

MINUTES RECAP

00226

MARYSVILLE CITY COUNCIL MEETING NOVEMBER 23, 1992

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Councilor Pedersen excused

MINUTES OF PREVIOUS MEETING: 11/9/92 Approved

STAFF'S BUSINESS:

MAYOR'S BUSINESS:

CALL ON COUNCILMEMBERS:

AUDIENCE PARTICIPATION: None

PRESENTATION: None

PETITIONS & COMMUNICATIONS: None

CURRENT BUSINESS: None

NEW BUSINESS:

1. Angle Parking 915 Columbia - Ebey Apartments Approved
2. Bulk & Dimensional Standards Amendments; Planning Commission Recommendation Approved
3. Bill Roberts Cond.Use Permit Approved

PUBLIC HEARINGS:

1. Warbus Street Vacation cont. Continued to 12/14/92
from 10/26/92
2. Sensitive Areas Ordinance cont. Continued to 12/7/92
from 11/9/92
3. Preliminary 1993 Budget Continued to 12/7/92

CONSENT AGENDA:

1. 11/23/92 Claims - \$569,823.30 Approved
2. 5 Liquor License Renewals Approved
3. Jubie/Maple Place Final Plat Approved
4. Traffic Control 3rd & 47th Av. Approved
5. Cellular One/Jensen Ht.Variance Approved
6. Belmark Ind./Petershagen Rezone Approved
7. Sims Rezone Approved

REVIEW BIDS: None

ORDINANCES & RESOLUTIONS:

1. Res. Adopting Human Svcs.Policy Resolution 1593 Approved
2. Res. Adding New Chapter to Msvl. Personnel Rules for Reporting Improper Governmental Actions & Protecting Employees Against Retaliation Resolution 1594 Approved

LEGAL MATTERS: None

ADJOURNMENT INTO EXECUTIVE SESSION: 9:33 p.m.

1. Real Estate
2. Pending Litigation

RECONVENE AND ADJOURN: 10:46 p.m.

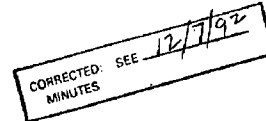
MARYSVILLE CITY COUNCIL MINUTES

NOVEMBER 23, 1992

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
 Donna Pedersen, Mayor Pro Tem (excused)
 Dave McGee
 John Myers
 Ken Baxter
 Donna Wright
 Mike Leighan
 Otto Herman
Administrative Staff:
 John Garner, City Administrator
 Grant Weed, City Attorney
 Steve Wilson, Finance Director
 Gloria Hirashima, Planning Director
 Jim Ballew, Parks & Recreation Director
 Walt McKinney, Marysville Police Dept.
 Dennis Petersen, Marysville Police Dept.
 Dave Zabell, Public Works Director
 Ken Winkler, Public Works Director
 Bob Dyer, Marysville Police Chief
 Sgt. Winters, Marysville Police Dept.
 Cindy Lyons, Marysville Public Library
 Sue Jensen, Municipal Court Administrator
 Charlene Bye, Personnel/Human Resources
 Janet Taggert, Asst. Finance Director
 Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Weiser called the meeting to order at 7:00 p.m. and led the flag salute.

ROLL CALL:

Finance Director Wilson called the roll with all members present/absent as indicated above. It was noted that Councilor Pedersen has an excused absence.

MINUTES OF PREVIOUS MEETINGS:

Councilor Wright moved and Councilor McGee seconded to approve the 11/9/92 Council meeting minutes as written. Passed unanimously.

STAFF BUSINESS:

City Administrator Garner reminded everyone that the City offices will be closed Thursday and Friday for Thanksgiving; the City has advertised for the municipal judge position and applications and statements of philosophy are being received; there will be a state audit 1/6 and 1/7/93. He noted that at the last Towns & Cities meeting in Sultan, an incident occurred that proves it's important for elected officials to attend: a statement was made and Councilor Herman was able to make a statement in defense of the Marysville City Council. City Administrator Garner commended Councilor Herman for his being able to set the record straight on behalf of Marysville.

City Attorney Weed reported he had received a response regarding the prevailing wage law. He asked Council to review the letter and contact him with any further comments they might have.

Public Works Director Zabell introduced his replacement, Ken Winkler. Ken started 11/9/92.

City Planner Hirashima reported the Northwest Annexation census is 766.

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MAYOR'S BUSINESS:

Mayor Weiser gave an update on Snohomish County Tomorrow's county-wide planning policies which were the topic at a workshop 11/13 & 11/14. He said the policies are pretty well finalized and we will be getting copies in the next couple weeks. Also, he reported Mayor Pete Kinch has appointed an ad hoc committee out of cities involved in the RTA agreement, to work on boundaries, routing, funding, etc. and he said Snohomish County will have more money spent in it than originally proposed, however, the time frame may be longer in this county for finalization, also.

Mayor Weiser said he wished to set the record straight with regard to breaking tie votes, which he was asked if he would do at the last Council meeting with regard to the Sensitive Areas Ordinance issue. He said he was of the understanding that he couldn't vote unless it was a money matter but it's the other way around; he may break a tie vote only if it is not a money matter. He stated he probably would not do this unless there were very strong mitigating circumstances, not just when there is a smaller City Council than usual. He reminded everyone that next Monday is a joint Planning Commission/City Council meeting at 7 p.m.

CALL ON COUNCILMEMBERS:

Councilor McGee asked about garbage pickup on Thanksgiving and said he would be out of town for the 12/7/92 Council meeting.

Public Works Director Zabell stated there will be garbage pickup on Thanksgiving and therefore no need to readjust schedules.

Councilor Baxter expressed a concern about the Golf Board not being able to meet because of a lack of a quorum and Mayor Weiser said some of the ordinances pertaining to the boards do need to be reworked so that if there is not a quorum present, there is a provision for that. He added that he will be out of town from 12/18 to 12/24/92.

Councilor Leighan thanked Public Works Director Zabell for getting DOT to take care of the graffiti at 4th & I-5, however there is now new graffiti there again. Public Works Director Zabell said he would follow this up.

Councilor Herman mentioned a letter from CT he had passed copies around to the Planning Commission and said he has copies also for Councilmembers. He asked about the hearing examiner appeal process and whether the public is aware of the 14 day appeal period following the hearing examiner's recommendation. He suggested the possibility of a press release from the City to educate the public on this.

Mayor Weiser asked about the notices on the property having this information and City Planner Hirashima said no, they do not, however the parties of record would receive this information once the hearing examiner's recommendation is made.

There was discussion and comments about notification of the party of record vs. the legal owner and how the City is making every attempt to send the notices to the actual residents in addition to the mortgage company now.

City Attorney Weed said the City also sends copies of resolutions and ordinances to parties of record and there is an appeal period in a resolution/ordinance, also.

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Mayor Weiser noted that there are some hearing examiner recommendations listed under the Consent Agenda in tonight's agenda and he was going to ask for audience input on these, even though they are under Consent Agenda.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

NEW BUSINESS:

1. Angle Parking; 915 Columbia Avenue; Ebey Apartments.

Public Works Director Zabell reviewed the request for diagonal parking--13 angle spaces plus one emergency parallel space. He explained the problem is that the post office and other businesses employees are using up all the available parking in front of the Ebey Apartments and staff recommends approval of the angle parking as well as 2 hour parking restrictions in front of the Ebey Apartments. He noted the 2 hour parking would not be for the entire west side of Columbia.

Councilor McGee asked if the parking places would be normal widths and Public Works Director Zabell said they would be.

Councilor Myers moved to approve the request for angle parking, the one space for emergency vehicles and the two hour restrictions on parking south of the emergency vehicle parking. Councilor McGee seconded and the motion passed unanimously.

2. Bulk & Dimensional Standards Amendments; Planning Commission Recommendation; PA 9210041.

City Planner Hirashima stated the Planning Commission has reviewed side yard setbacks and in comparing them with other jurisdictions, it was noted that they had side yard setbacks less restrictive than Marysville's. With less side yard setback requirements, she noted the builder would have greater design capability especially in the 7200 zones and for accessory buildings. She quoted from the packets but noted 5' side yard setbacks are proposed for accessory buildings in the rear under section 6 of MMC 19.20 (not reflected in the packets). Another recommendation of the Planning Commission is the decreased lot width in the residential zones with side yard setbacks decreased from 20' total to 10' total with 5' on one side, so 5' plus 5' would be acceptable, she said. She noted a 40' setback for lots on a cul de sac has been decreased to a minimum of 20' and the Planning Commission recommended the ordinance change versus variance requests because of the number of variance requests that are being processed. The majority of the current requests have been for 5' side yard setbacks as per the PRD ordinance, she said.

Councilor Herman noted there are no changes proposed for multi-family zoning and City Planner Hirashima confirmed this.

Bud Darling, 1916 Grove, addressed Council and explained it's very difficult with lot widths of 65' to build with a 20' or 40' setback, especially with a garage on the side. He pointed out that Everett has 10' setbacks (total) and he thanked City Planner Hirashima and the Planning Commission for addressing these concerns.

Councilor Herman quoted the proposed minimum lot widths: 75' for 12,500 zoning, 70' for 9600 and 60' for 7200 and he asked if these were reasonable standards.

Mr. Darling said yes, they are.

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Craig Krueger, Northward Homes, 1560 140th Av. E., Bellevue, addressed Council, stating he supports the side yard setbacks as proposed. He said they always try to maximize frontage and with the garage next to the house, going to 70' on the 9600 lots is good, it gives a good balance as well as some flexibility of design.

Harv Jubie, 9905 39th Av. NE, addressed Council, stating on the smaller lots it's hard to find a house that fits and he is in favor of lowering the side yard setback.

Bruce McKinnon, 7612 76th Dr. NE, addressed Council. He said he is in favor of the proposed setback amendments also.

Councilor Baxter asked about rear yard access with no alley and Mr. McKinnon said lot widths are normally more than the minimum.

Councilor Baxter noted he had to recently get in back of his own home to take out some trees and would have been impossible without a cooperative neighbor.

Mr. McKinnon said he is on the hill and can't get into his back yard at all. If that's a problem to the buyer, then they won't buy the house, he said. He added that he thinks it's more important to have the flexibility that these setbacks provide.

Public Works Director Zabell pointed out the 5' is measured from the foundation so there's only 4' from the roof overhang to the property line.

Councilor Leighan asked if this warranted a Council public hearing and City Attorney Weed said no, the Planning Commission had a public hearing and he sees no need for another full public hearing.

Councilor Herman gave the higher densities, affordable housing needs, ability to use smaller lots as benefits to the proposals from the Planning Commission and he moved to adopt the recommendations of the Planning Commission, with the cul de sac setback of 20' change as noted, with the City Attorney to bring back an ordinance for Council approval.

Councilor Baxter asked about any changes concerning substandard lots and City Planner Hirashima said they would still be considered substandard/non-conforming lots with no change.

There was a brief discussion about turning radius in the cul de sacs remaining the same, right of way being 45'.

Councilor Wright seconded the motion and it passed unanimously.

3. Bill Roberts; Conditional Use Permit; PA 9208037.

City Planner Hirashima reviewed the agenda bill, stating the Hearing Examiner is recommending approval for 2 duplexes and access will be to side by side access easements that will serve 2 short plats with a private road serving 6 duplex lots, total. She explained the short plat required a 30' road but with the adjacent development a 60' road was proposed which seemed to make more sense than two 30' roads side by side. She said staff recommends approval of the hearing examiner's recommendation for conditional use permit with 8 conditions. Condition #8 would be compliance with Ordinance 1883 (sewer availability).

CORRECTED
 MINUTES
 SEE 12/17/92

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Councilor McGee moved and Councilor Myers seconded to approve the conditional use permit as per recommendations and subject to 8 conditions as set forth. Passed unanimously.

PUBLIC HEARINGS:

1. Rich & Chuck Warbus; Street Vacation continued from 10/26/92.

It was explained that the applicants have requested another continuance.

Councilor Herman moved and Councilor McGee seconded to continue this public hearing to 12/14/92. Passed unanimously.

2. Sensitive Areas Ordinance continued from 11/9/92.

Mayor Weiser noted that the motion at the last Council meeting was to continue this ordinance, conditioned on a full Council to vote on it, tonight. He stated the City Attorney has suggested it be continued to 12/7 but we are still going to be short one Councilmember on that night (Councilor McGee).

City Attorney Weed said he thought the intent was to have a full Council and if so, this should be continued to a date certain when a full Council would be in attendance, i.e. 12/14 or to have a special meeting.

Councilor Baxter asked if there could be some guarantee that the hearing would be held even then, for the sake of all the people in the audience who keep showing up.

Mayor Weiser stated the DNS appeal has been dropped by the Marysville Community Action Network and that was the main issue and possibly this could be continued to 12/7, without a full Council, necessarily.

Councilor Baxter expressed a concern about so many continuances and he then moved to continue this public hearing to 12/7/92 and to make a decision as long as there is a quorum present. Councilor Myers seconded and the motion passed with Councilor McGee against.

3. 1993 Preliminary Budget.

Finance Director Wilson explained this public hearing will be continued to 12/7/92, when the budget should then be finalized. He explained that some of the changes that have been proposed in the budget are a new bingo tax, surface water utility tax, Council approval of the Six Year Street Plan as a part of the Comp Plan in order to receive funding under the GMA and the Youth Gang Task Force which needs to be funded as per last City Council meeting.

Barbara Galke, 8614 36th Av. NE, addressed Council, stating she is representing the Women of the Moose who have bingo every Thursday. She stated all the proceeds go to charity, there is an average of 49 people who attend each week and all "employees" are volunteer, so they want the Council to reconsider the bingo tax. She said they feel all the money collected under the new bingo tax would end up going toward administrative costs and the Women of the Moose are already putting the money back into the community.

Larry Jasper, representing the Firefighters Hall Bingo, addressed Council. It was noted they have submitted information concerning where all their money goes already--in the packets. He said when the Tulalips moved to town, the Firefighters came close to folding

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up but in appealing to City Council, the Council guaranteed the Firefighters Bingo tax relief. He stated they opened in '74 and up until the time of the Tulalip operations, the Firefighters generated several thousand dollars in revenue: \$12,000 plus in pull tab tax alone per year, property tax, employee tax but have recently been in the "red". He said they are trying to do some things to help turn this around but they do generate a lot of revenue for community services, eg. \$14,000 to date this year, and if the bingo tax is put in, their charity is going to diminish. He said they also contribute in other ways, other than monetarily, such as donating the hall for various community events, free of charge, they sponsor soccer and wrestling teams in the community, they also maintain a building in Everett on the waterfront as well as fire equipment and donate time and effort to car clubs, etc. He added that state law says bingo tax has to be allocated for law enforcement only.

Mayor Weiser asked if their overall revenue has decreased recently and Mr. Jasper said yes and really, the Tulalips have an unfair advantage over the Firefighters and are really taking a lot of business away from them which is in turn affecting the community, he said.

Mayor Weiser noted also that a letter had been received from Gloria Nyans representing Special Olympics in support of the Firefighters' position against the bingo tax and he read a letter from the Marysville YMCA into the record, in support of the Marysville Firefighters position also.

Councilor Herman said it wasn't clear to him what the projection is for the bingo tax in the budget.

Finance Director Wilson said it was estimated to be \$12,000.

Mayor Weiser commented on the state law, noting it was for gambling law enforcement.

Finance Director Wilson quoted from a publication he had received on the matter, stating the law says primarily the revenues are to be used for enforcement purposes, however in a court case it was ruled they could be used for "gambling enforcement purposes first and then after that for general government purposes."

Councilor Baxter noted the proposed bingo tax estimated revenue has already been included in the budget.

Councilor Wright asked what circumstances have changed since taking these revenues out of the budget, and then putting them back in.

Councilor Baxter said he was not sure how much of the \$12,000 would go back into the community, eg. the Firefighters put 30% back into the community. He said the question is whether it's worth it for the City to collect the tax.

Councilor Herman noted it was interesting that \$5,000 has been budgeted for social services which is dependent on a tax which can take away from the social services and he said he has a problem with that.

Councilor Baxter reviewed the Firefighters list again and suggested we might want to just "leave it alone" because the Firefighters are really already fighting an uphill battle and he said he doesn't want to see the City add to their problems, especially knowing the City won't get anything if the Firefighters end up

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quitting.

There was discussion about contributions that affect Marysville and Councilor Herman said he agreed with Councilor Baxter, being against the bingo tax for reasons already mentioned.

Councilor Baxter moved to not proceed with the 6% bingo tax. There was no second at this immediate time.

Mr. Jasper offered to direct more money to human services and organizations of the City's choosing, if that's the problem, in order to keep more money in Marysville, for example.

Mayor Weiser explained that the Y, the Foodbank, the Visitors Information Center, etc., are always looking for help but the Council can't expect the Firefighters to donate to Marysville only and do not wish to influence contributions. He also noted that the Council has supported the Stillaguamish Senior Center in the past and their services are not directed 100% to Marysville.

Mr. Jasper pointed out that the Firefighters have worked with the school on the karate program and these are basically "state" kids out of North Middle School. He said this is their way of reducing state crime but they do get a lot of requests from all over, all very worthy causes and basically, they weigh youth against adult programs, for example.

Councilor Leighan asked about the surface water tax and Finance Director Wilson said that is an interfund tax, similar to other current utility taxes (same rate).

Councilor Baxter asked about the engineering for the 360 Reservoir and if that could help out the General Fund.

Public Works Director Zabell explained that came out of the utility fund and can't be transferred into the General Fund.

Councilor Herman noted that the Youth Gang Task Force requires a budget of \$17,000 but Mayor Weiser pointed out that Council did withhold membership in the Puget Sound Regional Council and saved \$4016.

Councilor Leighan asked about police car needs for next year.

Police Chief Dyer stated the plan is to lease new cars as they don't have the capital at this point.

There was considerable discussion about buying patrol cars vs. leasing, Mukilteo leases and is very happy with this arrangement, terms of the lease would be on a mileage basis with the sergeant's car being leased for a different term as it would have lower mileage, MPD is using one patrol vehicle now that was used at the old station, high speed and high performance requirements of patrol cars, increasing jurisdiction, need is for two cars per year, obsolescence program, 70,000 miles is a good time to trade in a police vehicle--before maintenance goes up, eg., breakdown of maintenance figures, accidents, wear and tear, retrofitting (pouring good money after bad), making the most of the vehicle, service calls, Arlington animal control officer not interested in sharing time/car, in the past we have purchased 2 cars per year but last year Marysville had a down turn in the sales tax revenues, AWC cooperative plan for buying police cars/loans/leases.

Finance Director Wilson said his understanding was that a loan would end up "upside down", i.e. the value of the vehicle would be

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end up less than the loan payoff after about the second year.

Chief Dyer pointed out that the average patrol car doesn't last 5 years.

Councilor Leighan said he had been thinking in terms of purchasing garbage trucks through a loan plan but Finance Director Wilson said the monthly lease payments were very close to a 3 year loan, as compared to a two year lease payment.

Chief Dyer said the leasing program does pay for maintenance on radios, etc., changing and installing equipment, etc.

It was noted a garbage truck has a life span of 10 years vs. 2 years at the most for a patrol vehicle.

Councilor Herman noted that having not purchased a new patrol car recently, we are in fact aggravating the total situation and it is becoming worse and worse as far as the need is concerned.

There was discussion about leasing a new patrol car every two years but Sgt. Petersen pointed out that could amount to a total of \$70,000 in lease payments a year, leasing 8-10 vehicles. There was more discussion concerning the monthly payment of buying vs. leasing, use and life span of the vehicle, 30,000 mi/yr. average on a patrol vehicle, staff to get more figures on leasing vs. purchasing, cost of cars, \$28,000 for a police car package, possibly purchasing one vehicle this year and putting the balance of the funds into a replacement program, MPD currently using a vehicle with 130,000 miles on it.

Councilor Herman noted that with regard to the proposed purchase of an antifreeze recycling machine, he had heard there was a problem with this program and the recycled antifreeze damaged radiators, so these problems should be resolved first. He suggested staff should talk with a person from CT that he got this information from. There was more discussion about recycling programs in general and disposal costs.

Councilor McGee asked about \$24,000 for the Parks youth basketball program and Parks & Recreation Director Ballew explained they take in that amount in fees and spend about \$22,000.

Councilor Herman noted that Jim Ballew's salary should be shown as .5 FTE in 2 places rather than 1 FTE in one place and .5 FTE in another. Finance Director Wilson said that error had been noticed in the budget already.

City Administrator Garner reminded Council of the motion Councilor Baxter made, still on the floor, to not proceed with the bingo tax.

Councilor Baxter remade his motion to not institute the bingo tax and to eliminate the revenues from it shown in the budget. Councilor Herman seconded and the motion passed with Councilor McGee against.

Staff was directed to recommend changes in the budget in order for it to balance with this \$12,000 revenue deletion. Councilor Baxter asked about carry overs.

Finance Director Wilson said they are estimating \$550,000 right now but it will be easier to estimate as we near the end of Dec.

City Administrator Garner said the cuts would have to come from

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page 1-1 - General Fund and there was more discussion about charitable organizations, relief for bingo in the past with the advent of the Tulalip Tribes; that City Council is being quite generous with the dropping of the bingo tax, some money is coming in from the Tulalip Tribes, analyses to be done by staff for next meeting: leasing vs. purchasing police vehicles, maintenance of City vehicles, antifreeze recycling machine, travel money/expenses/meeting allowances.

Councilor Baxter said he would be interested in knowing whether the overall inhouse maintenance program has been effective and City Administrator Garner explained that the City is getting away from the big bills of the vendors that cars had been sent out to in the past.

Councilor Baxter said he was also wondering about the recordkeeping on the equipment, police cars, etc.

Public Works Director Zabell pointed out that the City has approx. 50 pieces of equipment with a budget of approx. \$105,000 excluding golf course equipment, trailers, etc.

Councilor Baxter said he would be interested in these records and City Administrator Garner said any one of the Council is welcome to come down and look at this--it's not a computer print out and staff could provide information on this for Council.

Councilor McGee said he would also be interested and that seemed to be the consensus.

Councilor Wright asked about the model land inventory and City Planner Hirashima said they expected to get these funds for 1992 and that is why it is not shown in the 1993 Budget.

Councilor Leighan asked about Group Health benefits for the Deputy City Clerk and Finance Director Wilson clarified this. He said the City pays out \$50,000 per month to Group Health for employees who choose Group Health for their medical option.

City Administrator Garner summarized information staff and the Budget Committee is to gather for the Council, including suggestions/alternatives for a \$12,000 to \$17,000 cut to accommodate the Youth Gang Task Force.

Councilor Myers moved to continue this hearing to 12/7/92.
 Councilor Baxter seconded and the motion passed unanimously.

BREAK: 9:12 - 9:25 p.m.

CONSENT AGENDA:

1. Approval of 11/23/92 Claims in the amount of \$569,823.30.
2. Approval of Liquor License Renewals for Alfy's Pizza, Buzz Inn, California Tavern, Jackpot Food Mart and the Village.

Councilor Herman moved and Councilor McGee seconded to approve Consent Agenda Items 1 & 2. Passed unanimously. (Councilor Leighan did not vote on Voucher #13670.)

3. Harvey Jubie; Maple Place; Final Plat; PA 9001003.

Councilor Wright moved and Councilor Baxter seconded to approve Consent Agenda Item #3. Passed unanimously.

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4. Traffic Control; 3rd St./47th Av. NE.

Councilor Baxter moved and Councilor McGee seconded to approve Consent Agenda Item #4. Passed unanimously.

5. Cellular One/Jensen Height Variance; PA 9208034.

Councilor Baxter moved and Councilor Myers seconded to approve Consent Agenda Item #5. Passed unanimously.

6. Belmark Industries/Gary Petershagen; Rezone from BC to RMM; PA 9208039.

City Planner Hirashima noted that the Planning Dept. did get a phone call from Mr. Crow who had a concern regarding the lack of a visual buffer or screening for the apartments across the street where he lives.

Mayor Weiser reported that Mr. Crow since withdrew his concerns because there is some landscaping.

Councilor Baxter moved and Councilor Myers seconded to approve Consent Agenda Item #6. Passed unanimously.

7. John Sims; Rezone from RMM to BC; PA 9208036.

Councilor Herman moved and Councilor Wright seconded to approve Consent Agenda Item #7. Passed unanimously.

REVIEW BIDS: None.

ORDINANCES AND RESOLUTIONS:

1. Resolution Adopting a Human Services Policy.

Councilor McGee moved and Councilor Herman seconded to approve/adopt Resolution 1593. Passed unanimously. (There was brief discussion about funding/lack of it.)

2. Resolution Adding a New Chapter XV to the City of Marysville Personnel Rules for Reporting Improper Governmental Actions & Protecting Employees Against Retaliation.

City Attorney Weed explained this conforms with the new statute which requires public employers to provide "whistleblower protection" effective 1/1/93.

Councilor Wright moved and Councilor Herman seconded to approve/adopt Resolution 1594. Passed unanimously.

LEGAL MATTERS: None.

ADJOURNMENT INTO EXECUTIVE SESSION: 9:33 p.m.

1. Real Estate.
2. Pending Litigation.

RECONVENE: 10:41 p.m.

Councilor Herman moved and Councilor Wright seconded to direct the City Attorney to write a Property Use Permit for Allstate Insurance to expand their parking facility. Passed unanimously.

Councilor Baxter moved and Councilor McGee seconded to authorize settlement for the purchase of right of way property at Grove St. & 47th Av. NE for the price mentioned in Executive Session.

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Motion passed unanimously.

ADJOURNMENT: 10:46 p.m.

Accepted this 7th day of December, 1992.

David Weis
MAYOR

May B. Swenson
CITY CLERK

Wanda A. Swenson
RECORDING SECRETARY