

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

JUNE 26, 1995

00134

CALL TO ORDER:

7:00 p.m.

ROLL CALL:

All Present

MINUTES OF PREVIOUS MEETINGS:

City Council 6/12/95 Mtg.
 Sub-Area Planning Workshop
 6/12/95
 City Council 6/19/95 Mtg.
 All Approved

AUDIENCE PARTICIPATION:

Steve Thompson, County
 Public Works Dept.

CONSENT AGENDA:

Approve:

1. Approval of the 6/26/95 Claims in the amount of \$363,659.09; paid by Check Nos. 248109 through 24990.
2. Approval of Fireworks Stand Permits for the Knights of Columbus (3 stands); Marysville Kiwanis (3 stands); and Marysville-Tulalip Visitors Information Center (2 stands).
3. Affirmation of the Hearing Examiner's Recommendation to Approve the Rezone for Dwight Fry with Specified Conditions; PA 9505026.
4. Approval of Amendment to Agreement for Construction Management Services & Related Services with RGA Construction Management Services to Allow for a New Cap of 1,520 Hrs. & Permit RGA's Construction Management Services to be Extended to City Road Projects.

STAFF'S BUSINESS:

PH set for 7/17/95 re Init
 164

MAYOR'S BUSINESS:CALL ON COUNCILMEMBERS:

Tax Tools Purch. & Lic.
 Agreement cont. to 7/10/95

PETITIONS & COMMUNICATIONS:

1. Windsong Development Area

Regarding Water Pressure

PRESENTATIONS:

None

PUBLIC HEARINGS:

1. Shoreline Substantial Development; Welco Lumber; PA 9501003

Approved

NEW BUSINESS:

- | | |
|---|------------------|
| 1. Fleet Management Information System | Information Only |
| 2. Utility Variance - Doty - UV 95-005 | Approved |
| 3. Preliminary Plat/Rezone; Northpointe East; PA 9409039. | Approved |

ORDINANCES & RESOLUTIONS:

- | | |
|--|--------------------|
| 1. Ord. Affirming Hrg. Examiner Decision Rezoning Krotke Property | Ord. 2034 Approved |
| 2. Res. granting CUP & Variance for Able Mortgage Property | Res. 1739 Approved |
| 3. Res. stating intention of City to apply for Funding Assistance for Outdoor Recreation/Boating Facility & 2 Washington Wildlife Recreation Program Projects. | Res. 1738 Approved |

LEGAL MATTERS:

1. Janitorial Svcs. Contract Amendment

Cont. to 7/10/95

ADJOURNMENT INTO EXECUTIVE SESSION:

11:15 p.m.

1. Personnel.
2. Litigation.

(No Action)
 (No Action)

RECONVENED & ADJOURNED:

11:39 p.m.

MARYSVILLE CITY COUNCIL MINUTES

00135

JUNE 26, 1995

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
Donna Pedersen, Mayor Pro Tem
John Myers
Ken Baxter
Donna Wright
Mike Leighan
Otto Herman
Shirley Bartholomew
Administrative Staff:
Steve Wilson, Finance Director
Grant Weed, City Attorney
Gloria Hirashima, City Planner
Ken Winckler, Director of Public Works
Ernie Berg, City Engineer
Dave Zabell, City Administrator
Wanda Iverson, Recording Secretary

CORRECTED: SEE 7/6/95
MINUTES

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:

Councilmember Herman noted in the 6/12/95 Council minutes, page 3, 5th paragraph, the acronym should be "SCCIT" not "SCFIT".

There being no further corrections, Councilmember Leighan moved and Councilmember Myers seconded to approve the 6/12/95 Council minutes as corrected. Passed unanimously.

On page 2 of the 6/12/95 Sub-Area Planning Workshop minutes, Councilmember Myers noted in the 3rd paragraph, the word should be "past" not "pass."

There being no further corrections, Councilmember Myers moved and Councilmember Bartholomew seconded to approve the 6/12/95 Sub Area Planning Workshop minutes as corrected. Passed unanimously.

In the Council Meeting minutes of 6/19/95, Councilmember Herman asked that the last paragraph on page 4 be deleted as it does not accurately reflect his intent.

There being no further corrections, Councilmember Myers moved and Councilmember Wright seconded to approve the 6/19/95 City Council Minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Steve Thompson of the Snohomish County Dept. of Public Works addressed Council. He reported on the recent neighborhood meeting regarding the 88th St. Project and said the start date for the project is proposed to be early July now. He said as a result of the neighborhood meeting the contractor has proposed to the State that all 4 legs of the interchange be built at once vs one leg at a time and to do the bridge next summer. This would mean less confusion with detours and less impact to the school buses with the bridge being built in the summer months. He said they feel this is a reasonable solution and the State is looking at this; the county is in favor and will support the proposal.

He noted the Public Works Dept. has not been able to get back to the neighborhood on this but do still have to coordinate this with

the state and then will be getting back to the people in the neighborhood. This change will not change the length of the contract nor will it change the value of the contract that was to save \$1 million, he stated. He said the county, as lead agency, will be advising the neighborhood of the construction schedule.

Councilmember Bartholomew mentioned the problem emergency vehicles are currently experiencing with the I-5 freeway construction going on and Mr. Thompson said the county is working with Emergency Services and do feel the proposal for the 88th St. Project will shorten the construction phases.

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3. **Affirmation of the Hearing Examiner's Recommendation to Approve the Rezone for Dwight Fry with Specified Conditions; PA 9505026.**
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It was noted under Item #2, eight and not nine fireworks stands are to be approved, i.e. the Marysville-Tulalip Visitors Information Center will have 2 stands; the Western Fireworks Application was not approved.

Councilmember Bartholomew moved and Councilmember Myers seconded to approve Consent Agenda Items 1, 2, 3 & 4. Passed unanimously. (Councilmember Baxter abstained on Voucher #24851 & 24923 under Item #1.)

STAFF'S BUSINESS:

Finance Director Wilson gave an update on the computer conversion at City Hall, noting for the last 6 months they have been installing the system and working out the "bugs" but one of the problems with the utility billing software was that they ran out of disk space. He said he had to authorize an expenditure of \$4,289.50 for additional memory/space for the file server in order to keep the utility billing program up and running and is now asking for retroactive approval from Council.

After brief discussion, it was decided that he should bring back more information/make this an agenda item 7/10/95.

City Attorney Weed reported the Legislature passed Initiative 164 and Referendum 48 is being circulated to repeal it, but enough signatures need to be obtained by 7/22 in order to reverse Init. 164. He recommended a task force be formed or have a Council workshop to consider impacts, alternatives, strategy, etc. should Initiative 164 become law July 23.

After extensive discussion, noting one of the main questions is whether or not Initiative 164 would apply to prospective or retroactive applications, Councilmember Bartholomew moved and Councilmember Pedersen seconded to form a task force with information coming back before Council 7/6 or 7/10/95 and to set a public hearing for 7/17/95.

The motion passed 4-3 with Councilmember Wright, Leighan and Herman against. Members of the task force to be Councilmembers Herman, Pedersen and Wright with staff and City Attorney Weed.

Public Works Director Winckler announced the bid opening for the Grove St. Project from 67th to 71st will be this Thurs. in the Public Works Conf. Rm. at 2 p.m. He gave an update on the 136th St. signal, stating the Navy will be paying for Change Order #2 & 3 to add curbs, gutters, sidewalks and an additional signal head. The total project cost is \$338,670 and Change Orders 2 & 3 are within 10% of the total project cost.

Public Works Director Winckler then reported on the Pacific Pride plan in the event of the City needing fuel for vehicles during a major power outage. The cost is \$2299 plus tax to have the generator hookup installed at the Marysville location and the County has agreed to put in the connection at the Arlington Pacific Pride so that facility can also be used in the event of a power outage.

Councilmember Herman moved and Councilmember Myers seconded to authorize payment of \$2299 plus tax for the City to pay for the generator hookup at the Pacific Pride Marysville location. Passed unanimously.

MAYOR'S BUSINESS:

Mayor Weiser made a presentation to Owen Carter of Snohomish County for his efforts in securing funds that will result in a sizeable savings on the 88th St. project.

CALL ON COUNCILMEMBERS:

Councilmember Herman asked about JAK Engineering and Public Works Director Winckler stated they are unable to work for the City any longer and the City is looking for a grant writer at this time.

Councilmember Herman followed up regarding the Tax Tools Purchase and Licensing Agreement which was to have been continued to tonight.

After brief discussion, Councilmember Herman moved and Councilmember Leighan seconded to continue this item to 7/10/95. Passed unanimously.

Councilmember Herman followed up on a letter to be written to WSDOT concerning the I-5 traffic congestion during construction and City Administrator Zabell said he would follow up on this, including a copy of the Herald editorial with his letter to WSDOT.

Councilmember Leighan asked about stop signs at 84th & 67th or 88th & 67th and City Engineer Berg stated this will be discussed at the next Traffic Advisory Committee Meeting 7/14/95.

Councilmember Leighan asked about Sunnyside breakins and Public Works Director Winckler stated this will be covered in Executive Session.

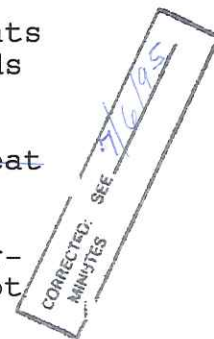
Councilmember Wright asked about garbage disposal during Maryfest because some of the downtown merchants discovered public garbage in private dumpsters.

Councilmember Pedersen noted the Assn. of Washington Cities Convention is this Wed., Thu. and Fri. and she will be attending. She followed up on the 4 girls and their advisor, Betty Robertson of Liberty Elementary, going to Hiroshima and stated they are still looking for ideas for gifts to present when they get to Hiroshima. She asked about the Employee of the Quarter and Citizen of the Year programs and Councilmember Leighan said he would be following up on this.

Councilmember Myers asked about the lot at 67th & Grove where there are private vehicles for sale. He also asked about water and sewer to the I-5 rest stops.

Councilmember Pedersen mentioned there are some downtown merchants interested in donating towards a skateboard park to keep the kids off the downtown sidewalks.

Councilmember Baxter pointed out that it is a ^{great} hardship for a great person to get their car towed away by a towing company doing business in Marysville but their impound lot is in Everett or Arlington. He suggested the City might want to look into requiring the towing company doing business here to have an impound lot within Marysville.



PETITIONS & COMMUNICATIONS:

1. Windsong Development Area.

Public Works Director Winckler reviewed the information in the packets regarding their complaint of low water pressure. He stated the City is in the process of addressing the situation and have found that the pressure is within 40 to 42 lbs., with the minimum standard being 30 lbs. pressure. He said during peak hours a loss of pressure can be inconvenient however they do have the minimum and it's not as low as the problem area that was addressed last year (which was 28 lbs.). He said the City did go out and adjust the pressure reducing valves and that improved the pressure by 2 lbs.; the only other thing the City could do is move the pressure reducing valves: 4 or 5 at \$10,000 would be a pretty costly proposition, however. He said it is felt this situation will be helped with the Cedarcrest Reservoir at the beginning of 1996 and the City will be contacting each one of the petitioners to keep them informed. He stated the information about another section of main being added was actually misinformation and is not going to happen.

Councilmember Pedersen stated the concern is that when it's not peak hour, there is still low pressure and people are thinking it's because of all the new construction in their area, however that will be serviced by PUD not the City of Marysville water.

There was lengthy discussion about water conservation, system design criteria, water level in the reservoir having a bearing on water pressure in the system, relocation of PRVs, following up with petitioners, monitoring, etc.

PUBLIC HEARINGS:

1. Shoreline Substantial Development Permit; Welco Lumber; PA 9501003.

City Attorney Weed swore in those wishing to give testimony.

City Planner Hirashima reviewed the agenda bill and noted there have been two appeals to the Hearing Examiner's decision to approve the shoreline substantial development permit. She referenced Fred Messmer's letter and also photos in the packets. City Administrator Zabell noted he had received a communication from the Chamber of Commerce just today.

Bob Crunkilton, Manager of Welco Lumber, 1218 First St., addressed Council. He read a prepared statement stating they were notified that the Tulalip road would be opened today and so Welco has changed their operation; the boat ramp is still open but Welco has posted "no parking" signs in the immediate area. The Tulalip road has not in fact been opened as of tonight, he stated. He itemized how their lease costs have increased to the State and Tulalip Tribes as well as what they have had to pay in fees for the shoreline permit, surveying, design of the haul road, etc. He explained the process and the need for the log hauler to use the haul road and said there is just not enough room for everyone to operate but Welco will do so as long as it is practical.

Mr. Crunkilton noted there are a number of Welco employees present tonight and they all want to say the same thing: Welco employs 155 employees with a \$4 million payroll and supports the local community in property taxes, youth activities, etc. Welco has been in this location for 33 years and intend to stay here. He pointed out that indecision and inability to predict the future can result in a lot of expensive, sometimes unnecessary things being done.

Larry Mitsules, representing the Chamber of Commerce, addressed Council. He read a prepared statement stating he was chairman of the Economic Development Committee for the Chamber and made a recommendation to the City Council regarding the boat ramp and Welco's 155 employees. He said they know the City has been looking for an alternative boat ramp but if everyone goes to Langus Park it may change the quality of life but they don't want to see Welco move, either. Welco's alternative is to transfer logs over the I-5 overpass and that would cause unnecessary traffic. Welco is willing to coexist with the boat ramp but can't on a long term basis, he pointed out. He noted that some of the Chamber's goals of maintaining a local environment, increasing industrial economy, etc. may be put in jeopardy and the community will suffer if Welco has to move and/or cause them extra expense for alternative methods of transferring logs. The Chamber of Commerce urges the City Council to pass the resolution approving the shoreline permit but removing the restriction regarding the boat ramp from the resolution, he concluded.

Peter T. Walton, Commissioner, Snohomish County Fire District 15, addressed the Council, stating he is in favor of the opening of the 4th St. Bypass because of the need for emergency vehicle access. He related the problems with the 4th St. Exit at this time. He stated Fire District 15 contracts with the City of Marysville for medical aid and the City contracts with Fire District 15 for use of a water truck in the event of a large fire, eg., the Welco fire a couple years ago. He stated they are in favor of anything to open up the 4th St. Bypass.

Councilmember Pedersen asked about the exact route the emergency vehicles would use and whether it might be faster to go north to 116th and then back down the freeway. *if he had checked with the Fire Dept.*

Mr. Walton said he believed the route would be from 4th south to 1st but Councilmember Baxter argued that route is very busy.

Mr. Walton stated they see the 4th St. Bypass as a relief valve to the 4th St. Exit and do have a very big concern about traffic congestion.

Councilmember Myers noted Chief Corn testified that it only takes 30 seconds longer to go the longer route to get over to the west side as the fire truck can control all the traffic signals enroute.

Mr. Walton said he would still be in favor of the bypass.

Charles French, Everett, Attorney for Welco Lumber Co., addressed Council. He said he wished to argue in favor of the permit and wanted to make sure they have a chance to rebut.

City Attorney Weed assured him he will have a chance to rebut and said all the submittals will also become part of the record.

Mr. French put up an overhead and referred to some photos of the barriers put up by Welco today. He passed around the photos to Council and stated the barriers were put up in anticipation of the Tulalip road opening today. He stated while he was taking the photographs, a boat ramp user did in fact come down and was confused about which road to use and so this seems to bring up the



issue of safety in that the boat users may end up on the road used by the log hauler, he said. He talked about the log haul road, location of the barriers, existing roadway, boat ramp, room for parking, public traffic, safety issues with regard to Condition #6, jurisdiction, Welco control or lack of control over certain things. He stated the permit issue needs to be addressed directly as does the need for the mill to continue operating whether the Tulalip road is opened or not, whether or not the boat ramp is to continue in this location or not and they feel City Council ought to limit itself to the permit issue and not the other two issues, he said.

Councilmember Herman asked about the other two issues and why they should be excluded.

Mr. French noted that an unknown variable is that Welco has used the area for transfer of logs back and forth and the boat ramp has interacted at the same time for many years. The whole area has been open to three different types of traffic and the concern is that there is now going to be a fourth type of user: Traffic from the Tulalip Reservation and there will be created a significant traffic mix and they feel there should be barriers, he said. It is predicted up to 6000 cars a day could be using the Tulalip road and the barriers are needed to protect road users from the log haul road equipment. He said the log loaders and log trucks are the more consistent use and they see a potential problem with the boat ramp users--long units trying to maneuver and park where the log hauler needs to go. There has been a certain amount of coexistence over the last 20 years, however, there is now a new element and they feel there should be separation from the industrial equipment, he said.

Councilmember Herman asked how boat ramp users will affect Welco and why they need to be separated.

Mr. French stated as long as neither road is blocked, there is no problem but log loaders can't be blocked in or it will interfere significantly with their operation. At present, log loaders can go around but with the barriers they won't be able to, he said. He added the main problem is with trucks and boat trailers backing in and out.

Councilmember Herman asked about putting in a stop sign to control boat ramp users and Mr. French cited congestion being created for Welco and members of the public, confusion, potential accidents, the need for striping the road.

Councilmember Herman stated the City knows the boat ramp is going to have to be removed eventually but he said he is proposing a short term alternative, with stop signs, eg.

Mr. French reiterated that Welco's not recommending that the boat ramp be eliminated; they would be happy if the Tulalip road did not come in but with its opening, they don't know what impact it's going to have on traffic and they do have safety concerns because public traffic should be protected from the log loading equipment and trucks. He talked about the parking configuration, striping, other traffic all being elements out of Welco's control and their concern is that the boat ramp has been made part of the permit. He pointed out that Welco leases the air space over the boat ramp and the State has said the boat ramp should be closed; Welco doesn't want to create any more problems here.

Councilmember Myers commented that parking in the boat ramp area may be more of a problem than the actual maneuvering/launching of boats.

Mr. French said it's very possible that everyone can coexist.

Councilmember Bartholomew commented on the log loader load being 15' wide and Mr. French stated they are actually 20' wide and safety is a real problem.

There was discussion about the way boat users enter the boat ramp and Mayor Weiser asked about the actual jurisdiction/ownership of the road.

Mr. French stated he is not aware of any agreement about the road being Tribal or State property. He presented the photos and overhead as exhibits.

Councilmember Baxter stated he knows the boat ramp users represent a significant amount of business around town and Welco is not the only one who will be affected by this. He said he sees there is an agreement that Welco will allow the continuance of the boat ramp on a temporary basis and he really doesn't think the Tulalip road is a positive alternative, he said.

Ed Geddes, Geddes Marine, 1326 1st St., addressed Council. He stated he represented the boaters who are between a rock and a hard place here, as are Welco. There were a lot of people involved in the boat ramp, a lot of history, a lot of time and money donated, he said. He referred to an old Marysville Globe article and listed some of the original donors of money and materials: Leroy Weiser, the Carrs, Reinells, Associated Sand & Gravel, Marysville Globe, WSDOT. He said as far as he knows the road does not have a lease: The Welco and boat ramp use is a prescriptive use, i.e., we have all used it because it is there. He pointed out that Welco leases the air space but not the road; it's a moral issue--the boat ramp users don't want to put Welco out of business but they have the same right as Welco. The boat ramp was put in with the endorsement of the Tulalip Tribes, WSDOT, several former mayors of Marysville. It was open to the public in 1955 or earlier and he said he remembers the Marysville Strawberry Cup Races being run from there in June, 1956.

He said the logistics of this are tough but the newspaper documentation backs up the boat ramp use and there are a lot of businesses who benefit from it. It's not an alternative to go to Langus, he said, because that's a river with a current vs Ebey Slough which is a lot easier launch, especially for canoes, etc. He said he is in favor of retaining the boat ramp and the haul road/shoreline permit for Welco. Also, he would like to see a signal or 4 way stop at 1st.

Councilmember Pedersen asked whose property it is and Mr. Geddes stated it is his understanding that the WSDOT jurisdiction extends on either side of the freeway but the boat ramp property is partly owned by the Tulalip Tribes and City of Marysville. He said the actual commissioning was in 1957 and all entities were in agreement about its location, use, legality, etc.

Art Dubarko, 6730 47th Av. NE, addressed Council. He stated he is in opposition to the shoreline permit. He said he heard tonight that the merchants are in favor of the new road, however he has a copy of a letter to the Mayor from the Downtown Merchants in opposition to the opening of the 4th St. Bypass. He said he thinks the idea is very poor for a main thoroughfare and very hazardous because of turns, etc. He pointed out that there is no practical place to park your boat trailer in there with the new haul road/Tulalip road proposal and it will do nothing but make a hazard all the way around. He said further he doesn't understand how they can come in and use this road without the City's permission; he said he thinks that's very presumptuous on someone's part and a lot of this should be considered first.

Mr. Dubarko said the boat ramp was opened somewhere between '55 and '59 (he was there but can't remember the date); it's not on

Tulalip land and so he doesn't think they have any say in this, he said. He pointed out that granting of the shoreline permit will effectively close the boat ramp because it's basically impossible to get in and out safely so he doesn't think the shoreline permit should be allowed. The Dept. of Transportation gave their OK, the pulp mill gave their OK, Leroy Weiser gave his OK, Tulalip Tribes had no objections to the original boat ramp, he reiterated. There were no papers signed but he was a personal witness that they gave their consent, he said. He added that until the City has another located set up for the boat ramp, this should not be approved. He was quick to point out that they have nothing against Welco, their objection is with the 4th St. Bypass and they would prefer to keep things the way they are, bottom line.

Councilmember Leighan asked if the sportsmen have taken their objection to the Tulalip Tribes and Mr. Dubarko said not that he knows of.

Bob Josephson, WSDOT, addressed Council. He stated they have not made any commitment here, for or against. He said they wish to be a partner in finding the best solution and they see three uses as well as potential hazards. He said they have asked the Tulalip Tribes to delay opening of the road; they thought everything was going to work out, with the boat ramp being relocated and the haul road being separated from the Tulalip road with some striping, paving, parking, barriers, but it didn't work out the way they thought it was going to and their hope is everyone can work together on this. He pointed out that the ramp and Welco have not been permitted uses by WSDOT; that he believed the Tulalip Tribes may have a right to access, i.e., DOT owns all that property under the freeway, he said.

Councilmember Bartholomew referred to a 6/23/95 letter from WSDOT to the Tribes requesting delay of opening of the road until 7/1.

Mr. Josephson said when they wrote that letter WSDOT had a plan to pave and stripe but that has been delayed. He said if an acceptable solution is reached, the paving and striping can be done very quickly. He added it would appear that the Tribes have access but it is DOT property.

Mayor Weiser pointed out that that was all swamp and it was filled in, it's state right of way so why should anyone require permission to use it, he asked.

Mr. Josephson stated it's not a state road, it's listed as a private road for off road equipment, boats, etc. DOT has just been allowing it to happen but it's a private road and they don't have to maintain it and the legislation will not give the state any funds for this property, he said. He said WSDOT can work with the City on signing on First St., some paving in the area and striping but that's all.

Councilmember Baxter pointed out that the boat ramp users have been there longer than DOT and yet DOT can come in and displace the boat ramp.

Mr. Josephson explained they sat down with the City and the Tribes last Sept. and an agreement was reached that the boat ramp would be moved, the Tulalips would build a road and WSDOT thought everything had been worked out. He added the City and Tulalip Tribes are local issues and WSDOT has no control over these local issues.

Councilmember Baxter asked about traffic mitigation at 1st & State, boating/recreational use funding; DOT and the Tribes have left the problem of raising money up to the City.

Mr. Josephson reiterated that it's a local transportation issue.

City Administrator Zabell asked if Mr. Josephson's testimony was that the situation would be unsafe for the Tulalip road to open, with the boat ramp in addition to the haul road.

Mr. Josephson said yes, as it is now with no pavement delineation, no barriers, it is confusing and potentially hazardous and that's why they have asked the Tulalip Tribes to hold off on opening their road.

City Administrator Zabell asked about the horizontal alignment and Mr. Josephson said no engineering analysis has been done yet. He added the staffs would have to work on this further; safety would depend on speed limits, whether or not a 4 way stop was put in, other traffic controls, etc. He noted adequate width of roadway, parking encroachment, etc. are also problems.

City Attorney Weed asked about Condition 6 regarding the boat ramp staying open and DOT's position on that.

Mr. Josephson said they don't have a problem with that as long as the boats can get in and out safely.

City Administrator Zabell asked about maintenance by DOT and Mr. Josephson said the initial paving and striping would be done by DOT but they would anticipate other entities to take over and on the east side, for example, would be a maintenance "turn back" area.

Walt Taubeneck, 11801 52nd NE, addressed Council. He stated last Sept. the agreement got upset by the boat ramp users; one alternative would be from certain hours to certain hours, eg. on weekends boat ramp users could park anywhere they want and during the week Welco would have primary use. He said he would like to see a cooperative agreement between Welco and the boat ramp users --a stop gap until they get a good boat ramp.

Mayor Weiser asked Mr. Crunkilton about Welco's starting a second shift that would preclude boat ramp use in the evenings during the week and Mr. Crunkilton said yes, they are planning a second shift to start tonight. He added they do have the ability to use the log haul road and are just asking for permission to put rock on the road; it's got nothing to do with the boat ramp. He stated that 9 years ago they agreed to sell property for the mall and were going to try and find a boat ramp alternative but that is a different issue; they don't care where the boat ramp users park as long as it's not on the haul road and Welco has been caught in the middle over the boat launch and are willing to work with that. He said Welco is only one piece of the puzzle out of 4 pieces; Welco was supposed to get the air space lease and a shoreline permit--the boat ramp was going to be relocated--the Tulalip Tribes built the road--Welco has done their part.

Mayor Weiser pointed out that the Tulalip Tribes did state they did not have to open the road when it was done, they just had to complete it by July 1st so they wouldn't lose the funding.

Mr. Crunkilton agreed, adding Welco is just trying to do their part--get the shoreline permit approved tonight.

Councilmember Herman referred back to Condition 6 of the Hearing Examiner's recommendation and noted it does tie this shoreline permit into the boat ramp, keeping it open temporarily, having parking available, etc.

Mr. Crunkilton stated his letter said that the boat launch/parking and Welco can coexist but they have no control over where the road is going to be as far as where people can park; Welco just doesn't want the haul road blocked. He added they just can't have anyone parking on the haul road, that's too unsafe and he doesn't feel

comfortable about blockading the boat ramp until it's agreed on. Legally, he said, he believes Welco leases the boat ramp/access from DOT.

There being no one further wishing to speak from the audience, this portion of the public hearing was closed at 10:12 p.m.

Councilmember Pedersen commented on the lack of funds from the State, the fact that the Council should be focusing on the shoreline permit issue and that she would be in favor of having a task force formed to solve the problem. She said she does not know how the City can be responsible for funding a boat ramp on State property.

Councilmember Baxter added that the real question is the DOT declaring the area unsafe for boat ramp users and whether that supersedes City of Marysville jurisdiction.

Mayor Weiser explained the jurisdiction of the Tribes, DOT and City of Marysville as he understands it and he noted the City is in negotiation for a new boat ramp/property but it won't be by July 1st. Right now, he said there is not adequate signage and it's unsafe to use the Tulalip road.

Councilmember Myers moved and Councilmember Bartholomew seconded to approve the shoreline substantial development permit with a change in wording of Condition #6 because Welco has verbally agreed to keep the boat ramp open:

Condition 6 to read that Welco will not take steps to significantly impede or impact closing of the boat ramp until a replacement boat ramp is available.

After brief discussion, the motion passed unanimously by roll call vote.

ORDINANCES & RESOLUTIONS:

3. A Resolution of the City of Marysville Stating Its Intention to Apply for Funding Assistance for One Outdoor Recreation/ Boating Facility and Two Washington Wildlife Recreation Program Projects.

Councilmember Bartholomew moved and Councilmember Herman seconded to adopt Resolution #1738. Passed unanimously.

NEW BUSINESS:

1. Fleet Management Information System.

Public Works Director Winckler reviewed the agenda bill and Mr. Dunmire, RLD Consultants, was asked to address Council.

Robert Dunmire, 7205 150th Dr. NE, Lake Stevens, addressed Council stating his proposal is a customized RFP specifically for the City and there are a lot of advantage to this. He noted there aren't a lot of "whistles and bells", the system would fit the City's needs and he said he would propose developing it in phases. He added his experience is that with a little bit of the system (in phases) it starts to feed on itself and it becomes workable and easy to work with. He said he currently works for the county and has developed several tools for them. \$10,000 is going to get the City a good basic system and he said he would propose that he train a systems manager on City staff that would be able to modify the system so it can be fine tuned for the City's needs.

Councilmember Pedersen commented on employee hours and Mr. Dunmore said it will vary with the needs and fine tuning; most of the time is going to be Mr. Dunmire's time but he would guess 2 sessions

for a total of 2 days with the individual responsible would be adequate to get the system up and running.

Public Works Director Winckler said he would like to see 3 Public Works Dept. staff people and 2 Finance/Accounting Dept. staff people knowledgeable in the system Mr. Dunmire is proposing.

Mr. Dunmire said he couldn't predict exactly what it's going to involve; a needs assessment and inventory has to be done.

Councilmember Leighan asked if \$10,000 would give the City a usable system and Mr. Dunmire said yes, it would give the City a substantially basic system.

City Administrator Zabell pointed out that this is just to get authority to negotiate a scope of work with Mr. Dunmire.

After further questions and discussion, Public Works Director Winckler indicated he has direction for working out a scope of work with Mr. Dunmire.

2. Utility Variance for Darren & Shelly Doty; UV 95-005.

Public Works Director Winckler reviewed the agenda bill, stating the Public Works staff and RUSA Committee recommend approval of the variance as the applicant has met all 4 conditions for variance approval.

City Planner Hirashima pointed out that there is a pending annexation at the 60% stage that would be adjoining this property.

Councilmember Wright moved and Councilmember Myers seconded to include approve the variance, including the 4 conditions/recommendations in the approval, also to be subject to the signing of a non-protest agreement by the Dotys. The motion passed unanimously.

3. Preliminary Plat/Rezone; Northpointe East; PA 9409039.

City Planner Hirashima reviewed the agenda bill and referred to a letter from Bill Binford with regard to construction of the road, deleting the bonding option.

Councilmember Pedersen asked about setting a precedent and City Attorney Weed stated building the road vs posting the bond accomplishes the same thing and all parties are in agreement.

Bill Binford was asked to address Council about who would build the road.

Bill Binford, 11417 124th Av. NE #201, Kirkland, WA 98033, addressed Council and stated the proposed development will be built in phases and so the parks & recreation mitigation is being paid in phases with the park and road being put in in the second phase.

Councilmember Pedersen moved and Councilmember Herman seconded to approve the request of Northpointe East. Passed unanimously.

ORDINANCES & RESOLUTIONS:

1. Ordinance of the City of Marysville Affirming the Decision of the Hearing Examiner and Rezoning Property Owned by Gene & Linda Krotke.

Councilmember Myers moved and Councilmember Wright seconded to adopt Ordinance 2034. Passed unanimously.

2. Resolution of the City of Marysville Granting a Conditional Use Permit and Variance for Property Owned by Able Mortgage, Subject to Conditions.

Councilmember Pedersen moved and Councilmember Leighan seconded to adopt Resolution 1739. Passed unanimously.

LEGAL MATTERS:

1. Janitorial Services Contract Amendment.

City Administrator Zabell noted this was just received today and suggested it be postponed/continued to 7/10/95. Consensus.

ADJOURNED INTO EXECUTIVE SESSION: 11:15 p.m.

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|----------------|------------|
| 1. Personnel. | No Action. |
| 2. Litigation. | No Action. |

RECONVENED & ADJOURNED: 11:39 p.m.

Accepted this 3rd day of July, 1995.

David Weis
MAYOR

May D. Swenson
CITY CLERK

Wanda A. Swenson
RECORDING SECRETARY