Councilor Roberts agreed, stating he had spoken with John Gault and Mr. Gault said there is a hearing examiner professional group and the opening could be advertised through them but it was suggested that we go to King County in order to prevent any conflict of interest locally.

As far as the deadline for applications being received, Councilor Roberts said he would want to see adequate time to screen the applicants and the consensus was 11/15/89 as a satisfactory deadline.

3. Transpo Signalization Design.

It was explained that Transpo has offered to design 528 & 47th signalization for \$9400 as an addendum to their \$100,000 contract with the City.

Public Works Director Zabell stated that the last contract the City paid out for a signal was \$10,900 so \$9400 is definitely in the ballpark and these funds will be paid out of funds collected under the TIP. He added that Transpo has already attended a tech review meeting.

Councilor Baxter moved that the addendum be approved at \$9400. Councilor Hots seconded and the motion passed unanimously.

4. Jubie Rezone.

Councilor Hots moved that Ordinance #1731 be adopted regarding the Jubie Rezone. Councilor Schank seconded and the motion passed. (Councilor Roberts did not vote.)

5. Contract for new City Administrator.

City Attorney Allendoerfer said the contract has been typed in response to the executive session; it is the same as John Garner's and runs from 12/1/89 through 12/31/91. He noted that it also includes auto/expenses, 60 day notice clause. It was the consensus to send the contract to Carolyn Sanden for signature.

CALL ON COUNCILMEMBERS:

Councilor Lashua reported that he attended the "2020" meeting last week and it was very informative. He said the county will be making land use decisions with our input and cooperation was emphasized, he said. He noted that by the year 2020, the need is for 185 square miles of housing and the Marysville Comp Plan needs to include some county jurisdiction. He said the county stressed the need for all cities in the county to work with the county in developing a joint plan in the areas of schools, parks, open space, etc. He said that King, Snohomish and Pierce Counties represent 73% of the total state assessed valuation and Snohomish County's valuation is \$60 billion.

It was explained that City Planner Corcoran worked at the county level when this was originally discussed a couple years ago and he gave a little background regarding the City of Everett feeling it imperative that the cities and county work together. He added that they are looking for a written commitment/support statement (resolution) from the various cities, for presentation at an upcoming meeting.

Councilor Hots noted that a Fire Master Plan presentation was made 9/30/89 and asked what Council's intentions are with regard to the recommendations made. City Administrator Garner said his recommendation would be that after the election a committee be appointed to review. Councilor Hots said it sounds like a good plan.

Councilor Roberts reported on the meeting at DOE regarding the sewer lagoon permit and as far as capacity only going to 1998 now, he said he feels uneasy about the "shrinking" lagoon and the fact that the time is getting shorter. He said he would like to see the possibility of a more comprehensive study done, something that would be done in a timely manner in order for the Council to be in a position to make intelligent decisions about the issue and the study would also serve as a second opinion with the possibility of a joint venture with the two consultants, he suggested. He said we are going to have to have a rate structure to accommodate expansion of the sewer lagoon and/or secondary treatment and we only have eight years in which to come up with an alternative over the sewer lagoon.

There was discussion regarding funding, need for secondary treatment, need for a second opinion, the fact that the sewer lagoon has been capped by DOE at 2.8 million gallons. Public Works Director Zabell said that in all fairness to Larry Wade, with the DOE capping, the City really has no control over that.

Councilor Roberts moved that Public Works Director Zabell submit recommendations regarding the study, eg. population expansion, potential land use, expansion of sewer lagoon, secondary treatment. There was no second.

Councilor Lashua asked if 2.8 million gallons is within the present capacity of the sewer lagoon and Public Works Director Zabell said it is and we cannot build another cell.

There was further discussion regarding funding, Everett's problem with secondary treatment. Councilor Schank pointed out that the new regulations have the state people baffled too and no one seems to know what's going to happen next.

Councilor Roberts said he thinks Marysville is going to need secondary treatment a lot sooner than we had originally anticipated. He noted that from the year 2020 to 1998 is a big loss and Public Works Director Zabell agreed, stating that 1998 includes elimination of storm water plus all improvements to the sewer lagoon.

Councilor Roberts restated his motion that Public Works Director Zabell be directed to scope the project. Councilor Schank seconded and the motion passed unanimously.

Councilor Baxter said he had spoken with someone recently from Bremerton and their jail also housed federal prisoners. They were apparently very glad to get out of their contract because they had some bad experiences, it was noted. Councilor Baxter reported there was a meeting with PUD Friday with another scheduled for Monday, 10/16/89.

Councilor Schank said there is going to be a meeting tomorrow for city and county elected officials with regard to AWC.

Mayor Matheny reported that the Quil Ceda Woodcarvers presented the City with the montage Saturday.

City Administrator Garner reminded Council that 11/11/89 falls on a Saturday this year, so Friday is the City holiday. Mayor Matheny also noted 11/11/89 is Centennial Day.

ADJOURNMENT INTO EXECUTIVE SESSION: 10:15 p.m.

Phillip E. Dexter

Peta Matheny

Pending Litigation.

RECONVENE AND ADJOURN: approx. 10:45 p.m.

Accepted this 23rd day of October, 1989.

Mayor

Phillip E. Dexter
City Clerk

Wanda A. Iverson
Recording Secretary