

MARYSVILLE CITY COUNCIL MINUTES

NOVEMBER 26, 1990

7:30 p.m.

Council Chambers

Present: Rita Matheny, Mayor
Councilmembers:
Ken Baxter, Mayor Pro Tem (absent)
Dave McGee
Dave Weiser
Donna Pedersen
Donna Wright
Bob Lashua
Lee Cundiff
Administrative Staff:
Mary Swenson, Administrative Asst.
Phil Dexter, Finance Director
Dave Zabell, Public Works Director
Mike Corcoran, City Planner
Jim Allendoerfer, City Attorney
Bob Dyer, City Police Chief
Doug Ronning, City Fire Chief
Jim Ballew, Parks & Recreation Supt.
Wanda Iverson, Recording Secretary

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00251

CALL TO ORDER:

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

ROLL CALL:

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

MINUTES OF THE PREVIOUS MEETING:

Councilor Pedersen moved and Councilor McGee seconded to approve the 11/13/90 minutes as written. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Rene Martin, 1123 6th St., addressed Council, stating she wished to bring to everyone's attention that she has been having problems with her water, sewer and garbage. She stated that she moved on the 12th and after living in the house for two months, received a bill for 6 cans of garbage on 9/4 (when she moved in on 9/12). She said when she called, the City gave her the run around and then she was told she would have to write a letter concerning her complaints. She said she has since found out that she was billed for garbage that's being put out by other people.

Mayor Matheny noted that people need to be made aware that even if they just put out a bag, it's considered an extra can of garbage and they are billed accordingly.

Ms. Martin said there seems to be a lack of communication with the City if she has to write a letter to get this solved. She said she would like to see it where if she tells the City she will only have one can, then they only should pick up one can. She said she would like to see the process figured out so others don't have to go through the same process.

Councilor Lashua noted he has been having similar billing problems on the garbage and thanked Ms. Martin for bringing her problem to the attention of the City Council.

Ms. Martin further explained that they write down how many cans are picked up but she is not putting that much in.

Cheryl Dagart, 1505 1st St., addressed Council with a similar problem. She stated she was to have been charged for only one can and she was told to put her name and address on the can (which

she did). She explained she lives behind the Oriental Inn and she thinks what happens is people throw trash next to hers and then she gets charged for it. She said she agrees that if you put in for one can, you should only have one picked up and should only be charged for one. She concluded that hopefully something can be done so people are not getting charged for garbage that's not theirs.

Councilor Weiser suggested an alternative where people would pre-pay for stickers to put on the extra bags/cans and asked these two people if it would be worth it to the customer to have to go to City Hall and buy the stickers.

Ms. Martin said it would be worth it to her.

Ed Martin, 1123 6th, then addressed Council and asked why it is mandatory to have garbage picked up in Marysville, because he feels it's against his constitutional right and freedom of choice.

City Attorney Allendoerfer explained that the City determined 33 years ago that collection was necessary because the City had become urbanized enough and he added that City Council does have the power to amend the mandatory ordinance at any time, but have chosen not to do so. He noted that a lot of cities have this ordinance and Snohomish recently had this ordinance challenged but the court upheld it when it went to court on the same grounds (constitutionality). He told Mr. Martin his only remedy is to talk City Council into giving the citizen the choice and overturning the ordinance.

Mr. Martin said he was sure there must be others who wish to take their garbage to the dump and if people were to become a health hazard, they could be fined, he suggested, but appealed to the City to at least give people the choice.

Councilor Weiser asked if the City of Everett has this ordinance (mandatory) and Mr. Martin said he didn't believe they do, but he goes to the dump all the time and would like City Council to look into this further.

Mark Isaacson, 1048 State, addressed Council regarding his high water bill. He stated he runs a laundromat and the overage has increased his water bill by 40% and this comes at a time when he is trying to reduce the water use as much as he can. He said he feels he can't put his prices up because of the competition and so this translates into having to let one employee go. He noted also that his garbage has gone up tremendously, even though his consumption has gone down and he appealed for help from City Council, adding that he felt it unfair when he is trying to help out other people. Also, he noted there are a lot of stores not using their allotment and he has machines that only use half what home style washers use and his competition has the same minimum--it's based on the 2" feed line, he explained. He said his competition only have 15-20 machines; he has 38 and that is why his water bill is so high.

Mayor Matheny explained that the City is trying to conserve water and just can't make any exceptions right now.

City Attorney Allendoerfer stated the City's emphasis is conservation and will be hiring a person in 1991 to go around and talk to people and that person can come by and visit Mr. Isaacson, he suggested.

Mr. Isaacson said he certainly did not want to have his laundromat go to recycled water as some laundromats do.

PUBLIC HEARINGS:

1. **The Formation of a Storm Water Utility; A Funding Mechanism to Collect Money to Solve Storm Drainage and Water Quality problems (continued from 11/13/90).**

Public Works Director Zabell gave an overview and talked about various sources of funding--the county, Tulalips. He lead the discussion concerning other capital improvements, maintenance, rehabilitation of stream channels, the golf course, Sunnyside Hills' particular problems, with money to be used out of the storm water utility to be matched with other funds. He talked about the necessity of public education, workshops, the advantages of the adopt-a-stream program, drainage complaint response. He reported that Marysville survived flood problems of this past weekend fairly well and this fund would help with manpower and repairs for this type of complaint in the future. He noted the projected revenue is \$140,000 per year and he talked about regional and local funding and expenses, noting also that the storm water detention will result in 400,000 gallons being diverted from the sewer lagoon.

Councilor McGee asked what proportion of the \$140,000 income is commercial vs. residential and Public Works Director Zabell said he could follow up on that with the County Assessor's office.

Councilor Pedersen asked about grant money and Public Works Director Zabell said there will be some with regard to the stream rehabilitation, for example, he was sure.

Councilor Pedersen said she noted expenses for 1995 and 1996 projected for \$175,000 each year, with an income of only \$140,000 per year.

Public Works Director Zabell explained that he was counting on a carry over from the first couple years, with large capital outlay in 1995 and 1996.

Councilor Weiser noted that the county is charging \$22 per household per year and Public Works Director Zabell said Marysville is basing the rate on the county's rate structure and also noted this is the average rate being charged in the state.

Mike Papa, 9128 58th Dr. NE, addressed Council, stating he felt the sewer moratorium offers Marysville a good chance to do some good planning and said he felt this plan certainly a step in the right direction. He explained that he works for the City of Everett and inspects various treatment plants/systems and in his opinion, the systems based on sand filtration are not very effective; the best ones are biofiltrtion detention ponds because they filter out underground pollutants, for example. He stressed the importance of inspections, maintenance, development regulations, steep slope ordinance, wetlands ordinance and a good Comp Plan for Marysville.

Otto Herman, 1298 Beach, addressed the Council, stating he is in favor of the formation of a storm water utility, as proposed by the Public Works Dept. He said he noted a lot of standing water last weekend and also noted that Allen Creek under the 528 bridge was running very brown. He said he is concerned about Marysville's fish bearing streams and even with the tax increase involved, felt it a step in the right direction. As far as those that contribute toward the problem being responsible for the problem, he said in his opinion damage to our resources is a result of the cumulative effect of all development over a period of many years and a \$22 tax per household per year is certainly fair and legitimate to charge in order to get a start on solving the problem. He commended Dave Zabell on his presentation and urged City Council to adopt the plan.

Dave Aldrich, 5928 97th St. NE, addressed Council and asked first of all if City Council agendas could be published. Mayor Matheny explained that an outside bulletin board is being installed at City Hall and Mary Swenson confirmed that this was so and also explained that the problem with putting the agendas in the Marysville Globe is not being able to meet their deadline. The agendas are posted at the Post Office and on Channel 18 at present and will be posted at City Hall soon, she said.

Mr. Aldrich said he is not a resident of Marysville but still wished to comment on how well the storm water utility document was put together, identifying the problem as well as identifying some very good solutions, he said. He said as far as the issue of "fairness" is concerned, that might be in question with more impervious structures, steep slopes, removal of vegetation, for example, but most important, future problems should be prevented by way of mitigation fees and development regulations. He said he thinks it incumbent on each county to adopt wetlands protection and that the City needs to consider the cumulative effects and perhaps developers should have to post bonds based on the square feet of impervious surfaces prior to occupancy, he said.

Linda Lambert, 8124 83rd Av. NE, addressed Council, stating she thinks the plan excellent but doesn't think the City should charge each individual. She suggested using other alternative methods of funding through utility tax and/or retail sales tax. She echoed a popular question: "Why should I have to pay for the over-development on the east side?" She noted that she is probably going to have to pay \$88/yr. for people who have over-developed the east side and now Allen Creek is polluted again, she said.

City Attorney Allendoerfer pointed out that the fee is only \$22 unless the property is used as a farm. At that point, Ms. Lambert explained that her property is a farm use and City Attorney Allendoerfer conceded that she would probably be charged \$88 in that case.

THERE WERE NO FURTHER COMMENTS FROM THE AUDIENCE AND SO THE MAYOR CLOSED THE PUBLIC INPUT PORTION OF THE HEARING.

Councilor Weiser asked if this would be part of the system on the hillside and Public Works Director Zabell said yes, with the developers paying for the new developments plus the \$22/yr. per household to the County.

Councilor Weiser asked if the storm water utility plan is directed at designated areas and Public Works Director Zabell said it is basically for the hillside now but others could be added, although he noted that a lot of developments have their own onsite detention systems that accommodate runoff water.

Councilor Weiser asked if gravel is considered impervious and City Attorney Allendoerfer said it depends on the use--drainage gravel is not considered impervious, parking lot gravel is.

Councilor Pedersen noted that many cities are doing this in conjunction with the County and Public Works Director Zabell cited the various areas in the county that are covered under the county plan--basically areas surrounding Allen and Quil Ceda Creeks.

City Attorney Allendoerfer stated that basically, since 1987, the City has had a developer impact fee of \$25 and this was taking care of new development. The new fee, he explained, is to help maintain existing storm water systems and to improve water quality. He noted that if approved, the County will administer the storm water utility, collect fees, enforce, and help with design of facilities, etc. Marysville may need to hire another inspector down the road, he said, but the City's responsibility will be minimal. He also noted that private non-residential onsite

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systems will be excepted from paying the fee.

Councilor McGee said he agrees this is a great plan and administration by the County is a great plus. He said he was not happy, however, with the rate structure of \$22/household per year.

Councilor Lashua noted the rates haven't gone up in the last 4 years but said he is also concerned about the impact because somehow, taxes just go up every year instead of only every 3 years. He added that the formation of a storm water utility is long overdue.

Councilor Pedersen agreed it's time we "bite the bullet".

Councilor Cundiff said it would be interesting if a cumulative projected figure of all the taxes that are being charged could be tallied. He said he agreed this is an important area (the storm water utility) and said he would concur with Councilor Lashua about it being overdue.

Councilor Lashua said as far as the older residents having to pay for the newer development-his house has been there for 65 years and he feels he has gotten off pretty cheap until now but for example, he uses fertilizer and his car emits exhaust, too.

Councilor Pedersen moved to direct the City Attorney to draw up an ordinance implementing the storm drainage fee program in the City and to direct staff to draw up an interlocal agreement with the county. Councilor Weiser seconded and the motion passed. Councilor McGee voted against the motion.

2. 1991 Proposed Budget (continued from 11/19/90).

Finance Director Dexter reviewed several amendments to the Budget including adding of the 88th St. SEPA review, signalization projects, Street Fund interfund payments, a \$20,000 feasibility study under Professional Services, to come out of the General Fund for Annexation, salary schedule amendments with adjustments as proposed last week. He noted a correction of \$2,400 in the Finance Dept. budget to cover one hour per day for the receptionist position. He also noted that the Utilities Dept. would like to include two part time people similar to the Finance Dept. at City Hall, which is a very effective way to cover the office, he noted.

Councilor Pedersen asked if the benefit costs would remain the same and Finance Director Dexter said yes, the only difference being if it's a new person to the PERS system.

Mary Swenson added that some of the medical, dental, vision is only for full time employees but the union will sometimes pay 50% on part time people if they wish it.

Finance Director Dexter also mentioned a letter from the YMCA requesting another \$7,500 this year, with \$3,500 being used during 1991 and \$4,000 during 1992. He noted that a Budget Amendment will be done mid-year and recommended the Y's request be considered at that time.

Councilor Weiser brought up the question of whether the Y and the Senior Services Center were going to present a joint request and Councilor Cundiff stated there was no mention of that at the SSC board meeting. Discussion followed about sources of funding for the Y and SSC, the remainder of the \$7,500 allocation having been carried over in this budget, participation figures should be reviewed at mid-year.

THERE WERE NO PUBLIC COMMENTS OR INPUT CONCERNING THE BUDGET.

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Councilor Cundiff noted that Finance Director Dexter's additions amounted to \$169,155.

Councilor Weiser asked about allocated funds for a new roof for City Hall and Finance Director Dexter explained none have been allocated but here may be sufficient reserve to handle that. He also noted that other alternatives had been discussed in previous meetings, for example, waiting until after the first of the year and see what the carry over will be which maybe higher than anticipated, he said.

Councilor Pedersen stated she would like to make the same general comment for department heads and often with items that are similar, an attempt should be made to approach one vendor with a request for several cellular phones, for example, vs. several vendors.

Mary Swenson pointed out that one of the reasons for having a Computer Coordinator was for that reason--to coordinate all computer equipment in every department. She works with each dept. and has saved the City a considerable amount of money, Mary said.

Finance Director Dexter brought up the subject of the heating system, noting that \$15,000 had been budgeted. He said they have attempted repairs but it's still too early to tell if fixing the broken pump was all that was needed (at a cost of \$300). There was further discussion about problems with pipes, blockage in the older sections, zones, circulation, situation much better than it was and the suggestion to leave the \$15,000 in the budget for the time being, just in case it is needed.

Finance Director Dexter noted that several items were being considered for cutting from the budget: printer and disk drive for the Courts, fax and vacuum cleaner for the Executive Dept. He noted that the vacuum cleaner would not need to be purchased in the event it is decided to go with an outside/contracted janitorial service because they would supply their own equipment.

There was discussion about the person employed as a custodian--he would draw unemployment and then be eligible to retire and draw PERS, Finance Director Dexter explained. It was also explained that a new law has just come out with regard to handicap accessibility and this should be reviewed before cutting the handicap accessible door from the budget, he said.

Both Councilors Pedersen and ^{McGee}~~Weiser~~ said they would like further information from Debbie Lytle regarding the need for the Courts demand printer and disk drive. Councilor Lashua said he would like more information on the benefits of Marysville belonging to the Economic Development Council. Finance Director Dexter said as of today, he hadn't found the contract between the City and the EDC and suggested that perhaps a representative from EDC could come to a City Council meeting.

Mary Swenson explained the upgrade of the fax machine, noting the problem is mainly with paper deterioration and it was noted that the Parks Dept. would like to get City Hall's present fax machine if a new one is purchased. Staff is recommending a bond paper fax.

There was considerable discussion on the cost effectiveness of a \$3,500 fax machine. It was agreed that City Hall should have a fax but the question seemed to be whether or not the Parks Dept. really needs one of their own at this point. Parks & Recreation Supt. Ballew said with the Centennial activities, there will be greater need and use of the fax and it was pointed out that when City Hall's fax was originally purchased, no one really expected the high volume of use it is receiving today. There was also discussion about the need for an additional desk top copier at

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City Hall. The consensus finally was that the budget for a fax should be reduced to \$1,000, with one fax machine to go to Parks.

The consensus on the heating system was to "hold off" for now.

The \$3,400 Lieutenant upgrade request for the Fire Dept. was then discussed. Fire Chief Ronning stressed the need for this upgrade and the importance of not having so many firefighters filling in as officers at fire scenes. There were some comments regarding how the Jubie fire was handled and who assumes duties of "Incident Commander". The consensus was to approve the \$3,400 upgrade and also to transfer the \$350 "window opening and closing device" over to the "Decor" budget, increasing the "Decor" budget from \$500 to \$850.

Under Utilities, painting inside and out of the Kellogg Marsh water tank was discussed as well as how necessary the lettering is at a cost of \$2,000. It was the consensus not to do the lettering on this water tank.

There was more discussion about an inhouse City Attorney vs. an outside attorney and Councilor Lashua suggested this issue be discussed separately from the budget issue.

Councilor Weiser asked about the City Hall roof issue again and there was more discussion about the alternatives--reserve funds, budget cuts, personnel cuts, increase in the Utilities Dept., comments regarding the balanced budget, picking up money for the roof after the first of the year and/or making budget adjustment after 2-3 months, needing a more accurate cost estimate for the roof, heating system \$15,000 budget may not be needed, staff needing approval to have plans drawn up for the roof, discussion about the need for architectural services, how much is involved in changing the roof from a flat roof to a sloped roof, structural engineering needed.

Mayor Matheny asked City Planner Corcoran to come back with recommendations to City Council.

Councilor Weiser moved that the Budget be accepted as corrected tonight and Councilor McGee seconded. Passed unanimously.

Councilor Weiser then moved to instruct staff to prepare an ordinance that would impose a 6% tax on City utilities. Councilor Lashua seconded and the motion passed unanimously.

CONSENT AGENDA:

1. Approve 11/26/90 Claim Check Nos. 22064 thru 22225 with 22067 thru 22089 voided, in the amount of \$357,490.58.
2. Personnel Report.

After some brief questions, which were answered by staff, Councilor Weiser moved and Councilor Pedersen seconded to approve Consent Agenda Items 1 & 2. Passed unanimously.

CURRENT BUSINESS:

1. Golf Course Restaurant Proposal (continued from 11/13/90).

Councilor Weiser moved to continue this to 12/3/90, at staff's recommendation. Councilor McGee seconded and the motion passed unanimously.

REVIEW BIDS:

None.

NEW BUSINESS:

1. No Net Increase Proposal - Lakewood Commons.

Public Works Director Zabell presented this proposal for a 255 unit condo near 172nd & I-5 to be constructed with mitigation by repairs to City manholes. He said that staff feels this meets the intent of Ordinance 1795 and the City Attorney has been working with the developer's attorney on an agreement between the developer and the City as far as utility mitigation.

City Attorney Allendoerfer stated he had a copy of the draft agreement and presented it to Council to review. Public Works Director Zabell referred to the packets containing a list of criteria used, a letter from DOE and staff recommendations. He noted that the project can't hook up to the sewer system until the WWTF is in complete compliance with the Consent Order with DOE. It was also noted that the project needs DOE approval, in addition.

Alan Murray of Wight & Hardt addressed the Council on behalf of the applicant, noting that the proposal includes removing BOD from the system through a septic system first and then reducing the remainder of the BOD and increasing hydraulic capacity by repairing manholes. The project is in LID 10 and they also plan to eliminate spaces in the RV park, Mr. Murray said. He noted that they would be displacing 42,000 gallons of water per day with mitigation to the sewer system.

City Attorney Allendoerfer pointed out that the contract also provides that if there is a surplus, it may be applied to future Dujardin projects. He said he didn't think this should be a transferrable commodity (to another developer, eg.) but said he believed it to be a good concept as far as "no net increase". He said staff is recommending that the Mayor and Dujardin sign the contract which would then result in a commitment letter from Marysville for Lakewood Commons that they would take to the County. He added that the sewage system will probably not be used for some time--at least a year before construction is completed, with all improvements to be done prior to occupancy of the project.

Councilor Lashua asked if waste water would be going into the force main on 172nd and Public Works Director Zabell said no, ULID 10 took care of that. It was noted that the total project will be phased in however, improvements to the sewer system will be completed in total prior to occupancy. Mr. Murray noted that Dujardin is expending approximately \$125,000 for the improvements to the sewer system in order to mitigate the impact of the project.

Councilor Lashua asked if they are on Marysville water and Mr. Murray said yes and also noted that they will have ultra low flush toilets in all the units.

Councilor Weiser asked what happens if the sewer moratorium is not lifted once repairs are made and City Attorney Allendoerfer explained that is the applicant's risk.

Councilor McGee said he was impressed with the engineering report and effort expended by the attorneys and the letter from the DOE.

Councilor Lashua asked about reassurance that the hydraulic loading is going to work out and Public Works Director Zabell explained there are enough experts in the field that can tell/estimate this factor. He pointed out that they will probably end up repairing more manholes than needed. There were some comments regarding the methodology of repairing the manholes.

Councilor Lashua moved to authorize the Mayor to sign the contract with "at least a 57,120 gpd decrease" filling in the blank. Councilor Weiser seconded and the motion passed unanimously.

CURRENT BUSINESS:

2. Council Absentism Policy.

Councilor Weiser explained there was a question on whether or not to include "vacation" as an excused absence. He noted that the idea was that an unexcused absence is OK, as long as the Councilmember does not have three unexcused absences in a row. He made the comparison that in the private sector, part time employees do not get a paid vacation.

Councilor Lashua said he felt everyone is entitled to a vacation and two absences for vacation would be excused.

Councilor Cundiff read the state law concerning excused and unexcused absences and discussion followed regarding a lack of interest in people running for City Council and therefore not wanting to restrict City Council from having quality people, the definition of "excused" and "unexcused".

Councilor Cundiff said in his mind "unexcused" means you are in violation of the rules and also pointed out that he ran for office originally in consideration that he would not have to attend every single meeting, that there would be time to travel once in awhile.

Councilor Weiser said he would be in favor of vacation being an excused absence in view of the argument just given and Councilor Lashua agreed. He suggested that the wording be changed to include two consecutive meetings per year for vacation to be excused, under reasons for excused absence.

After further discussion, it was decided that the policy should not be so restrictive as to lessen the number of quality people allowed on City Council and certainly Councilmembers are aware of their obligation to attend meetings and so the consensus was that two meetings per year would be excused for vacation.

Councilor Lashua moved that the following four reasons could constitute an excused absence from a City Council meeting:

1. Councilmember illness.
2. Death in Councilmember's immediate family.
3. Councilmember's employment.
4. Two Consecutive Meetings can be used for Vacation.

There was no second to this motion and Councilor Pedersen then moved that item #4 read "Two meetings in a calendar year can be used for vacation". Councilor Wright seconded and a roll call vote was taken.

Councilors Pedersen, Wright and Cundiff were in favor; Councilors Weiser and Lashua were against and Councilor McGee abstained. The motion passed.

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3. Railroad Crossing - 5th Street.

City Attorney Allendoerfer led the discussion and said BN does not have the money to spend on a 5th Street crossing but the City needs the crossing. It was noted that there is an old contract between BN and the City in force and there were comments regarding the City Attorney responding to BN, construction, negotiations, state law, continuing negotiations with BN, budgeting \$120,000 for 1992 for switching and signalization. It was noted that the City does have the signal equipment already but BN needs to relocate the switch and part of their charges for doing this for the City will be a \$15,000 item for employee vacation pay while relocating the switch! Councilor Weiser noted that the middle spur is active and has to be transferred also.

City Attorney Allendoerfer also pointed out that this is a unilateral decision without consideration of the Transpo or Planning Commission recommendation.

Public Works Director Zabell said he would be bringing back more information from Transpo next week and it was decided that the City Attorney should write a letter to BN indicating we are still interested in negotiating with them.

NEW BUSINESS:

2. Garbage Rate Adjustments.

Finance Director Dexter explained that it was previously discussed that people who did not return cards regarding the garbage rate increases could have been charged \$20.75 however, City Council approved a one can rate only--residential only--but now the City has some serious complaints and some people are being charged for 20 cans instead of one can, for example. The question is whether people should be allowed to reduce their rate at this point, he said and added that technically, a change in the rate would require a change in the ordinance.

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Mayor Matheny stressed that people should be made aware of the fact that a small bag or anything extra is considered an extra can and they would be charged accordingly.

Finance Director Dexter said there have been approximately 200 to 300 complaints about the rates and he didn't feel another mail out would help alleviate the situation, although a mailing to just those that did not respond the first time may help.

There were comments about people coming into City Hall to argue their case, more public awareness needed, possibly through press releases or Channel 18, visual aids, Finance Director Dexter to get together with Duke Carrier and also seriously consider doing a remail to those who did not respond the first time.

3. Priority Ranking for New Sewer Connections; Establish Public Hearing Date.

After a brief discussion, the consensus was that this public hearing should be set for 12/10/90.

4. Transportation Improvement Program (TIP #3); Establish Public Hearing Date.

Consensus was to establish the public hearing date of 12/10/90.

LEGAL MATTERS:

1. Sexual Offenders/Predators.

Police Chief Bob Dyer led the discussion regarding the procedure for when the police dept. receives notification/disclosure about a sexual offender/predator/molester. He stated that one of the Marysville School District advisors did not want to disseminate information until the City Council had approved the procedure. Chief Dyer explained that it would be better to work in conjunction with the school district, he feels.

City Attorney Allendoerfer added that the City Police Dept. receives about five notices a month regarding sexual offenders and the question is whether the information should be advertised or whether we work through the schools and be more selective as to whom to notify and about whom (discretionary notification).

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Chief Dyer explained how background information is sought and how decisions are made regarding whether or not the person would reoffend. He noted that the City of Auburn notifies everyone and puts the offender's picture in the Safeway Store window, eg.

City Attorney Allendoerfer pointed out that in the summer time, the City would have to make different arrangements with school not being in session. He also noted that rehabilitation is an option in prison and is not mandatory, which is something to keep in mind.

Councilor Cundiff made the comment that it's very difficult to determine whether or not they are going to reoffend or what the offender is going to do.

Chief Dyer agreed and said the police department would like to work something out with the school and in the summer other arrangements could be made. He noted there are a lot of judgement calls here, too.

After further discussion, it was the consensus that the MPD should work out some kind of arrangements with the school district as per Chief Dyer's recommendation, in addition to other notifications as deemed necessary.

STAFF BUSINESS:

Mary Swenson announced two mail boxes have been installed at City Hall as well as drop boxes for payments. She explained there would be no more delivery of packets, that they would be available after 5:00 p.m. on the Friday prior to Council meetings. She issued keys for the mail boxes.

Public Works Director Zabell reported on the survival of the sewer lagoon through the flooding and said the effluent is back down.

City Planner Corcoran reported on the Quil Ceda Annexation, stating that after reviewing all the non-protest agreements on file, a sufficiency of petition is shy by 7% and he asked if City Council recommended staff or the petitioner going door to door in the recommended annexation area. The consensus was that he should send a letter out to all those in the affected area, explaining all the pros and cons of being annexed with accurate figures concerning taxes, etc.

There were some comments regarding the cost of the Quil Ceda Creek crossing at 100th and it was noted that a widening and signalization grant has been applied for through TIP funds from the County for 88th to 116th.

City Planner Corcoran said it's possible the applicant may come back and ask for a reduction of the annexation boundary because they do not wish to go door to door. It was the consensus that a letter should still be sent out to all those in the Indian Cr. and Hidden Lake Estates.

CALL ON COUNCILMEMBERS:

Councilor Weiser asked about a hearing examiner ordinance and City Attorney Allendoerfer explained that he is only a pro tem hearing examiner and if he is to become permanent, two chapters of the Marysville Municipal Code will have to be rewritten!

Councilor Weiser asked about speed bumps on Union, Alder and Quinn and Public Works Director Zabell said they are the State's and will be removed at their expense.

Councilor Weiser reiterated a concern about the City having to

pay for prisoners' medical expenses and Mary Swenson said she would have Police Chief Dyer put something in the Friday briefing concerning this.

Councilor Weiser reported that the Planning Commission wants to have a joint meeting with Arlington's Planning Commission and City Attorney Allendoerfer pointed out that there are sensitive negotiations going on right now between the two cities and did not recommend a joint Planning Commission meeting.

Mayor Matheny stated she had informed the Chairperson of the Planning Commission that she strongly advised against it at this point and did not give him her permission to have the joint meeting.

Councilor Pedersen asked again about the congestion at the post office issue and Public Works Director Zabell assured her that this would be brought up at the December Transportation Committee meeting and the postmaster would be invited to that meeting also.

Councilor Pedersen asked about the progress of the Comp Plan update and City Planner Corcoran reported the Planning Commission has approved conceptually established planning areas and a preliminary land use plan. He said a schedule will be included in City Council packets for the upcoming meeting.

Councilor Pedersen asked about the schedule for the Comp Plan and City Planner Corcoran said it does need to be developed and the Planning Commission is meeting as often as needed to do this.

Councilor Pedersen asked if it would be possible to have the Planning Commission minutes included in the City Council packets and Mayor Matheny officially requested that this be reinstated.

Councilor Cundiff mentioned the PUD publication "Current" being recently received in the mail.

Councilor Lashua mentioned the upcoming March of Dimes fund raiser and he also reported on the Snohomish County Tomorrow meeting that was held a couple of weeks ago. He noted that they reviewed policies and guidelines/standards and scopes of work, as well as employment programs.

City Planner Corcoran added that criteria for determining Urban Area Boundaries have also been discussed, with various differences of opinion. He noted the UAB is to accommodate the 20 yr. population forecast with some flexibility so it keeps the cost of housing at a reasonable level. He noted there are some tough and difficult decisions to be made.

Councilor Lashua reported that the deadline for review of final UAB boundaries is June, 1993 and Snohomish County Tomorrow plans to be in business for another couple of years with a budget of \$150,000. He noted that Marysville will be asked to contribute another \$2,800 as their share, probably in the spring.

City Attorney Allendoerfer commented that one of the tasks was to review and approve comprehensive plans of cities and 547 was defeated because of this type of jurisdiction. He pointed out that a group such as SCT should be monitored so that they don't end up with authority over city comp plans and elected officials.

There was discussion concerning authority of 2929 and regionally appointed bodies sometimes getting more jurisdiction/authority than thought at first, more discussion about 547.

ADJOURNMENT INTO EXECUTIVE SESSION: 12:05 a.m. 11/27/90.

EXECUTIVE SESSION:

1. Pending Litigation.

RECONVENE & ADJOURNMENT: 12:10 a.m. 11/27/90.

Accepted this 3rd day of December, 1990.

MAYOR

Phillip E. Dexter

CITY CLERK

Manda R. Iverson

RECORDING SECRETARY