

Original

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

JULY 12, 1993

00159

CALL TO ORDER:

7:00 p.m.

ROLL CALL:

Councilor Baxter 7:17 PM

MINUTES OF PREVIOUS MEETING:

7/6/93 Approved

AUDIENCE PARTICIPATION:

Paula Jonvik, Teresa Van Meagam

STAFF'S BUSINESS:

MAYOR'S BUSINESS:

CORRECTED: SEE 7/26/93  
MINUTES

CALL ON COUNCILMEMBERS:

PRESENTATION:

None

PETITIONS & COMMUNICATIONS:

Letter from Helen Passey

PUBLIC HEARINGS:

- 1. 6 Yr. Transportation Improvement Program (1994-1999) Res. #1633 Approved
- 2. State Av. East Annexation Approved

REVIEW BIDS:

- 1. Emergency Generators; 3rd St. & 51st Av. Sewage Lift Stations Continued to 7/26/93

CURRENT BUSINESS:

- 1. Utility Variance - Water & Sewer Hookup Outside RUSA - Faucett Continued to 7/26/93
- 2. Corner Lot Setback Ordinance, Fences & Yards; Planning Comm. Recommendation Continued to 7/26/93

NEW BUSINESS:

- 1. Rezone/Variance Request; Aldridge - Approved
- 2. Off-Street Parking & Loading Requirements; Planning Commission Recommendation Continued
- 3. Snohomish County Tomorrow Population/Employment Allocation & Urban Centers Discussion/Information Only
- 4. Interlocal Agreement w/Snohomish Co. for Signalization & Channelization; 136th St. NE/State Av. Discussion/Information Only

CONSENT AGENDA:

- 1. 7/12/93 Claims - \$1,541,660.25 Approved
- 2. June/93 Payroll - \$478,368.38 Approved

ORDINANCES & RESOLUTIONS:

- 1. Res. Denying Without Prejudice Util. Variance - Ver Mulm Res. 1634 Approved
- 2. Res. Granting Utility Variance for Water w/o Sewer - Arlington Christian School Res. 1635 Approved
- 3. Res. Adopting Traffic Advisory Committee Recommendations for installation of stop signs, etc. Res. 1636 Approved

LEGAL MATTERS:

ADJOURNMENT INTO EXECUTIVE SESSION:

11:25 p.m.

- 1. Litigation
- 2. Real Estate

RECONVENED AND ADJOURNED:

11:54 p.m.

MARYSVILLE CITY COUNCIL MINUTES

JULY 12, 1993

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor  
Councilmembers:  
 Donna Pedersen, Mayor Pro Tem  
 Dave McGee  
 John Myers  
 Ken Baxter (7:17 p.m.)  
 Donna Wright  
 Mike Leighan  
 Otto Herman  
Administrative Staff:  
 Grant Weed, City Attorney  
 Dave Zabell, City Administrator  
 Steve Wilson, Finance Director  
 Gloria Hirashima, City Planner  
 Ken Winckler, Public Works 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.

MINUTES OF PREVIOUS MEETING:

Councilor Herman noted in the minutes of the 7/6/93 Council meeting on page 1 under "Audience Participation" that Mr. Messmer in fact personally has "solicited" funds rather than personally has "gotten" funds. Also, on page 4, in the first full paragraph, it should be "if the cable company does" rather than "if the cable company dies". He asked that the second to last paragraph on page 4 be changed as follows:

"Councilor Herman said on the issue of the Sno-Isle Regional Library decision, [delete: he continues to support their choice of library materials;] he doesn't think freedoms should be curtailed through labeling, he said. He noted they (SIRL) send out a letter to parents. [delete: which seems to be an adequate warning in his mind on this issue.] He added that he appreciates the fact that he was able to testify [delete: on behalf of] to the library board and appreciates their efforts and perhaps the board could look at ways to strengthen the message."

In the fifth full paragraph on page 4, Councilor Herman asked that in the last sentence, "asked if this affects ownership" be changed to "asked whether this restricts ownership".

On page 7, Councilor Leighan referred to the third full paragraph, noting "paying full boat" should be "paying full bore".

On page 2, Councilor Pedersen pointed out that in the second paragraph under "Staff Business" it should be "reported" not "report" after "City Administrator Zabell" and in the very last sentence on the page, there is an extra "if". On page 7, in paragraphs 4 & 5, she asked that "neighbors" be changed to "other interested parties" to reflect her intent. On page 8, in the last paragraph, she asked that the word "recommendations" be changed to "comments".

There being no further corrections to the minutes, Councilor Herman moved and Councilor Myers seconded to approve the minutes of the 7/6/93 meeting as corrected. Passed unanimously.

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of next page*

with cruising, noise, disorderly conduct and domestic violence in her neighborhood. Her residence is on the boundary between the City (she is within City limits) and the County and there has been much confusion when she calls for the police, as to who should respond, the MPD or the Sheriff's Dept., because the neighbors she is complaining about live in the county. She urged the Council to adopt or amend ordinances with "teeth" concerning cruising, noise, etc. She said she experiences a lot of fear with the situation with her neighbors--they look like nice people but have turned out to be very dysfunctional and yell prejudicial and obscene remarks regularly as well as engaging in a lot of domestic violence and arguing. She added that apparently the MPD is having a problem with response because the county is on one side of the street, the City on the other. The City she noted has recently adopted a false alarm ordinance and she said she would like to see something done about the noise, loitering, cruising, etc. and the police need to treat these problems more seriously, she said. She added these kids that are cruising are involved in crack, have guns, etc. They are disturbing the peace, and causing a lot of fear on the part of taxpaying, orderly citizens and she said she would really like to see orderly conduct reign in our City. She presented a copy of the Longview city ordinance (as a sample) on cruising to City Council and concluded that she is a very concerned citizen and would like to see something done about these problems in Marysville.

Mayor Weiser noted that part of the problem is two jurisdictions with the neighbors who are creating the problems living in the County.

Ms. Jonvik agreed, but noted there are a lot of people being "terrorized" by these problems but she is the only one willing to come forward and complain about it at this point.

Mayor Weiser assured her the City has been looking at a multiple county cruising ordinance.

Ms. Jonvik noted she just heard Safeway has had to hire additional security because of problems in their parking lot that the kids have been causing--vandalism, noise, etc. and they are ruining it for all others, she stated.

Teresa Van Meagam, 9209 61st Dr. NE, addressed Council. She stated she came tonight in support of the library book issue, on behalf of Mr. Moses. She said she understands people's concerns about not being allowed to continue to check out books but as a teacher, she said she feels we need to try to keep in mind that we don't want our children exposed to negative material such as this, either. She said the library board had suggested parents accompany their children to the library and scan the materials that the children would check out but it's very difficult for parents today to do that, especially having the responsibility to scan all the materials--too much to expect, she said and she talked about movie ratings and that books are no less important with the broader materials that are now available in our public libraries. She said even with the First Amendment, we have the responsibility to raise our children properly, however she did not know how much jurisdiction the Council has over this. As a public school teacher, she said she would like the library to be part of the solution rather than part of the problem and she would like to see the Council do whatever it can to support Jeff Moses, she concluded.

Mayor Weiser explained that is an issue that will be discussed in Executive Session tonight with the City Attorney.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Paula Jonvik, 4616 84th St. NE #C, addressed Council, concerning problems with cruising, noise, disorderly conduct and domestic violence in her neighborhood. Her residence is on the boundary between the City (she is within City limits) and the County and there has been much confusion when she calls for the police, as to who should respond, the MPD or the Sheriff's Dept., because the neighbors she is complaining about live in the county. She urged the Council to adopt or amend ordinances with "teeth" concerning cruising, noise, etc. She said she experiences a lot of fear with the situation with her neighbors--they look like nice people but have turned out to be very dysfunctional and yell prejudicial and obscene remarks regularly as well as engaging in a lot of domestic violence and arguing. She added that apparently the MPD is having a problem with response because the county is on one side of the street, the City on the other. The City she noted has recently adopted a false alarm ordinance and she said she would like to see something done about the noise, loitering, cruising, etc. and the police need to treat these problems more seriously, she said. She added these kids that are cruising are involved in crack, have guns, etc. They are disturbing the peace, and causing a lot of fear on the part of taxpaying, orderly citizens and she said she would really like to see orderly conduct reign in our City. She presented a copy of the Longview city ordinance (as a sample) on cruising to City Council and concluded that she is a very concerned citizen and would like to see something done about these problems in Marysville.

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STAFF BUSINESS:

Finance Director Wilson said recently the position of Account Representative Clerk has been filled by the Utilities Support Clerk so that position (half time) is now open and they would like it changed to .5 FTE each: Receptionist & Utilities Support Clerk. He said they would like to try this for a couple months and see if it works.

Councilor Pedersen asked about seating in the office at City Hall for the .5 FTE Receptionist & .5 FTE Utilities Support Clerk and Finance Director Wilson assured her both positions are right up at the front counter, to serve the public.

Councilor Baxter noted he is in favor of any move that would reduce personnel and moved to approve this as presented by staff, on a temporary basis. Councilor Wright seconded and the motion passed unanimously.

City Administrator Zabell reported a letter has come in (copies distributed to Council) from Helen Passey on the library book issue, supporting the library board's decision.

City Attorney Weed reported 1) the Legislature has approved some criminal justice funding and up to 60% of that money is available to cities that qualify, so he said he has prepared memos outlining projects that Marysville can compete for funds with, such as probation services and the police bicycle patrol. He stated he has talked with Judge Trivett on this and some completed applications will be forthcoming. 2) Regarding the Sno-Isle Regional Library Board decision, this will be reviewed further in Executive Session, he said. 3) On the noise and public disturbance issue, he said Everett is in the process of considering an amendment to their code where the police can issue citations for boom boxes, loud stereos or CD players, offensive/loud party noises; he will be following this and letting Council know. He said he has a copy of Everett's draft ordinance and yelling, etc. from 11 p.m. to 6 a.m. can be cited. Also, a cruising ordinance for Marysville has been drafted, it has been in his file for a year, it is a policy issue and can be brought up again before Council if they wish. 4) The architectural services agreement on the library with The Lewis Company will probably be brought back before Council within the next two weeks.

City Planner Hirashima reported 1) Paul Rochon, the new Code Enforcement Officer, will be starting tomorrow. 2) The Comp Plan EIS is nearing completion, with the first public hearing probably in August. 3) TDRs and density rights to be discussed tomorrow night at the Planning Commission meeting.

Public Works Director Winckler reported on some openings:

- Building Maintenance Worker - filled 7/1/93
- WWTF Manager to be filled 8/1 internally
- Street Laborer position to be filled internally
- Equipment Operator position still to be filled
- City Engineer - will be making recommendations to the Mayor soon (interviews done today)

2) The 83rd Transmission Project pipe has all been laid and project is almost complete. 3) Tour 7/31 at 8 a.m. of the WWTF for Council. Public Works tour to be scheduled another time. 4) ISTEAs requests: \$430,000 request for 88th & State interchange and HOV lanes - looks like Marysville is in the running for these funds as well as another Overlake project we requested funding on, he said. He added that Marysville has a proposal for the Mayor to take to Snohomish County Tomorrow and he reported he (Public Works Director Winckler) and City Administrator Zabell will be attending a meeting with Puget Sound Regional Council for some funding, also.

City Administrator Zabell expanded a bit on this, noting Snohomish County is phasing out their membership in Puget Sound Regional Council.

MAYOR'S BUSINESS:

*s/b Central Puget Sound Economic  
Development Council*



Mayor Weiser said he received a call from Ron Closson of Havenwood Convalescent Center who wish to install a 24 bed Alzheimer patient ward. They need state approval, another nursing home in Snohomish County has object and they are looking to Council for support, he explained.

Councilor McGee said he would be in favor of the Mayor sending a letter of support and Councilor Pedersen echoed his remarks.

Mayor Weiser explained how they were able to get this licensing and City Attorney Weed said Havenwood has to amend their Certificate of Need and they are looking for the Council's support to present to DSHS.

Councilor Baxter asked where the next nearest Alzheimer's unit is and Mayor Weiser said he is not sure. Councilor Herman said he is somewhat uncomfortable with not knowing all the facts.

Councilor Pedersen volunteered she knew the Silver Lake facility is now full and she said she would give her support for an Alzheimer patient unit at Havenwood.

The consensus was for the City Attorney to draft a letter in support (low key) for Havenwood.

CALL ON COUNCILMEMBERS:

Councilor Herman reported he had visited the Petting Zoo on Sunday and it is a very nice facility. He asked about any further info on Mother Nature's Window property. He said he mentioned it to Ross Kane and he said it would not be a problem for the county to come to a City Executive Session regarding the situation.

Mayor Weiser explained Jim Ballew was going to get in touch with the County Parks Dept. but is on vacation now. He said he would follow up on this with Jim Ballew.

Councilor Leighan asked if the plan was to pave the parking lot at 4th & Columbia.

City Planner Hirashima said it should be if it's a formal replacement of the parking on 4th; the 528 project has not been completed as yet. Discussion followed concerning whether it was a private or public parking lot and it was noted the City has no requirement for a private parking lot or private offstreet parking to be paved.

Councilor Leighan asked about the Lewis Architectural firm being the architects for sure on the new library. He also asked for a copy of the draft cruising ordinance for the Council's information.

Councilor Baxter asked about a job description for the Building/Grounds Maintenance person and Public Works Director Winckler explained someone was promoted from inside to fill this position and the job description was developed sometime ago. This position is supervised by the Public Works Superintendent, he said.

City Administrator Zabell said he would get a copy of the job description for Councilor Baxter and check it further.

Councilor Baxter said he thinks Council deserves a pat on the back for pushing the Petting Zoo project through. On the parking lot

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issue, he said he doesn't understand why we need to pave parking lots--they just collect a lot of oil which ends up in the river; it's just creating another problem, he said.

Mayor Weiser asked about revisiting the code or having staff take a look at it and City Administrator Zabell noted it's actually on the agenda tonight under New Business.

Councilor Myers noted that Kent has a noise ordinance whereby if noise can be heard within 30' they can be cited. This has also had the effect of eliminating cruising in Kent as well as being effective for residents, he said.

Councilor McGee said he will be out of town on business 7/26/93.

PUBLIC HEARINGS:**1. Six-Year Transportation Improvement Program (1994-1999).**

Public Works Director Winckler reviewed the agenda bill with staff recommendation of approval as presented. He noted some projects have been added to the list from several months ago as well as some priority assignment changes, such as 16-9 (\$430,000 county project mentioned earlier) now being considered for ISTEPA funding. He added that staff has looked at landscaping on some of these projects but feel it's premature at this time; more information is needed regarding right of way and other considerations, he said.

Councilor McGee noted Council recommended streetscaping on 528 but not if we have to acquire additional right of way to do so.

City Attorney Weed noted all the information in the packets is to become part of the public record concerning this.

Public Works Director Winckler referred to the colored map and said priority is based on need.

City Attorney Weed reiterated that the hearing will require that the documents be all made available to the public at the City Clerk's office.

Councilor Pedersen questioned 16-1 and 16-9 being tied together and yet not scheduled to be done at the same time. Also, she had a question on bridge construction under #8.

City Administrator Zabell explained the box culvert will have to be replaced by a bridge, also 116th to 136th is going to have a higher federal priority for capacity improvements and another factor involved in placing priority is "HOV" gets a more likelihood/better priority for state funding, he said.

Councilor Pedersen noted Washington Dental Service encourages carpooling/vanpooling and asked about the City's position on this.

City Planner Hirashima noted that will be covered under the off street parking issue later on the agenda.

Mayor Weiser noted the City does have a couple of employers that are really close to the 100 or more on the same shift, etc. criteria, but none that qualify as yet for carpooling/vanpooling.

Pam Kleinbosch, 7114 52nd St. NE, addressed Council, stating she would like to know what roads/improvement projects are being discussed here. She stated she went to the Public Works Dept. and no one could give her the information. (She was then given a copy of the priority list that she asked for by the City Administrator.)

There was discussion about delaying this hearing until later,

having copies of information available for the public.

Councilor Pedersen moved to table this hearing until after Public Hearing Item #2. Councilor Herman seconded and the motion passed unanimously.

**2. State Avenue East Annexation; PA 9304012.**

City Attorney Weed swore in those wishing to testify.

City Planner Hirashima reviewed the agenda bill, noting staff recommends approval subject to City's bonded indebtedness and adoption of Comp Plan designation. She said the property owner for Lot 2 also owns property to the north within City limits and the property owner is currently proposing a subdivision involving both lots and it would simplify matters if he only has to deal with one jurisdiction.

Bill Roberts, 4129 76th St. NE, applicant's representative, addressed Council. He said both property owners have signed the annexation petition; they just want it all within City limits and to clean up the boundaries. He said he called to see if more people wanted in the annexation but there was no more interest at this time. He clarified on the map what's in the City and what's in the county and said this would be the primary access. They would apx for the frontage improvements--curbs, gutters and sidewalks, he said and he explained about the 94th St. improvements. He noted the bank at 94th & State somehow messed up the storm drainage there but he said they would work something out --it's very shallow at the bank.

CORRECTED: SEE  
 MINUTES  
 5/6 1/26/83  
 1/26/83

Councilor Baxter said it sounds like the system was not installed according to the drawings and there was discussion then about how long ago it was installed, who inspected it, it cutting down the opportunity to extend the system, installing some kind of dry well system, Public Works Director Winckler to look at the situation so this project doesn't have to put in a dry well system.

There being no one further who wished to speak, this public hearing was closed at 8:25 p.m. by the Mayor.

Councilor Herman moved to approve the annexation as per staff recommendations and presentation. Councilor Pedersen seconded and the motion passed unanimously.

**1. Six-Year Transportation Improvement Program (1994-1999).**

Councilor Pedersen moved to remove this item from the table, Councilor Wright seconded and the motion passed unanimously.

Mrs. Kleinbosch no longer wished to testify, she said she would be in touch with City Planner Hirashima further.

There being no one further who wished to speak, the Mayor closed the public hearing at 8:27 p.m.

Councilor Myers moved to approve/adopt Resolution 1633 regarding the Six-Year Transportation Improvement Program for 1994-1999. Councilor Wright seconded and the motion passed unanimously.

Councilor Baxter asked about the 4th St. Bypass and Mayor Weiser said that will be discussed further with Public Works Director Winckler.

Public Works Director Winckler noted you can always delete a project from the list, but you can't always add one, so the 4th St. Bypass may be deleted at a future date.



REVIEW BIDS:

**1. Emergency Generators; 3rd St. & 51st Av. Sewage Lift Stations.**

Public Works Director Winckler reviewed the agenda bill, noting staff recommends the bid be awarded to Intermountain Electric Inc. in the amount of \$114,000, which was the low bid.

Councilor Baxter asked what brand of generators this would be for and Public Works Director Winckler said he didn't know the exact brand, that the main concern was compatibility with telemetry but he could find out the name brand and let Council know. He added that \$130,000 was budgeted for generators and telemetry.

Councilor Baxter stated he is uncomfortable with not knowing what the City is buying here and Councilor Herman asked if all the bids were for the exact same equipment.

City Administrator Zabell stated all bids met specific minimum requirements, which included a 1 year warranty, for example.

Councilor Baxter stated his concern about not having all the information at hand and stated he would prefer to continue this. After a brief discussion, Councilor Baxter moved to postpone acceptance of this bid until 7/26/93 so that staff would have time to provide further information. Councilor Myers seconded and the motion passed, with Councilor Leighan against.

CURRENT BUSINESS:

**1. Utility Variance - Water & Sewer Hook Up Outside RUSA; Jack & Mary Faucett; UV 93-010 (Continued from 7/6/93).**

City Planner Hirashima reported she received a telephone request yesterday that this be continued to the next meeting as the applicant wants to provide additional information. She stated this will be the second continuation at the Council level; staff is recommending that the request be denied, she said.

There was discussion about public hearings coming up for the Comp Plan and needing to allow time for those, how full the 7/26 agenda is, etc.

Councilor McGee moved to continue the request to 7/26/93 and Councilor Pedersen seconded the motion. Passed unanimously.

**2. Corner Lot Setback Ordinance, Fences & Yards; Planning Commission Recommendation; PA 9303004.**

City Planner Hirashima reviewed the agenda bill, noting the Planning Commission had particular concerns regarding sight distance and enforcement of the code; a no fee permit system was recommended to prevent allowing fences being built first and then reviewed, she said. She explained the diagrams in the packets with the triangle and trapezoid based on speeds and volumes for sight distance and she noted that there was concern with the longer triangles extending into some interior lots, beyond the corner lot in question. She stated the 15' x 50' triangle it was felt would be adequate and the fencing code amendment would be for corner lots only.

Councilor Leighan asked if fences would be subject to inspection and City Planner Hirashima said no, original plan review only is the plan at this point.

Councilor Pedersen said she would not be in favor of anything that causes a "hassle" factor.

City Attorney Weed stated this gives the City upfront information

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however if there are problems with sight distance or boundary lines sometimes the City can get in the middle of an issue with regard to liability, etc. He warned the City should make sure on the permitting process that the applicant gives accurate location information, etc. and that the City puts the onus on the property owner.

Councilor Pedersen commented about existing homes on corner lots and noted this might be a potential problem.

City Attorney Weed said the record should show the standard agreed on with regard to intersection design, features that cause sight distance problems based on sound research principles, generally accepted; it's important to have reasonable and supportable standards, he noted.

Councilor Leighan referred to the draft ordinance regarding a retaining wall/fence and City Planner Hirashima stated this was not changed from the existing code.

Councilor Baxter said it would make a difference where the retaining wall is: in the front, side or back. It would be a fence if it were placed on the side, for example, he noted.

There was discussion then about hypothetical situations, fences in conjunction with retaining walls, loopholes, interpretation of existing language, administrative review process under section D, adding another waiver under section C if it doesn't create a hazard, no problems have occurred so far, why retaining walls are included under fences (they could be eliminated), retaining walls not being for aesthetics, they are costly and probably mandatory for preventing erosion. More discussion about the definition of a "free standing wall", "extended retaining wall", "free standing fence" including definitions in the code, police chief discretion should be deleted (change to Planning Dept.), no problem for the police to go to the Planning Dept. with anything that comes up, 4' fence restriction including trees within sight distance triangle/trapezoid, Planning Dept. would be willing to strike under e) 2) "hedge, shrub, landscaping", in older areas houses were built closer to the street with sight distance being a problem, plantings right out to the street, etc., newer plats not the problem, discussion about measurement of 15', some conditions have been there for a long time but the ordinance amendment needs to reflect conditions for new plats, permits, Planning Dept. in favor of corner lot permits only, liability issues and increased potential with regard to not enforcing, requiring the permit for everything, if there's an ordinance on the books, people should be made aware of it, it should not be up to the City to inform everyone of all the ordinances, lumber sales people could be made aware of the ordinance, complaint initiates enforcement usually, administrative discretion, permitting/variance process overly restrictive.

City Attorney Weed commented on placing sight distance adjustment calls on the Planning Dept. and liability potential when giving a waiver; the onus should be put on the applicant or the engineer designing the sight distance plan, having the City Engineer put in place of the Planning Dept., City perhaps should just have the applicant sign a document saying they are aware of the ordinance, just pass out the approved diagram in the Planning Dept.

City Planner Hirashima stated the Planning Dept. does not anticipate a complicated process, simply to assure that height restrictions are met (fences), etc. She noted the current practice on building permits is that the applicant must be responsible for verification of property lines, etc.

Councilor Pedersen asked if it would be cumbersome to have a draft that includes a permitting process and one that doesn't. She then moved to revise the fence code ordinance as above and Councilor Myers seconded.

Councilor Herman asked how a person would proceed with a variance and noted the draft should address the height issue as well.

City Attorney Weed commented on the fact that a variance request would come into play with someone wanting to waive any of the requirements of the code and Councilor Baxter noted that any permitting process is going to end up in a fee.

After further discussion about the permitting process, it was the consensus to not support it.

Councilor Pedersen revised her motion to rewrite the proposed fence code without the permit process but with some provision for a variance. Councilor Myers seconded and the motion passed unanimously.

City Planner Hirashima suggested bringing back a revised version of the corner lot setback ordinance also, for example, under 19.08.25.25 strike "regulated" and delete "stop signs and/or stop lights".

There was discussion about justification for stop signs and stop lights, some corners having no stop signs at all.

Councilor Wright moved to amend the corner lot setback ordinance, making the proposed changes and bringing back to next Council meeting under Ordinances & Resolutions. Councilor Herman seconded and the motion passed unanimously.

NEW BUSINESS:

**1. Rezone/Variance Request; Robert G. Aldridge; PA 9210044.**

City Planner Hirashima reviewed the agenda bill, noting staff is recommending approval/affirmation of the hearing examiner recommendation to approve the request. She said currently the property is going through a short plat process which should be called out in the ordinance to clarify. These actions are recommended to be approved concurrently and Lot 2 would remain RS-9600, she said.

Robert Aldridge addressed Council and said there is a 50' strip in the rear for Lot 2 development, covered under a boundary line adjustment in process.

After clarifying that the property had cleared comments from the Fire Dept., Councilor Baxter moved to approve the request/affirming the hearing examiner's recommendation approving the rezone for the existing 13 units concurrently with the short plat request. Councilor Herman seconded the motion and it passed unanimously.

**2. Off-Street Parking and Loading Requirements; Planning Commission Recommendation; PA 9212060/**

City Planner Hirashima reviewed the agenda bill, noting this reflects a recognized need for compact parking stalls in the parking ordinance as well as handicap requirements. She stated the changes were made after reviewing surrounding jurisdictions, Public Works manuals, design, compact stalls and handicap requirements, vanpool strategies, transit considerations, etc. and she talked about some of the other factors considered such as the formula for determining number of spaces, adding some use classifications, landscaping requirements for parking/loading areas and perimeter landscaping with total landscaping considerations to be delayed until the City has a full landscaping ordinance, stall design. She said the revised ordinance is intended to help people with developing a site plan.

Councilor Leighan asked about loading areas and ratio to size of building and City Planner Hirashima stated that section has been taken from Everett's ordinance.

Councilor Leighan remarked that he would think a business who needs berths is going to install their own and he said he would be comfortable with 10-20,000 sq. ft. for the first classification.

Councilor Pedersen questioned the need for 3 parking places per operator for beauty shops. She asked if it might be more appropriate to base their need on a per square feet basis, rather than per operator station. She asked for the rationale under #18 - one parking place per 8 seats.

Discussion followed and Councilor Wright noted that the beauty shop she goes to has 7 or 8 stations and that's 21 or 24 parking spaces. City Planner Hirashima said she would research this further. Councilor Pedersen said she was not sure of the rationale for medical and dental offices needing more parking than other typical offices.

Councilor Myers commented on loading and unloading berths, minimum requirements and handicap requirements and City Planner Hirashima said handicap codes are included by reference in the ordinance. She added that a diagram could also be added for clarification.

Councilor Baxter commented on the 4/25/72 date contained in the beginning of the ordinance and Councilor Herman commented on joint use of park and ride lots, church lots being used by others during the week, etc.

City Planner Hirashima noted 4/25/72 is referring to when the first City parking ordinance was adopted.

Councilor Baxter asked where the requirement came from for hard surfacing all parking lots and why.

City Planner Hirashima said she is not sure, although it's easier to paint striping on a hard surface such as asphalt, thereby enhancing better circulation within the parking lot; if it's not a consideration of the City, it's a concern of citizens, she noted and she added that one of the specific parking lots that comes up is the Marysville Mall parking lot and the need for control and circulation within the private parking area.

Councilor Baxter said that up to 10 spaces, for example, his concern is why it's the City's job to tell a business how to park their customers--it's more than just eliminating gravel from a public road, the City tells them how to direct the traffic within the parking lot.

Mayor Weiser pointed out removal of contaminants is easier with oil separators in private parking lots vs. the runoff going directly into the Slough.

Councilor Baxter argued that even with the oil separators, the contaminants find their way to the Slough.

Mayor Weiser said the City has had claims where people have tripped and fallen in gravel, there are also concerns about dust and air pollution if the parking lot is not paved.

There was more discussion about storm/surface water tax, gravel being charged at the same rate as asphalt, new materials that look like grass, drainage, cleaning, street sweepings/contamination. It was noted there are three specific areas for staff to follow up on and possibly change: loading area wording, number of parking spaces for beauty shops, joint use parking lots.

More discussion followed concerning grandfathering in old loading areas, providing expansion area parking, government buildings and libraries.

Councilor Herman moved for staff to prepare the ordinance with the 3 changes mentioned and to bring it back at the next earliest Council meeting. Councilor Myers seconded the motion and it passed, with Councilor Baxter against.

**3. Snohomish County Tomorrow Population/Employment Allocation and Urban Centers.**

Mayor Weiser noted this is a discussion item only and he reviewed the information in the packets with respect to Marysville being categorized as an activity center and industrial/manufacturing center. City Planner Hirashima gave the rationale for this.

Mayor Weiser said with regard to population and employment forecasts, it's proposed these figures be one target: the numbers are probably about right but the question is where these population/employment numbers are going to be located, he said. Also, whether we to plan on this as a minimum or maximum number over a 20 year period is the main concern, it's not the same throughout the county, Marysville's numbers, through the Growth Management Coordinating Committee, match the county's as far as vacant land areas now, he noted. He said he recommends these numbers be the minimum to plan for.

Councilor Baxter asked about the effect the Navy is going to have on Marysville and City Administrator Zabell noted the Navy is looking for additional property for 225 family units.

Mayor Weiser added that this is going to be visited every 10 years and asked City Attorney Weed if he recommends figures to be maximum or minimum.

City Attorney Weed said he would like to check further into what the Legislature intended under the Growth Management Act on this.

Discussion followed about reviewing figures/projections, etc. every 10 years to keep projections in line, minimum figures, updating comp plans, historically the numbers have been low, it makes more sense to plan for minimum utilities/infrastructure, 40 yrs. vs. 30 yrs. vs. 20 yrs. vs. 10 yr. planning, the one horizon is actually used to argue against the other horizon, a lot of serious mistakes can be made if a longer vision/horizon is not looked at but the "fision" and the 20 year plan do need to be separated, the WWTF plan might be longer than planning for water transmission, providing for 40 years' planning might help reduce the need for future planning, Marysville's Comp Plan update.

City Planner Hirashima stated the issue of minimums and maximums came up at the Planning Commission level with no conclusion. She added that Snohomish County Tomorrow is going to try to determine whether they should be minimum or maximum; there can be an adverse effect if the forecasting is not realistic and maybe that should be the goal--realistic figures. Under Activity Center, page 4, she brought to Council's attention employment figures and densities which were developed by Vision 2020 and there are certain jurisdiction differences (Marysville's is lower)--4 du/ac, for example for residential densities and 5 vs. 20 employees per acre. She concluded that typically, the figures presented are on the low side.

Mayor Weiser said he felt he had the direction he needed from Council, to take this to the Snohomish County Tomorrow meeting.

Councilor Myers left Council Chambers at 11:05 p.m.

**4. Interlocal Agreement with Snohomish County for Signalization & Channelization; 136th St. NE/State Avenue.**

Public Works Director Winckler noted this is for information only.

Councilor Myers returned to Council Chambers at 11:06 p.m.

Public Works Director Winckler reviewed the information in the packets, noting the county has a 15% administration fee and brought the annexation wording to the Council's attention (page 6) as well as reimbursement to the county of \$135,000. He said there have been numerous requests for the signal with suggestions for a possible interim 4-way stop and the main thing to keep in mind, of course, is that this area is a potential Navy site and traffic projections are double, based on Navy relocation. The time frame is that the project is ready to go out to bid and construction can be started as early as late August, he said.

City Administrator Zabell noted the Navy won't reimburse after the fact and the total we are looking at here is around \$245,000. Councilor Baxter noted the alternative is to wait until the Navy comes in and gives us the money. Mayor Weiser pointed out the existing problem at that intersection and the concern is whether we can wait.

Councilor Wright asked who would contribute towards the project and City Administrator Zabell explained the payback schedule from the county, noting that the north leg of the intersection is still in the county. The other three legs are basically already developed with little future funding sources (other than the Navy, possibly).

City Attorney Weed explained the county has earmarked \$130,000 towards this project and the question is whether Marysville should have to reimburse the county, especially after having made up the difference to \$245,000.

Councilor Leighan asked about any guarantees on the part of the county (referring to language in the draft ILA) and City Attorney Weed stated that was pretty standard and adequate language the county uses.

Mayor Weiser asked about Title 26B funding and how long that was for and City Attorney Weed said that was for only 10 years. Mayor Weiser concluded Marysville should probably pursue the Navy for funding.

Councilor Baxter asked if this intersection was included in the MRID and City Administrator Zabell said it was not.

Councilor Baxter asked about construction prior to 26B and City Administrator Zabell said that's part of the argument about funding with the county and reimbursement of monies that were brought in under the MRID, etc. by the county, 26B fees and three-quarters of this signal is now within Marysville which complicates this. Also, the county is denying they have collected anything toward the signal, only 26B funds, he said.

CONSENT AGENDA:

1. 7/12/93 Claims - \$1,541,660.25. 2. June/93 Payroll-\$478,368.38

Councilor Pedersen moved and Councilor McGee seconded to approve Consent Agenda Items 1 & 2. Passed with Councilor Leighan not voting on Vouchers #13383 & 16421.

ORDINANCES & RESOLUTIONS:

1. **Resolution Denying Without Prejudice, A Utility Variance for Water & Sewer Outside City's RUSA Boundary for Cornelius Ver Mulm; 15429 45 Road, Arlington.**

Councilor Myers moved, Councilor McGee seconded to approve/adopt Resolution #1634. Passed with Councilor Leighan against.

**2. Resolution Granting a Utility Variance for Water Without Sewer for Arlington Christian School; 2425 200th NE, Arlington.**

Councilor Pedersen moved, Councilor Wright seconded to approve/adopt Resolution #1635. Passed with Councilor Leighan against.

**3. Resolution Adopting Traffic Advisory Committee Recommendations for Installation of Stop Signs, etc.**

City Attorney Weed stated this is confirming Council action from last meeting, regarding installation of 3 stop signs.

Councilor Wright moved and Councilor Leighan seconded to approve/adopt Resolution #1636. Passed unanimously.

LEGAL MATTERS:

The Globe reporter asked Council at this time if the discussion regarding the library book issue could be made public and City Attorney Weed stated this item was an appropriate item for Executive Session (Potential Litigation), which was the decision of the Council.

ADJOURNED INTO EXECUTIVE SESSIION: 11:25 p.m.

- 1. Potential Litigation.
- 2. Property.

RECONVENED & ADJOURNED: 11:54 p.m.

Accepted this 26<sup>th</sup> day of July, 1993.

*David Weiser*

MAYOR

*Mary D. Swenson*

CITY CLERK

*Manda A. Swenson*

RECORDING SECRETARY