

MARYSVILLE CITY COUNCIL MINUTES

NOVEMBER 27, 1989

7:30 p.m.

Council Chambers

PRESENT: Rita Matheny, Mayor
Councilmembers:
 Ken Baxter, Mayor ProTem
 Mel Schank
 Dave Weiser
 Donna Pedersen
 Larry Hots
 Bob Lashua
 Lee Cundiff (excused)
Administrative Staff:
 John Garner, City Administrator
 Phil Dexter, Finance Director
 Jim Allendoerfer, City Attorney (9:00 p.m.)
 Dave Zabell, Public Works Director
 Mike Corcoran, City Planner
 Jim Ballew, Parks & Recreation Supt.
 Larry Wade, Consulting Engineer
 Bob Kissinger, Utilities Supt.
 Lloyd Taubeneck, Street Dept.
 Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Matheny called the meeting to order at 7:30 p.m. and led the flag salute. She also welcomed Boy Scout Troup 84 to the meeting.

SWEARING IN:

Finance Director Dexter led the swearing in ceremony for newly elected Donna Pedersen and re-elected Dave Weiser as Councilmembers.

ROLL CALL:

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

MINUTES OF THE PREVIOUS MEETING:

Councilor Schank noted on page 2 of the 11/13/89 minutes, that under "Presentation", it was Councilor Roberts who received the plaque and not Councilor Baxter. Also, on page 9, under "Introduction", second to last line of the paragraph should read in part: "Section 4 and also that a Training section" instead of as written.

Councilor Schank then moved and Councilor Lashua seconded that the minutes be approved as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

PRESENTATIONS: None.

PETITIONS & COMMUNICATIONS:

1. Memorandum Regarding City ID Cards.
2. Letter from AWC dated November 17, 1989.

PUBLIC HEARINGS:

1. Ash Avenue Street Vacation (continued from 10/23/89).

City Planner Corcoran explained this is a continuation which was to facilitate looking at a broader view of the Park & Ride lot. He stated he met with WSDOT and CT and they both support the Park & Ride however CT feels if Ash is vacated it would limit support from Olympia. He said he recommended a cooperative agreement for a Park & Ride from 3rd to 1st and would like further time to propose a more comprehensive design with angle parking, sidewalks, landscaping, etc.

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Public Works Director Zabell added comments regarding possible costs and explained the drawing in the packets with two angle parking lanes and only one traffic lane from 3rd to 1st going south. He noted that Mr. Thorsen would still be contributing \$10,000 toward the project.

Councilor Lashua asked if this would provide more parking for the Village and City Planner Corcoran agreed it would. Councilor Lashua then suggested a cul de sac for a U-turn and Public Works Director Zabell stated that possibly that could be accomplished with vacation/dedication of the triangle by DOT to the City of Marysville.

Councilor Baxter noted the mill has the right to use that area for parking and discussion followed about the mill. Public Works Director Zabell stated he would like to see the project done in stages, with Phase I to be the 200 block on Ash.

City Administrator Garner reminded Council that, as in the past, WSDOT will want a hold harmless, however the City's insurance company will not grant that. Public Works Director Zabell said CT may be willing to accept the liability and is to check on it.

Larry Pavish, 1927 5th St., addressed the Council and stated he is very disappointed and upset with the City not notifying the businesses and residents in the immediate area; everyone in the immediate area is concerned and wish to cooperate and assist in the planning; that in fact he had been down to the Planning Dept. three times and would like to be a part of this plan.

City Planner Corcoran explained that tonight's meeting is a continuation and therefore did not have to be advertised and also, that the drawing is only conceptual. He said staff is recommending that the vacation be denied with a continuation of the hearing to allow staff to come back with a more comprehensive drawing.

Mr. Pavish stated he is in favor of the parking but it's going to affect all the businesses along there and the businesses need to be involved.

Ray Thorsen addressed Council and summarized events to date, noting that the vacation was approved 9/5/89 by Council, subject to a Public Hearing. He said he is in favor of the increased parking and would encourage City Council to take action based on Resolution 1377. If action is taken, he said, he would contribute the \$10,000 toward the Park & Ride lot and maintenance. He noted additional parking is really needed in that area and it can be planned very nicely.

Councilor Hots agreed that all the businesses and residents in the immediate area should be a part of the planning process and give their input.

Mr. Thorsen agreed with Councilor Hots and said there has been poor communication on the part of the Planning Dept.

Mr. Pavish questioned whether or not he (Pavish) would lose any parking with the proposal. Public Works Director Zabell explained it would not change the number of public parking places.

Councilor Hots said he would like to make sure all businesses along there are notified and City Planner Corcoran reiterated that the drawings are just conceptual at this time.

Councilor Baxter noted that this plan will have a definite effect on Welco's parking for 109 employees.

After more discussion, Councilor Lashua moved to deny the petition to vacate Ash between 2nd & 3rd. Councilor Hots seconded and the motion passed unanimously.

Councilor Baxter moved that Phase I be proceeded with, with the City Planner and City Engineer to include input from surrounding property owners, Traffic Advisory Committee, WSDOT and CT, to come back with a comprehensive plan.

Councilor Hots seconded and the motion passed unanimously.

3. Griffore Annexation.

Councilor Pedersen disclosed that they (she and her husband) no longer own the property as indicated on the annexation petition.

City Planner Corcoran reviewed the location and explained that there are two preliminary plats outstanding before the county hearing examiner at this time. It was also noted that the annexation should be considered as far as contribution and mitigation for traffic and parks. He said two letters of objection had been received--one from Lyle and Irene Prather and the other from Stan and Nora Smith. He noted that a 62% sufficiency of petition has been represented by the signators and that of the property included, 6809 55th St. NE and 7017 52nd St. NE property owners have signed non-protest agreements to annexation.

Christine Evans addressed City Council and said they have watched the City grow and think the City needs more dollars from those outside the City in order to improve the very poor condition of the roads in Marysville. She said she is in favor of annexation for this reason.

John Napes, 6809 55th St. NE, addressed the Council and stated he is not opposed to the annexation process but did not realize he had signed a no-protest agreement. He asked which two plats are before the county hearing examiner and City Planner Corcoran said Eastwood Hills and Sunnyside East.

Mr. Napes stated their greatest fear was carte blanche to the developers and whether there is enough planning, for example for the easement and road width on 55th St. He said they have been very favorably impressed with a couple recent developments nearby, they are very nice and he added that he would like to see the overall plan for Marysville.

Mayor Matheny explained the City is in the Comp Plan review process now with an opportunity for the public to give input very soon.

Councilor Baxter added that the public is allowed to go down to the City Planning Dept. at any time.

There was discussion about the annexation process in general, costs, etc. and Councilor Lashua noted that the City is very conscientious about street widths, turning radius, etc. for safety. Councilor Baxter commented that he was pleased to see some positive feedback about developments.

Councilor Schank moved that the annexation be accepted with all mitigation offers, including a voluntary contribution for parks, with adoption of the City's comprehensive plan designations and assumption of the City's existing bonded indebtedness and to send the annexation to the Boundary Review Board. Councilor Hots seconded and the motion passed unanimously.

CONSENT AGENDA:

1. Claim Vouchers #17998 through #18084 - \$282,796.15.
2. Puget Sound Air Pollution Control Agency's Burning Regulations.

Councilor Baxter moved to accept Items 1 & 2. Councilor Weiser seconded and the motion passed unanimously.

Councilor Baxter commented that he didn't feel there was any choice but to accept #2.

REVIEW BIDS: None.

NEW BUSINESS:

1. Three Final Plats.

City Planner Corcoran explained the three plats have been approved, constructed and fulfilled. They are Tyler Terrace on 69th Pl. NE, Brookwood Heights Div. IV on 74th Dr. NE and Cedarcrest So. Div. III on 71st Av. NE.

Councilor Schank moved that the Mayor be authorized to sign off on the three final plats. Councilor Baxter seconded and the motion passed unanimously.

Public Works Director Zabell commented on the future street alignments and tie-ins around Cedarcrest South.

CURRENT BUSINESS:

1. Hearing Examiner Applications.

City Administrator Garner explained that three applications have been received and asked that the Mayor appoint a selection and interviewing committee.

Mayor Matheny appointed Councilors Weiser and Pedersen, City Planner Corcoran and herself.

2. Personnel Report.

City Administrator Garner noted that normally, this is put under the Consent Agenda, however, this one has to do with new positions and new upgrades. He referred to the packets.

Councilor Lashua asked about the "wellness budget" and City Administrator Garner said that has been handled by the Personnel Tech in the way of having bimonthly meetings of one hour each, which is a minimal amount of time spent for wellness.

Councilor Weiser asked about replacing Nacelle and City Administrator explained the position will be covered by others until after the first of the year. Also, he said they are recommending waiting on the Asst. Finance Director position and downgrading the City Clerk from Grade XIII to XI effective 7/1/90. The total savings will be about \$20,000 because of the revisions, he noted.

Councilor Hots moved and Councilor Weiser seconded to adopt staff recommendations under the Personnel Report. Passed unanimously.

3. Budget Presentations:

A. Library - One typo was noted on Page 19 of Section IV, where the department request was for \$5,000 not \$4,000 under Repairs & Maintenance.

After noting that the Library budget was fairly "clean" and straight forward, Councilor Hots moved and Councilor Schank seconded to accept the Library Preliminary Budget in the amount of \$156,930. Passed unanimously.

B. Parks & Recreation - Parks & Recreation Supt. Ballew said he wished to address two issues with regard to the budget: He said he wished to emphasize the need (high priority) for a groundskeeper and secondly, to reiterate the need for parks in the City and he referenced the \$300,000 (surplus) fund. He said he wished to suggest the fund be called a Parks Acquisition & Development Fund and noted with residential property values inflating at the rate of 2-3% per month, that the City should be thinking of acquiring land for parks rather than relying 100% on developers to donate land that the City may not be able to use. He said the City needs

to start preparing for facilities such as trails and in order to become eligible for matching grant money, the City needs to be making some serious plans now.

Mayor Matheny agreed that the City needs to be working on a plan now and discussion ensued regarding the \$300,000 fund--whether it is actually a growth management fund or a surplus fund, the many things Marysville has already invested in, support for parks. Parks & Recreation Supt. Ballew stated he did not mean to detract from what progress has been made but rather was looking for support to continue moving ahead in the same direction, towards more parks and recreation for the community.

Councilor Lashua questioned \$3470 under office and operating supplies and Parks & Recreation Supt. Ballew stated that includes maintenance supplies for machinery and City buildings.

There was more discussion about the \$300,000--whether the fund is for growth management or catastrophes and Councilor Schank explained it is realized from a 1/4 of 1% real estate tax. Parks & Recreation Supt. Ballew added that as of this week they are also collecting \$200/lot from developers and the Finance Director has recommended it be changed to an Acquisition & Development Fund for the per lot donations.

Councilor Pedersen asked about Professional Services and Parks & Recreation Supt. Ballew stated that included field and feasibility studies.

Councilor Schank moved and Councilor Hots seconded to accept the Parks & Recreation Preliminary Budget. Passed unanimously.

There was a brief discussion about the Hickok Park at 67th & 64th.

C. Golf Course.

Parks & Recreation Supt. Ballew highlighted the need for a full time groundskeeper, equipment maintenance and repairs, office and operating supplies, landscaping materials, pesticide management, compressing including new dressing unit, machinery and equipment, fuel, small tools, travel, telephone, pro shop and recreation shop exteriors, taxes, relocating green, enlarging #1 & #10 tees, tree removal, rebuilding of #17 fairway, repainting of pro shop and recreation shop, netting #7 fairway, asphaltting, pond aerators, with a total improvement budget of \$74,000 and total capital machinery and equipment budget of \$107,740. He noted that several items of equipment and machinery have repair bills (estimates) in excess of their value and he explained the "John Deere" lease program for the following equipment: new mower unit, tractor, rototiller, box scraper, 5 gang rough unit, backhoe, at a total of \$70,000. Debt service on the building needs to be addressed, also, he noted and with a lease payment of \$27,000 per year, this would allow payment toward debt service. He talked about down time of equipment and machinery, cost of new equipment vs. lease/purchase plus need for a vertadrain system, shop vac, 12 ton press, replacement of one utility vehicle, signage (in lieu of a course marshal).

Councilor Weiser asked how many rounds would be played this year and Parks & Recreation Supt. Ballew said they anticipated somewhat of a decline this year however, with the county Pro Am coming in, plus other course improvements, it will probably end up around 45,000 to 50,000 rounds. In 1988 they had a total revenue of \$656,000 which he did not translate into rounds and he said further, that they did anticipate having to increase greens fees.

Councilor Baxter noted that over the years, several types of equipment have been used including Jacobsen, Toro, John Deere. He added that it's nice to have new equipment but on the other hand, the gang mowers are made to be rebuilt and will last a long time and in addition, the City shop can repair this equipment.

Parks & Recreation Supt. Ballew explained that the equipment is continuously going down, going to the shop constantly and maybe this situation needs to be evaluated more but they did compare Ford and Kubota equipment and after checking out the John Deere equipment/program, felt their equipment meets the requirements of Cedarcrest with its drainage problems.

Councilor Baxter agreed the tractor does need a lot of work-- power steering, fuel pump, clutch needs to be repaired on the present tractor.

Mike Robinson, Golf Course Supervisor addressed Council and explained that the tractor is needed for loading sand, etc. but is basically outdated, is not safe, does not have a low center of gravity and has no roll bar or seat belt.

Councilor Baxter argued that a backhoe on any tractor will affect its center of gravity and Mr. Robinson agreed but noted that it would be affected less with a newer tractor. He also noted that the loader and backhoe on the old (current) tractor are very time-consuming to dismantle vs. the new one and the new one has a roll bar and lower center of gravity.

Councilor Baxter agreed that the quick-disconnect feature is an advantage of the new unit but there are problems both ways.

Mr. Robinson explained that the new tractor would be more suitable also as far as hydraulics for the aeration, towing of the 5 gang mower, etc.

Councilor Pedersen asked what they would do with the old units and Parks & Recreation Supt. Ballew said they would either be used as backup units or as surplus equipment.

Councilor Schank brought up the subject of personnel safety and there were several comments agreeing that is most important.

Councilor Baxter said the old tractor before this one was not disposed of, it was overhauled and used and that may happen again. He said he agreed the golf course needs decent equipment but that he would like to see the old equipment sold or used.

Mr. Robinson said he would like to study the possibility of using both pieces of equipment at various times of year.

Councilor Baxter moved and Councilor Schank seconded to accept the Golf Course Preliminary Budget as presented. Passed unanimously.

PUBLIC HEARINGS:

2. L.I.D. #63.

Larry Wade, Engineering Consultant, addressed Council and stated that hopefully, this will conclude 5-7 years of working on improvement of 64th St. NE. He noted the project was bid last fall and most of the construction is done, notices were placed in the Marysville Globe, individual notices were mailed to property owners 11/11/89, copy of final assessment roll sent to Phil Dexter 11/11/89. He noted that about six notices have been return as undeliverable (Lyons Mortgage and City Assessment Services). In the case of Suncrest Terrace, he said Seattle Mortgage received a package of assessments as well as public hearing notices to the individual property owners. The total assessment roll is \$886,400 he noted, of which \$23,000 is owed directly by the Ripper property purchaser for Parcel 4-013. He said they agreed to pay directly to the City. He explained that the final assessment had come in a lot higher than anticipated due to several factors: major revisions to the drainage/retention system; sidewalk and planting strip had to be redone after more pit run, cut and fill, curbs and gutters, unsuitable sub-grade material removal and replacement. It was noted that the water content of the soil was found to be

in excess of 20% and additional foundation had to be put in. He mentioned other expenses of installation of traffic signal conduits and maintenance of a 6% guaranty fund. He then detailed how he used the Zone & Termini method for assessment calculation and gave reasons for this as well as comparing the accuracy/equitability of the front footage method and per unit calculation method. He noted that the appraised value method is one which the City has not used and the square footage method is considered in the Zone & Termini method.

Mr. Wade commented further on the drainage system, oversizing of mains, regional retention contribution, outfall and noted that the property owners within the benefit area would be paying \$425 per lot plus \$225/unit to cover storm drainage mitigation under the regional retention system. He noted that McKay, the mobile home park and Grandview Village would hold recovery contracts at \$19.67 per front foot.

Mr. Wade paraphrased the letter of protest received from Seattle Mortgage wherein Mr. Danielson protests inequitable assessment, breach of contract on the part of the City, benefits to homeowners, traffic congestion, method of calculation of assessments, late-comers agreements, cost overruns.

It was noted that Withers would be paying for their assessment of Parcel 4-013 directly to the City and City Attorney Allendoerfer pointed out that should not have been included as part of the LID on the map.

No one from the audience spoke in favor of LID 63.

Norman Danielson of Seattle Mortgage, 229 Queen Anne Avenue North, Seattle, addressed City Council and stated it struck them as strange that their assessment was above anyone else as far as proportionate share: Seattle Mortgage's \$1598.59/unit as compared to others at least \$500/unit less and he said Seattle Mortgage believes there is room for the City to take back properties on the south side of the street. He then read Item #2 from his letter regarding assignment of funds and said they were of the opinion that the City has breached a specific contract with Seattle Mortgage by exceeding the \$120,400 in asking for \$191,000 for the construction fund. He said they do not feel there is equity under the current assessment and they question the level of benefit that the lots in Suncrest Terrace have enjoyed. He then read his Item #3 and summarized that they feel there is actually a negative benefit/impact because of additional traffic on 528. He said he was not sure what could be done about the problem.

Mayor Matheny noted a benefit in having the park at 64th & 67th.

Councilor Schank asked if any assessment was done on 67th and Mr. Wade explained that no, the assessment was only made from one direction, from 64th (528).

CORRECTED: SEE 12-4-89
MINUTES

Councilor Schank noted that Taylor's property is zoned low density but Mr. Danielson pointed out that Taylor has a request coming up for 280 units to come before City Council. There was further discussion regarding assessing on the Zone & Termini method vs. on a square footage basis vs. based on density. Several comparisons were made regarding acreage of various parcels.

City Attorney Allendoerfer asked as far as the \$120,000 security deposit in 1984, if interest wasn't being earned by Seattle Mortgage and not being collected by the City of Marysville. Mr. Danielson explained there was no provision for interest.

City Attorney Allendoerfer concluded that Seattle Mortgage has probably earned enough interest to cover the difference and that probably will cover inflation on the road costs. He pointed out that Mr. Danielson's calculations were 6% off. Mr. Danielson agreed.

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City Attorney Allendoerfer asked of the 120 lots, how many were owned by Seattle Mortgage Corp. in 1984 and Mr. Danielson agreed it was about half and the City became concerned at one time that Seattle Mortgage would sell off all the lots and that would have an effect on the 64th improvement and so the City put Seattle Mortgage in the position of being forced to sign an agreement with regard to 64th St. improvements, he said.

City Attorney Allendoerfer noted that if Seattle Mortgage had not agreed in 1984 to improve 64th, they would not have had any houses on the property.

Mr. Danielson stated they didn't deny that municipalities have birthright for improvements of abutting streets to a developer, but Seattle Mortgage is objecting to the lack of proportionality between the LID participants for the improvements.

City Attorney Allendoerfer noted that with an assessment method taking into consideration density, houses generate 10 trips per day vs. an apartment with 6 trips per day, for example.

Mr. Danielson said he disagreed, that family size continues to drop and there's no longer the difference in family size as there once was between houses and apartments.

City Attorney Allendoerfer noted that at the time the assessment roll was begun, it was zoned for single family and is now multi family.

Mr. Danielson countered that Withers, Holman and Taylor have ended up benefitting because of the change in zoning/density that they have received and as a result of the construction/improvement of 528.

City Attorney Allendoerfer asked if he was saying multi family is a better investment than single family and Mr. Danielson said, "You bet!"

City Attorney Allendoerfer mentioned references Mr. Danielson had made regarding the City not honoring an agreement/petition and Mr. Danielson said he was not sure at the time that this had in fact happened. City Attorney Allendoerfer pointed out that this LID was not based on a petition but on a resolution by the City Council and Mr. Danielson said he appreciated that.

Councilor Lashua asked why Suncrest Terrace lots were assessed at \$500 higher per lot and Larry Wade explained that Suncrest Terrace was based on 9600 sq.ft.; Centex, for example, was based on 7200/PUD zoning; Taylor was rezoned to multiple family low density. Also, the shape of the property has an effect, he said, noting that Suncrest Terrace lots have a lot of frontage. He also pointed out that if you add the Taylor and Holman assessments together, which represents about the same acreage as Suncrest Terrace, the total assessment for Taylor and Holman is \$216,000.

City Attorney Allendoerfer explained that the City Council is acting in the capacity of a Board of Equalization tonight and may adjust assessment if they believe that to be more equitable. He warned that if Council has to increase anyone's assessment, however, that would involve another public hearing and alternatively, the City could increase their contribution to decrease Suncrest's participation but noted that the City is already contributing \$394,000. In the case of increasing the City's proportion, there would be no further public hearing necessary and the City would be able to hold recovery contracts on the south side of 64th.

Councilor Schank stated he felt the method and amount of assessment is equitable and moved to direct the City Attorney to draft an ordinance confirming and adopting the final assessment roll, such ordinance draft to be brought back next week.

Councilor Hots seconded the motion and it passed unanimously.

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There were comments about the geotechnical firms and liability resulting from their misinformation. Larry Wade said he would look into this further.

CURRENT BUSINESS:

3. Preliminary Budget Presentations, Continued.

D. Engineering - Public Works Director Zabell reviewed capital appropriations, personnel needs, staffing (partly funded by Utilities, Streets and General Fund), inspections, plan checks (which are offset by an additional \$10 revenue per plat now in fee), grant writing, professional services.

Councilor Baxter moved and Councilor Schank seconded to approve the Preliminary Engineering Budget. Passed unanimously.

E. Streets - Lloyd Taubeneck said they are contemplating hiring a Signal Tech because of 8 full signals now with more to be put in. He cited 528 & 47th, 528 & 67th, 4th & Cedar, State & 4th as imminent and said this is a good time to be getting someone in as a Signal Tech.

There was discussion about the need for more sophisticated snow removal equipment, need for a new sweeper (\$100,000) and Lloyd said the present sweeper would be kept as a backup unit. He also mentioned some paving projects upcoming, fuel needs (\$15,000), mileage, street lights expenses. Public Works Director Zabell mentioned several upcoming capital improvement projects that would be funded by the General Fund as well as a grant from Exxon. He also mentioned three upcoming design projects and revenue that will be coming in from TIP #1.

CORRECTED: SEE 12-4-89
MINUTES

Councilor Schank moved to accept the overall Street Budget. Councilor Weiser seconded and the motion passed unanimously.

F. Utilities - Bob Kissinger referred to the breakdown in the packets, highlighting the need for personnel and equipment. He said 7 people have been budgeted for the last 2-3 yrs. As far as equipment and other needs, an IBM PC is needed for utilities contracts with a \$50,000 upgrade for the mainframe computer at City Hall, cellular phone, replacement pickups, additional pickups, utility boxes, fire alarm system, downtown storm drainage, parking lot asphaltting phase II, water main oversizing, 1990 water main improvements, sewer lagoon, sanitation personnel, garbage containers, wire feed welder, steam cleaner were all mentioned.

Councilor Hots asked if a security system is included under the \$12,000 budgeted for the fire alarm system and Utilities Supt. Kissinger stated it is.

Councilor Baxter moved and Councilor Schank seconded to approve/accept the Preliminary Budget for Utilities. Passed unanimously.

LEGAL MATTERS/ORDINANCES & RESOLUTIONS:

1. P.U.D. Lawsuit.

City Attorney Allendoerfer stated that P.U.D. had agreed Wednesday to drop the lawsuit but then they heard the outcome of the City of Everett's unanimous vote in favor of the water pipeline and P.U.D. is now redrafting the lawsuit so the City of Marysville is still in litigation but off the calendar for this week, he said.

2. Stilly Tribe Update.

There is still no agreement regarding the Raney Well City Attorney Allendoerfer reported and he suggested another public hearing date be set.

Councilor Weiser moved and Councilor Hots seconded that a public hearing be set for 12/11/89 for the Stillaguamish Tribes RUSA Variance. Passed unanimously.

3. Ordinance Levying Additional Property Tax for Emergency Medical Care & Services.

City Attorney Allendoerfer explained this would be a 25¢ EMS tax levy on all City property which was approved by the electorate 11/7/89.

Councilor Hots moved and Councilor Baxter seconded to approve/adopt Ordinance #1739 for the 25¢ EMS Levy. Passed unanimously.

4. Ordinance Relating to a Utility Tax on Telephone Services, Sale of Gases, and Sale of Electricity.

City Attorney Allendoerfer explained this would increase the utility tax to 6%, as discussed at the last City Council meeting.

Councilor Hots moved and Councilor Weiser seconded to adopt Ordinance #1740 increasing the utility tax to 6%. Passed with Councilor Baxter opposed. (5-1 vote)

5. Resolution Authorizing Participation in a Deferred Compensation Plan Established & Administered by the State of Washington.

It was explained that this is a tax deferment program in which Carolyn Sanden wishes to participate. It would be at no cost to the City.

Councilor Lashua moved and Councilor Hots seconded to pass Resolution #1390 relating to participation in a State Deferred Compensation Plan. Passed unanimously.

6. Ordinance Relating to Vacation of a Portion of 10th Street.

Councilor Lashua moved and Councilor Schank seconded to adopt Ordinance #1741. Passed unanimously.

7. Ordinance to Relax Residential Requirement for a Parks/Golf Board Member.

City Attorney Allendoerfer explained this is a request from Jim Ballew, to change the requirement to be within the Marysville School District boundaries.

Councilor Baxter commented that the City's population is growing with all the newly annexed parcels. After a brief discussion, it was decided to table this discussion/ordinance.

CALL ON COUNCILMEMBERS/STAFF:

Mayor Matheny thanked and commended City Attorney Allendoerfer for his recent representation of the City at public hearings.

Councilor Schank asked about the possibility of an ordinance allowing teenagers to work in fireworks stands for various organizations such as the Boy Scouts. He noted that teenagers enjoy working the stands and are good salespeople.

City Attorney Allendoerfer admitted that the City code (they must be 18) is more strict than the State code (only 16) and it could be changed to concur with the State code.

Councilor Lashua said he would want to see a responsible adult on the premises at all times and Councilor Schank concurred.

City Administrator Garner stated he would bring this up at the staff meeting tomorrow.

Councilor Baxter brought up the subject of the accident rate on 528 now that it has been reopened and discussion followed. There was also discussion regarding the new 2-way stop at 64th & 67th, vs. the old 3-way stop arrangement.

Councilor Lashua asked that a business license and kennel license be checked into for Egge. He noted she is back to selling dolls again and also has 5 dogs and a kennel license is required for more than 3 dogs.

Councilor Hots announced that he reluctantly would have to resign his post as Councilmember due to a sudden promotion he has received to Boeing in Auburn. He noted that he had really enjoyed serving on the City Council and wished he could give more notice.

Discussion followed regarding replacing Councilor Hots as soon as possible, that there is 2 years left in his term. It was the consensus that the position would be advertised in the Globe, applications received and an interview process gone through before the Mayor appointed someone.

City Administrator Garner reported attending the Basic Law Enforcement Academy Ceremonies recently in Burien with the Mayor and that one of Marysville's cadets, Douglas Lee, received an outstanding cadet award.

Public Works Director Zabell reported he and Bob Kissinger had met regarding the treatment facility and can bring back a written proposal for next meeting.

Mayor Matheny highlighted her recent trip to Washington, DC with the Tulalips, mentioning that they met with BIA, Secretary of the Interior, Senators, Congressmen, the Highways Dept. and they are "looking at Marysville's project".

ADJOURNMENT INTO EXECUTIVE SESSION: 11:30 p.m.

EXECUTIVE SESSION:

1. Real Estate.
2. Litigation.

RECONVENE AND ADJOURN: Approx. 12:30 a.m. 11/28/89.

Accepted this 4 day of Dec., 1989.

Rita Matheny
Mayor

Phillip E. Dexter
City Clerk

Nanda A. Iverson
Recording Secretary