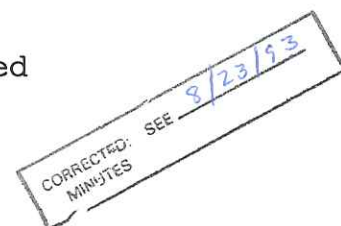


MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING	AUGUST 9, 1993	00209
<u>CALL TO ORDER:</u>	7:00 p.m.	
<u>ROLL CALL:</u>	All Present	
<u>MINUTES OF PREVIOUS MEETING:</u>	8/2/93 Approved	
<u>AUDIENCE PARTICIPATION:</u>	None	
<u>STAFF'S BUSINESS:</u>		
<u>MAYOR'S BUSINESS:</u>		
<u>CALL ON COUNCILMEMBERS:</u>		
<u>PRESENTATION:</u>	None	
<u>PETITIONS & COMMUNICATIONS:</u>	None	
<u>NEW BUSINESS:</u>		
1. Rezone, Preliminary Site Plan & Preliminary Plat of "Verda Ridge"	Public Hrg.set for 9/13/93	
2. Purchase of Reel Grinding Unit for Cedarcrest Golf Course	Approved	
<u>PUBLIC HEARINGS:</u>		
1. City of Marysville's Interim Comprehensive Plan	Public testimony taken - to be cont. 8/23 & 9/7/93	
<u>REVIEW BIDS:</u>	None	
<u>CURRENT BUSINESS:</u>		
1. Snohomish County Proposed IUGA Boundary	Cont. to 8/23/93	
2. Cruising (Discussion Item Only)	Draft Ord. to be brought back 8/23/93	
<u>CONSENT AGENDA:</u>		
1. July 1993 Payroll \$460,345.66	Approved	
2. 8/9/93 Claims - \$790,823.36	Approved	
<u>ORDINANCES & RESOLUTIONS:</u>	None	
<u>LEGAL MATTERS:</u>	None	
<u>ADJOURNMENT INTO EXECUTIVE SESSION:</u>	11:25 p.m.	
1. Pending Litigation		
2. Real Estate		
3. Personnel		
<u>RECONVENED AND ADJOURNED:</u>	11:51 p.m.	



MARYSVILLE CITY COUNCIL MINUTES

AUGUST 9, 1993

7:00 p.m.

Council Chambers

Present: Dave Weiser, MayorCouncilmembers:

Donna Pedersen, Mayor Pro Tem

Dave McGee

John Myers

Ken Baxter

Donna Wright

Mike Leighan

Otto Herman

Administrative Staff:

Grant Weed, City Attorney

Dave Zabell, City Administrator

Steve Wilson, Finance Director

Gloria Hirashima, City Planner

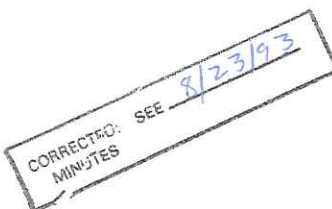
Ken Winckler, Public Works Director

Eric Thompson, Associate Planner

Jim Ballew, Parks & Recreation Director

Walt McKinney, Asst. Police Chief

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 MEETINGS:

Councilor Herman referred to page 9 of the 8/2/93 minutes, 4th paragraph, noting "DNR" should be "ENR" (Engineering News Record). He noted ENR evaluations are done quarterly but he would suggest this be amended to annual evaluations to correspond with the City and State evaluations.

Councilor Leighan said on page 10, 7th paragraph, he wished to make it clear he was not opposed to the videotaping.

Councilor Pedersen referred to the 5th paragraph on page 10, asking that the reference regarding TCI be: "if we were videotaping meetings, a person could go to TCI and get their own copy, eg." On page 6, 8th paragraph, she clarified that she would like to see the City provide a message near the cash register of fast food places for people not to litter our streets.

There being no further corrections to the minutes of 8/2/93, Councilor McGee moved and Councilor Pedersen seconded to approve them as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

STAFF BUSINESS:

Finance Director Wilson distributed and commented on the First 6 Month Financial Report, noting the City is in fairly good shape: the reserve in the General Fund is increasing, however, we need to wait until year end for the final figures for the end reserve balance, but it looks real good so far, he said.

City Administrator Zabell reported Homegrown Festival went by without incident and the City had a booth at it.

City Attorney Weed reported the Legislature passed SB 5815 which provides for confiscation of an auto when a DWI has had their second offense in 5 yrs. and the City will be adopting this WAC/RCW. It was noted there is also a maximum fine of \$5,000 provided for under this new law.

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City Planner Hirashima reported the next Growth Management Coordinating Committee meeting will be 8/16 at 7 PM.

Public Works Director Winckler reported on the street striping and noted the solid waste collection trucks will be arriving 9/7 with training of operators for them, 9/7 & 9/8. He mentioned the City will be calling for bids on a street project 8/18.

MAYOR'S BUSINESS: None.

CALL ON COUNCILMEMBERS:

Councilor Wright commented on the Homegrown Festival.

Councilor Pedersen asked about a library building committee upcoming meeting and asked if that committee would be making recommendations for use of the old building when the new one is built. She said she would like to see City Hall moved in there.

Mayor Weiser said he thinks the committee should look at that as an alternative use.

Councilor Pedersen asked again about a centralized purchasing process/purchasing agent system to be instiuted under the 1994 budget and said she would like to get a feel from fellow Council members with regard to this as far as getting something in the budget.

Mayor Weiser noted some of the items have been in fact discussed at staff level and he said he would entertain any ideas Council has in this regard.

Councilor Pedersen stated she is willing to take a look at other options if the Council doesn't think it's of a high priority at this time.

Councilor McGee noted there have been some improvements made already and Finance Director Wilson confirmed they have started with a centralized purchasing process in a couple departments already.

Councilor Pedersen reiterated her concern about purchase of computers and cellular phones, the fact that the City should be getting a volume discount when more than one of an item is purchased.

City Administrator Zabell said staff agrees. He added that the architectural services contract for the library should be finalized by 8/23/93.

Councilor Baxter confirmed the RUSA meeting 8/12/93 at 7 AM at City Hall. He added he thinks the old library building should probably be just sold because of lack of adequate parking for City Hall needs.

Councilor Myers said he received a copy of a report showing a significant savings to the City (\$545,625) by contracting out the operation of the library to Sno Isle and so he would not be in favor of deannexation from the SIRL system.

Councilor McGee asked that he be notified of the 57th St. Committee meeting so that he may attend. He asked about attendance at the Rotary Ranch and Parks & Recreation Director Ballew reported 10,000 visitors to date.

CORRECTED: SEE 8/23/93 MINUTES slk instiuted

NEW BUSINESS:

1. Rezone, Preliminary Site Plan and Preliminary Plat of "Verda Ridge"; PA 9211054.

City Planner reviewed the agenda bill, noting the proposed PRD includes construction of a sport court, basketball hoop and tot lot.

Councilor Pedersen asked about the density bonus and City Planner Hirashima said it was in lieu of recreation improvements which would be at least 20% of the site put in open space. She explained there is some standard wording/criteria with regard to tot lots, passive/open areas in the PRD ordinance.

Councilor Baxter also questioned the density bonus of 6 lots. City Planner Hirashima confirmed this, noting the lot sizes range from 6600 square feet to 8400 or 8600 square feet. She added that the PRD code does allow lot size averaging with a density bonus if 20% is left in open space. The lot sizes came in smaller than 12,500 and actually are allowed down to 6,000 sq. ft. in a single family zone, she said.

Councilor Pedersen said she doesn't see a copy of the application nor anything in the hearing examiner's recommendation about this, other than his recommendation for approval.

Councilor Herman said his understanding of the PRD ordinance is that it's intended to provide flexibility for sensitive areas protection, etc. and the density bonus is essentially earned through providing recreational areas, protection for steep slopes, etc. He asked about the nationwide Army Corps of Engineers permit and City Planner Hirashima stated that's standard wording.

Councilor Leighan asked about the Native Growth Protection Act/ credit with reference to Lots 13, 18 and 22 and City Planner Hirashima explained these areas were not credited within the overall 20% open space density; there is going to be a 2 rail wood fence in that specific area, she said.

Councilor Baxter asked who is going to own all the wetland and City Planner Hirashima said probably the 4 abutting property owners; the larger tracts would probably be controlled by a homeowners association and generally, the City does not get involved in small areas such as this, she said.

Councilor Herman asked if the 20% open space allowance includes the detention pond and City Planner Hirashima said yes, it does.

Councilor Pedersen asked if the site plan includes the additional 6 lot density bonus and City Planner Hirashima said yes, it does.

Councilor Pedersen asked if the tot lot and sport court would have been buildable lots and City Planner Hirashima said yes, they were.

Councilor Herman asked what the average lot size is in adjacent plats and City Planner Hirashima said in Pine Green Grove they are probably 12,500; Crystal Heights PRD would be smaller lot sizes to this. Immediately to the east is still in one acre lots, she stated.

Councilor Baxter noted that in the county, this plat was 7200 and then when it came into the City it has been allowed to go under 7200 when it was rezoned at 12,500.

Mayor Weiser explained one of the reasons for the PRD ordinance was to allow credits for enhancements.

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Councilor Pedersen said generally, her understanding of lot size averaging is when some of the lots are more than the zoning, some lower, but these are all lower.

Councilor Leighan noted he has seen this on other projects.

Councilor Baxter said he feels the original intent has been lost.

Councilor Pedersen said she doesn't understand how the calculations were done to come up with 6 lots for a bonus and City Planner Hirashima offered bringing back some comparisons with other plats, if Council wishes. This information could be presented in a Council public hearing, she stated.

Laurie Tobiason, representing the applicant, from McArdle & Murray, 2917 Pacific #100, Everett, addressed Council. He said when they put together the calculations for the project they went with the PRD code criteria which are based on square feet, lot size averaging, etc. and he said he thinks it would be a total waste of time to go back and restudy that with a new public hearing. He noted this was approved by staff and the hearing examiner.

Councilor Baxter clarified that he is complaining about the City ordinance, that the purpose and original intent is becoming outdated.

Mr. Tobiason stated when you use lot size averaging it's usually when you have open space and you do reduce the size of the lots and you almost never have lots the size of the underlying zone because of the open space.

Councilor Wright noted the City has handled other projects such as this the same way in the past and she doesn't think we should be discussing criteria, etc. at this point.

Councilor Baxter said he would like a public hearing on the City's PRD ordinance because he doesn't think our ordinance is doing what it was originally was intended to do.

Councilor Herman said his concern is whether the density bonus is truly deserved; he said he thinks the City should review criteria within a public hearing.

Councilor Baxter said he doesn't have a problem with approving this particular request if they went by the City rules as set down and he moved to approve the rezone, preliminary site plan and preliminary plat of "Verda Ridge". Councilor Wright seconded.

City Attorney Weed stated application of the PRD ordinance does allow a density bonus but there is some flexibility; it's not a black and white calculation without discretion one way or the other, he said.

Councilor Pedersen stated she would like to see the criteria and other information in the packets.

Mayor Weiser asked when the PRD ordinance was last reviewed and City Planner Hirashima said in 1987. She noted that less than 50% of the PRD applications the City receives request bonuses; there is a list of criteria and it is determined whether or not they achieve the criteria. She added that she doesn't recall the analysis but it is somewhat subjective and that information can be provided from the Planning Dept. files if Council wishes.

Councilor Baxter stated the City was using open spaces as greenbelts, paths, etc. in the past but he doesn't think it has worked as well as had been hoped.

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City Planner Hirashima pointed out that the Jennings Park nature Park was a very successful (large) open space dedication, also the Crystal Terrace/Crystal Heights/Parkside Hills trail system and open space totalled 16 acres; there have been a number of smaller PRD dedications that have not been as successful and don't usually provide active recreation, she said.

Councilor Herman noted the PRD ordinance was reviewed when he was on the Planning Commission but that never came to Council because it didn't cover multiple family dwellings.

Roll call vote on the motion revealed Councilors Herman, Leighan, Pedersen and McGee against and so the motion failed 4-3.

After brief discussion, Councilor Herman moved to set a public hearing 9/13/93 in order to allow staff and the applicant to present additional information. Councilor Pedersen seconded and the motion passed unanimously.

2. Purchase of a Reel Grinding Unit for Cedarcrest Golf Course.

Parks & Recreation Director Ballew reviewed the agenda bill, noting Mr. Dosey took his grinder with him when he retired from the City and that is why this piece of equipment is now needed. He explained it was not budgeted however, the golf course will save a considerable amount of money by not having to rent equipment plus there is an approximate \$10,000 surplus in the construction budget, enough to purchase the grinder. The request therefore is to transfer funds from the construction fund to the equipment fund, he explained. He noted staff recommends the Western Equipment Foley Reel Grinder for \$8,341.14 including tax be purchased.

After brief discussion, Councilor Baxter moved and Councilor Pedersen seconded to purchase the Foley ACCU-600 reel grinder as per staff recommendation. Passed unanimously.

PUBLIC HEARINGS:**1. City of Marysville's Interim Comprehensive Plan.**

Mayor Weiser commented that this is a plan the City has been working on for many years and he thanked all the Planning Commission members who have worked on it since 1988, as well as Lucy Sloan and the staff of McConell-Burke and the City Planning Dept. staff. He stated there will be at least 3 public hearings and City Council would like to hear from everyone who wishes to speak.

City Planner Hirashima noted this has been a long process and she referred to the maps of Alternatives 2 & 3 posted in Council Chambers tonight. She stated the Planning Commission did unanimously recommend Alternative 2 after going through their public hearing process. She said it was determined that in adopting Alternative 2 it would have a significant environmental impact and so an EIS was done, a copy of which is available in the Planning Dept. She summarized that the 3 options are 1) no action 2) Alternative 2 or 3) Alternative 3. She gave a little background, noting that when reviewed by the Transpo model, very few changes were made; a neighborhood planning area concept was adopted and each of the 14 areas was to have certain factors such as a school, shopping, single family dwellings, neighborhood business, some multifamily housing. Also, the Planning Commission wanted to revitalize downtown by bringing in a waterfront zone as well as a mixed use zone to include multifamily and commercial use and it was intended to make downtown into more of an activity center, she explained. She added that also introduced in this plan was additional single family east of 67th and north of 100th, formerly in the County Marysville Planning Area. She noted the introduction

also of the concept of an urban growth boundary which will presumably provide for the next 20 years and another change is the introduction of duplexes (solid yellow on the map) outright, without a conditional use permit in the high density single family zones. Accessory units would be allowed to increase density and overall to reduce urban sprawl, she said.

She then highlighted the specific proposed zoning and characteristics of Alternative 3, including multifamily areas, community commercial areas and she noted Alternative 3 mirrors the UGB proposal Marysville Council sent to the county. She noted there will be at least two more public hearings to take public testimony regarding the Comp Plan update but any comments regarding the draft EIS need to be sent in writing to the Planning Dept. by 8/29. She stated the EIS will be issued in Sept., prior to the Council's final action on the Comp Plan.

Councilor Herman asked about the EIS and if it will have any bearing on future projects, eg. lessen or minimize other EIS being required and City Planner Hirashima responded that the City's EIS was an EIS for a "non-project proposal", i.e. no detail was given because it was looking at variations and how they would affect an area as a whole. If an area was designated commercial, eg., the Planning Dept. would still require a SEPA checklist and the City's EIS will not eliminate the need for mitigation or an EIS if it were required, she stated.

slb large scale rezones and impact of taxes to people

Councilor Herman asked about possibly more dense rezones following adoption of the Comp Plan and if that is a legitimate concern.

City Planner Hirashima stated the City did not opt to do any area wide rezoning; some single family and multiple family areas have been added and property owners will be allowed to go in on a lot by lot basis to rezone from single family or multiple family to commercial, for example. The GMA does require that our Comp Plan conform by 1994, she added.

City Attorney Weed stated there is some ambiguity with regard to requirement of area wide rezoning; in the past the City has allowed rezoning on a lot by lot basis in order to conform with the Comp Plan but our code does require a full public hearing before any action is taken, he explained.

Councilor Herman noted Alternative 3 seems to have a lot of controversy and he said he would be interested in what is required by the EIS, etc.

City Planner Hirashima explained some of the considerations that went into the two different alternatives: Alternative 2, eg., considered some of the requests and consolidated. If Council wishes to go with Alternative 2, it would be noted at the final EIS review, she said and added they are ready to answer any questions the audience may have.

Mayor Weiser asked each participant to initially limit their comments and/or questions to 5 minutes and if time allows, they can address Council a second time, but the idea is to allow everyone who wishes, to speak for at least 5 minutes.

Doug Frizzell, 5207 47th Av. NE, addressed Council, stating he is in favor of Alternative 2. He said for the area he lives in, it appears to be the best plan and he referred to the EIS with a couple of questions: Page 3-65, Figure 26, reference to Alternative 3 & 3A. He noted his property doesn't appear to be proposed industrial and on page 3-66 it appears to be residential/urban and should have the same proposed zoning (industrial park) because it is currently being used as Brashler Industrial Park. He said also he doesn't see any park designation in the sewer lagoon area nor access to a wildlife area which he thought was going to be proposed and he would like to see that, he said.

CONNECTED TO
MINUTES SEE 8/23/93

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Rick Bleasdale, 6244 68th Av. NE, addressed Council and commended the Planning staff on the Comp Plan but he said he has a tremendous concern: the southwest corner of 64th St. & 67th Av. NE. He said he knows this is a hot topic and has come up before Council and Planning Commission several times. He noted it's been redesignated commercial and he and his neighbors did bring in 800 signatures against this and he said he feels all those signatures went for naught. He said it's known that those properties are owned by the chairman of the Planning Commission and just west of 64th has been redesignated as residential which would justify the property across from it to be commercial for the sole benefit of Mr. Mulligan and Belmark Industries, he said. He said he would like Council to take a serious look at how that property became commercial--that's a dangerous intersection, it's not a safe intersection to have commercial business, you are going to have left turns, several arterials coming together, too many traffic movements, he pointed out. (5 minutes up--he was told he may continue this later.)

Chubb Holmes, 100 Preist Pt. Dr., addressed Council regarding the SW corner of 88th & State, 21 acres. He pointed out it's been industrial there for 47 years and all the infrastructure was planned for industrial but Alternative 2 proposes it for multifamily which is the world's worst place for that, he said. He noted that currently, there is a machine shop, railroad tracks, a tannery and a construction building. The property has very poor ingress and egress and it's going to be worse with 88th going in, he said, with very poor storage by the tracks. He said the road can be moved a bit to get 8-10 cars in there instead of 3 but that's still not enough for 100 multifamily units; that would be a real mess, he said. He said he would ask that that area be left alone; they have a water right to pump out of the Quil, it's the last place you can pump fresh water, he said and added he thinks that was a mistake (multifamily designation on Alternative 2), something that slipped through the crack. It would be OK for multifamily if nothing was there already, he pointed out and "it aint broke so please don't fix it!"

Walter Bailey, 8413 83rd Av. NE, addressed Council. He said he has lived in Marysville for over 40 years and is against Marysville's boundary going any further east than 83rd; he said he would rather see his area stay in the county. The county purchased a tract of wetlands up there by Hwy. 9, he said and some on the east and some on the west. Alternative 3 shows a shopping mall up there and he said he doesn't think that's a good idea with all those wetlands up there because that would cause all kinds of pollution. He reiterated he thinks 83rd should be the City boundary vs. Hwy. 9; Alternative 2 is better than Alternative 3 if it has to be that way, he said.

Bob Graef, 7311 69th Av. NE, addressed Council and thanked everyone for the effort expended. He said there are a few things that need to be kept in mind: you can duct water, etc. but you can't duct good air in; he said he feels we are starting to become a mini LA area with increased stagnant areas because of the slopes and we need to stay away from siting homes in that area, he said. He added we need to keep air quality in mind.

Rob Baker, 8305 83rd Av. NE, addressed Council. He said he knows a lot of time has been put into the draft Comprehensive Plan. He asked if the Council got copies of all the petitions, etc., public comments. City Planner Hirashima said yes, they did.

Mr. Baker said he doesn't ever remember Alternative 3 having been brought up before tonight and no one he has spoken to knew about it. He asked who wrote it and said he feels it should have been brought up before at Planning Commission workshops, etc.

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City Planner Hirashima explained that Alternative 3 & 3A were done in 1990 when Mike Corcoran was City Planner. She noted Alternative 2 remains the Planning Commission/Department's recommendation but the EIS requires several alternatives; there were actually 4 alternatives looked at in 1990 and Alternative 3 is actually a combined alternative, she said. One change was a larger urban area, industrial park use to community commercial as a result of Planning Commission workshops, she said.

Mr. Baker pointed out that a whole lot of articles came out about multiple family and commercial on Getchell Hill and that threw a lot of fuel on the fire and maybe 83rd should be the boundary, it's basically rural now, he said, noting that most of it is 2.3 up to 20 acre zoning and is not urban. He asked how the residents are supposed to react with the newspapers throwing things back in their faces; he said he thinks multiple family should be kept along the I-5 corridor near 116th & 88th, major arterials, and he concluded that the City should consider the county proposal for boundaries.

Rose Hunter, 8201 84th St. NE, addressed Council, stating she is one of the newly annexed residents of the City (not by choice) but feels she has a right to voice her opinion. She pointed out the traffic is very bad downtown and she tries to stay away from it as much as possible and it seems like the City's solution is to sprawl high density out on Getchell Hill, etc., she said, with shopping malls, etc. She noted a lot of roads around the Getchell Hill area have no shoulders, crime is on the increase, businesses are having to protect themselves more and more, air pollution hangs over the town and runoff is going to cause an increasing amount of problems in the lower areas, plus the City still has a problem with the water and sewer utilities and she said she is sure there are more "monsters" she hasn't mentioned. She said the developers are not going to represent the best interests of the people and she strongly opposes Alternative 2; the people who are in favor of it apparently all live in post office boxes, she said. She said her preferred action would be "no action" and she suggested the City clean up their act first before starting to sprawl out.

Russ Hunter, 8201 84th St. NE, addressed Council. He said he agrees with his wife and asked what gave Council the idea there is going to be any growth. He pointed out all the empty houses for sale and more going up all the time, Boeing is laying off, the Navy is probably going to be based in Bremerton not Everett, he said. He said the City doesn't want commercial along a highway like what is happening on Hwy. 99 South with all that traffic congestion and also, there are wetlands, there's one up by his place he thinks was filled in illegally. He concluded that the City needs to digest what they already have before expanding.

LeWanda Goldthorpe, 10910 Vernon Rd., Lake Stevens, addressed Council, noting she owns property on 108th which has been included in the proposed UGB, proposed as residential. She said she is in favor of this and would not be opposed to higher density if it is deemed appropriate for that area.

Katherine Keifer, 6505 83rd Av. NE, addressed Council, stating Alternative 3 & 3A are absurd because you have a hill, storm water drainage into wells, Munson Creek, Martha Creek which is a highly sensitive eco system, etc. and she said she would agree with the gentleman who spoke about air pollution: a lot of air pollution hovers in the sloped area. She said her family doesn't burn their wood stove in the winter because all their children have asthma and they can't breathe with all the smoke hovering over them at that time of year. She said she is very concerned about protection of all the wildlife in her immediate area and asked if that would be addressed in the event of any development.

City Planner Hirashima said yes, it would be.

Mrs. Keifer pointed out that they have deer, raccoon, hawk, etc. and this is a boundayr for these animals--it's like a last stop for them and she said she feels like the wildlife should be protected and if it's turned into multifamily, she has a concern about open area requirements.

City Planner Hirashima explained there would be requirements such as appropriate recreation areas, wildlife protection which is done on a site by site analysis, etc.

Mrs. Keifer said she also has concerns about gang activity increasing if multiple family and commercial are brought into that area. She said she really feels it would be best for the City to leave the boundary at 83rd and leave the east side as a rural area.

Rex Bartlett, 8522 108th St. NE, addressed Council, noting in 1989-90 they tried to change zoning at 67th & 64th and they were turned down. He said he would like to be reconsidered for commercial and he said he also has a concern about the way the man on the other side of the street was brought in becuae they (Bartlett proponents/Arco) spent thousands of dollars in time and money and their proposal was turned down but the man across the street is proposing the same thing. He pointed out that there are only 2 corners left at 64th & 67th--his is the NE corner and studies were done in great detail, traffic analyses, etc. and Arco was going to front the money for the signal. He said if the SW corner is going to be considered as commercial, the NE corner needs to be considered also.

Steve Leiffer addressed Council, expressing his appreciation to the staff, Planning Commission, Council for all their efforts and hard work over the years working on these plans. He said he would support Alternative 2 and specifically the zoning in the NW Annexation area. He stated they would like to see the zoning remain as proposed under Alternative 2. As far as the east side, if it becomes necessary to put some of the densities somewhere else, he doesn't think there would be much opposition to putting multifamily, etc. in the NW Annexation area, he said. Also, he said he is in support of the proposed densities along Ash Avenue.

Richard Bleasdale was then invited to speak again. He stated that on the tapes of the Planning Commission regarding the SW corner of 67th & 64th, Mr. Wilcox asked about a rezone here after having refused the NW corner rezone; the neighborhood did not want commercial to go in and on the tape there are numerous derogatory comments about "beating a dead horse", comments unheard of for these types of functions, he said, comments such as "go to Reid Shockey for rezoning that corner." Mr. Bleasdale complained about the inconsistency here, saying that corner needs to be left residential because there is not adequate traffic flow for commercial, there is a plot already in place but the City is redesignating one residential and the other to commercial.

Councilor Herman asked for the date of the Planning Commission tapes Mr. Bleasdale was referred to and Mr. Bleasdale responded 4/7/92 (3 tapes).

There was no one further who wished to speak at this time. Mayor Weiser pointed out there will be at least 2 more public hearings: 8/23 and 9/7/93.

CURRENT BUSINESS:

1. Snohomish County Proposed IUGA Boundary.

City Planner Hirashima reviewed the agenda bill, various maps, analyses, exhibits, background, population projections. She

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reviewed Mar 1 through 5, noting the UGB criteria included population projections based on OFM forecast analysis zone figures as well as PSCOG 4/92 projections which were also used by the county. She said one of the things the City noticed in doing the EIS was that forecasts have varied quite a bit; 1992 forecasts were actually higher than forecasts published more recently so there is definitely a need to determine earlier forecast justification, she said. For example, the range was from 14,000 to 20,000 in the same study area for the county, she said. She said part of the regulated growth strategy will be to designate higher density areas such as Everett and we need to investigate that variation, she feels. Also, high capacity rail is a consideration in determining this figure, she said and the recommendation is to include the range of 14,000 to 20,000 and look at what is realistic. She said we need to work with Snohomish County Tomorrow and come to an agreement on the methodology of determining population forecasts: Vision 2020, eg.

Mayor Weiser pointed out that no decision was made at the last SCT meeting; Lynnwood is having a lot of problems with their population figures also and another meeting is planned for 8/25. The Vision 2020 figures are 3 years old so they might be looking at revising some of these figures, he said.

City Planner Hirashima said the county has not produced a basis for their housing projections and Marysville's figures have utilized the 1990 census, PSRC reports, etc. She said she utilized existing multifamily as a base but we are going to need more of a mix, she feels. She also expressed a concern about projections by job classification; it's highest in the retail area for Marysville but we have a very high forecast for manufacturing/industrial job base, she pointed out and the PSRC may not adequately reflect that. She said she revised the employment percentage spreads but this needs to be reviewed before assuming we need more commercial land. Regarding the analysis of the City and county IUGA proposal, she stated the county analysis is actually smaller than Marysville's Alternative 1 (no action), i.e. existing plans.

Councilor Herman asked if that means we throw out all the planning within the IUGA and City Planner Hirashima said they have done an analysis of the county proposal and that's what she sees as happening.

Councilor Herman asked what would happen with Alternative 2, if we revert back to the old Comp Plan.

City Planner Hirashima said for the purposes of this, Alternative 1 is existing city and county plans. The Council needs to be aware that alternating densities is changing the land capacity but for the purposes of the EIS, the alternatives were varied in areas but she tried to keep consistency between all alternatives compared between city and county.

Councilor Baxter commented on the forecasts covering a wider area but population remaining inside the boundary.

City Planner Hirashima said actually the forecasts were based on the study area as a whole and it was assumed we would stay within the Marysville IUGA. She said the land capacity results do not take into account any forecasts--just land use and that may not ultimately be what the Council approves, but they had to determine mixes based upon figures they had at the time. She gave various examples of population, housing and employment forecasts under the three different alternatives, with Alternative 1 being the lowest and Alternative 3 being the highest. She also noted a safety reduction factor was included, which is an overallocation factor, she explained: 50% was used in determining employment figures, eg. She noted EDC was concerned with this safety reduction factor and

pointed out that if a 25% safety reduction factor was used for housing, it would automatically reduce the population figures, also.

There were comments about the complexity and difficulty comprehending the Comp Plan and City Planner Hirashima commented on the basic need to have a land capacity analysis done, an inventory of existing land and then project what additional land is needed for a 20 year planning period. She said these studies tend to be very conservative and the assumption is that everyone will build out to the maximum capacity planned for. She said you will generally see overallocation factors because all the land will not be developed and for example, in the Snohomish County-Marysville plan, a 120% allocation factor was recommended for multifamily and commercial, 800% for industrial and 200% for single family residential. She added that the GMA encourages us to be conservative and a 25% overallocation factor was included.

Councilor Herman asked if 200% would be a reasonable standard and City Planner Hirashima stated the Planning Commission/Dept./City has advocated a conservative approach. She noted that between 1979 and 1982 the county did make some changes and the state did recommend reduction of urban sprawl at that time; DCD recommends 25% as a maximum safety factor, she said. Also, she said she included a summary about each of the areas the county had differences with the City on. The Planning Commission/Planning Dept. now are looking for further direction from Council, she concluded.

Mayor Weiser pointed out there is some missing wording at the top of page 3 and City Planner Hirashima said "Following approval of the IAA, the City conducted additional land use analysis" needs to be added.

City Attorney Weed said staff has also sent out some preliminary information to the county, attaching the EIS and draft Comp Plan.

Councilor Herman said he would like to see the City respond in a short form, similar to the county's response, as to our position, say 2-1/2 pages.

Mayor Weiser noted part of the criticism was that Marysville simply drew lines and did not do any analysis so that's what City Planner Hirashima just reviewed.

Councilor Herman said he would like the City to get down to discussing our position on the actual boundary lines.

Councilor Baxter said he thinks we have taken a position and have the background to justify it, already.

Mayor Weiser said he thought Council had come to a consensus on the Interim Growth/Annexation Area and Councilor Herman corrected him, stating it was a majority, not a consensus as he was not part of the majority and he (Councilor Herman) would like to look further at some of the areas in dispute because that's the responsible thing to do at this point, he feels.

City Planner Hirashima pointed out that these documents were prepared for Council and until their position is clear, this is not a staff recommendation, it's just information presented for Council's knowledge. The comments presented on Mar 1, eg., staff would not recommend just part of it, it needs to be included in its entirety to the county, she said.

Councilor Herman said when you have a large parcel, he thinks parts may be more appropriate in one area (urban, eg.) whereas another area may be appropriate in another designation, eg. a 20 acre piece.

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City Planner Hirashima said all 20 acres, eg., could be included as open space and Councilor Herman asked if there is any preclusion to half being in and half being out of that designation and City Attorney Weed said no, there is no preclusion, with the same ownership.

Councilor McGee pointed out this is all based on past public hearings, discussions, etc. and Councilor Pedersen asked what other cities are doing.

City Planner Hirashima said generally, cities in the southwest are developed already, eg., Lynnwood, Edmonds, Brier, Woodway, Mountlake Terrace, Mukilteo and the cities up north are still struggling with this; they are continuing to negotiate with the county: Monroe, Marysville, Snohomish, Darrington, Arlington.

Councilor Pedersen pointed out there is an appeal process, noting a couple cities have decided to go that route.

Mayor Weiser asked about Council's feelings about pages 20-26.

Councilor Herman said he has concerns about Mar 1; parts of it may be undevelopable and we may need to look at PRD lot averaging with the lot sizes ending up smaller than the City would want. He added that the county plan may have some merit, here.

Councilor Baxter said he still wants to give this discussion more time.

Councilor Pedersen said she would like to see Council "bite the bullet" soon on this but will go along with the rest of Council if it's continued.

Councilor Baxter said he will certainly have more comments by next meeting and would like more time to digest information presented.

Councilor Wright moved to continue this matter until the 8/23/93 meeting, Councilor Myers seconded and the motion passed with Councilors Herman, Leighan and Pedersen opposed.

2. Cruising (Discussion Item Only).

City Attorney Weed referred to a memo from the Mayor and said he met with Chief Dyer and Asst. Chief McKinney and some ideas were that maybe one of the things the City might want to look at is a trespassing ordinance. He pointed out, however, that the problem is not just one thing, it's a combination of cruising, congregation and noise. He recommended his drafting several ordinances with one sample including police officers that could disperse crowds without the owner being present. He said he has some other samples or another alternative is to amend Marysville's existing noise ordinance. He said by the next meeting, he should have enough information for a cruising ordinance, based on some things that were discussed, plus the draft ordinance he worked on in 1992.

Councilor Pedersen agreed that cruising is not the whole problem and to put just a cruising ordinance in place will only worsen the other problems. She asked about having other parts of the community involved, eg. business owners, other members of the community; she said we need "well rounded" input.

City Attorney Weed said he agreed: input from law enforcement, teenagers, members of the community.

Councilor Pedersen said it sounds like the most successful cities/ordinances had the stiffest monetary penalty and she said she liked some ideas such as "No Cruising Zone" signs, flashing signs that could also be used for speed limits and/or warnings of congested areas during the day.

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CORRECTED: SEE 8/23/93
MINUTES ADD LAKE STREETS

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City Attorney Weed said the best way to enforce will be through proactive legislation and community involvement.

There was some discussion about boom boxes and how that problem seems to have escalated in the Marysville area.

James Hill, 14507 54th Dr. NE, addressed Council, stating he represents several people from the First Baptist Church. He said they have a lot of kids who use the church parking lot to congregate in and the church is trying to determine how to best deal with this. He stated they want to reach out to these kids; they want to accept them for several reasons:

1. They see this as a way of opening lines of communication with the teens.
2. They see the teenagers as trusting the community if a cruising ordinance is not put into effect.
3. If church members and members of the community are shown consideration and respect by the teenagers, it makes more sense to accept them and work with them.
4. The church members and members of the community do want to encourage something positive and would be in favor of an ordinance that's not overly restrictive, giving the kids some leeway to do things within the confines of the law.

Mr. Hill asked for copies of the Mount Vernon ordinance.

City Administrator Zabell said he could provide that to Mr. Hill tomorrow afternoon.

Mayor Weiser asked about specific activities that would be allowed and Mr. Hill stated they have put a trash can in the parking lot of the church and the teens are using it; they respect the fact that they are allowed to congregate there and so several options are being considered as far as possibly doing something with the kids, he said.

Ernie Byers, 4401 80th St. NE #1, addressed Council, stating he is also with the First Baptist Church, as Property & Finance Chairman. He noted this problem has been going on for at least a year and there is a group that comes early in the evening, mostly local youngsters, they call themselves the Low Riders Club and they have asked for permission to use the lot as long as they keep it clean but along about 11 PM, another group comes in, the first group leaves and the second group, from out of town, come in and create problems: urination, trying to get into the office door, etc. One of the primary concerns is something for them to do, Mr. Byers said and he noted they are there during the winter, too, not as many, but they are there--both groups. The second group is not the same as the first group, they are noisier, etc. He said he knows the neighbors complain and if they complain to him, he just refers them to the police. The church has posted a time restriction now but they don't know how that is working yet; he said they are probably going to have to put up posts and chains for the second group.

Councilor Baxter asked about retaliation fear and Mr. Byers admitted that was probably a factor here. He noted there are several non-church groups that meet at the church and sometimes the boom boxes have an adverse affect on the meetings.

Councilor Baxter said he is interested in the concept of working with the youth but wonders about the fear of retaliation factor.

Mr. Byers said he sees the only real problem as the noise.

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Patricia Wright addressed Council. She appeared visibly upset and explained she has just had a weekend without sleep because of kids creating noise, vandalism, etc. going on in her neighborhood. She said she would like to see everyone help these kids, away from State Avenue! She said they are still calling her names and she hopes everybody can get together and do something soon.

Councilor Myers moved to have City Attorney Weed draw up an ordinance including noise, cruising, trespassing, etc. and bring it back next meeting. Councilor Leighan seconded the motion.

Councilor McGee said he would like to hear comments from the MPD.

Asst. Chief McKinney addressed Council. He agreed that just a cruising ordinance or just a noise ordinance or just a loitering ordinance is not the answer; he said MPD would recommend a combination of all three and he said he would like to clarify what happened this weekend: One of the participants in the fight had a gun, one had a crowbar and one had a baseball bat. It was a fight between Hispanic males from the Safeway parking lot and the group from Bry's. He noted that Bry's condone the teens in their parking lot. He said the problem with the church and the idea of posting the parking lot came from the Mount Vernon ordinance, but the neighbors are threatening to sue the church because of the noise. He said he doesn't think that's the answer, either; those people need to call the police, he said and he gave the assurance that the police aren't allowed to tell people who made the complaint.

Councilor McGee asked if the police have the ability to clear an area if there is a sign posted saying no one should be there after 11 PM and Asst. Chief McKinney stated they are still working on that and are looking very closely at Mount Vernon's ordinance.

City Attorney Weed noted the most "tricky" of the 3 ordinances is the loitering one which requires interpretation; there are some constitutional problems such as liability and parental responsibility/curfew ordinances all have this same interpretation problem, he stated.

Councilor Pedersen said she can appreciate the urgency in the minds of a lot of people but would like to see more input from affected parties, eg. She said we need to weigh the input, come up with something that's constitutional, etc.

Asst. Chief McKinney stated that was tried with the cruising ordinance in the past; the kids complaining the most were the biggest problem, he said.

Councilor Pedersen said she is seeing a faction tonight that want to help the youth.

Councilor Leighan said he sees a problem with getting one representative to represent all the kids--there are different factions, he pointed out and added that sleep deprivation is mind altering and he would like to see something done now.

Councilor Myers said he thinks the church can still work with the teens even with a cruising ordinance in place.

There was discussion about a draft ordinance, having teens at the next meeting, putting a provision in about permission being posted on the business premises, the Mount Vernon ordinance, noise that creates problems for neighbors, antagonizing kids and having possible retaliation, drive by shootings, getting the kids off the streets, trying to work with the kids, the problem will mainly go away in Sept., we need to have a law for the MPD to enforce, not giving police enough rules to work with, alienating potential customers, encouraging adequate public input, reaction from the MPD to draft ordinance regarding effective levels of staffing to enable enforcement.

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Asst. Chief McKinney stated the MPD has to have reserves out Friday and Saturday nights now in order to handle the situation and even that's really not enough.

Councilor Pedersen pointed out that having to pay out \$80,000 in increased staffing vs \$2,000 in fines is something that needs to be addressed. She said she would be in favor of the mayor sending a letter to all businesses announcing the upcoming meeting when this will be discussed.

Asst. Chief McKinney added that in addition to an ordinance, support is also needed from the Judge in enforcement.

The motion passed unanimously.

CONSENT AGENDA:

1. July 1993 Payroll in the amount of \$460,345.66.
2. 8/9/93 Claims in the amount of \$790,823.36.

Councilor Herman moved and Councilor Wright seconded to approve Items 1 & 2. Passed unanimously.

ORDINANCES & RESOLUTIONS: None.

ADJOURNMENT INTO EXECUTIVE SESSION: 11:25 p.m.

1. Real Estate.
2. Pending Litigation.
3. Personnel.

RECONVENE & ADJOURNMENT: 11:51 p.m.

Accepted this 23rd day of August, 1993.

David Weiser
MAYOR

Mary D. Jensen
CITY CLERK

Standa A. Iverson
RECORDING SECRETARY