

MARYSVILLE CITY COUNCIL MINUTES

00103

OCTOBER 13, 1997

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Donna Wright, Mayor Pro Tem

Councilmembers:

John Myers
Ken Baxter
Donna Pedersen
Mike Leighan
Otto Herman

Shirley Bartholomew

Administrative Staff:

Dave Zabell, City Administrator
Steve Wilson, Finance Director
Grant Weed, City Attorney
Gloria Hirashima, City Planner
Ken Winckler, Public Works Director
Jim Ballew, Parks & Recreation Director
Tara Mizell, Parks & Recreation Coordinator
Lt. Dennis Peterson, Marysville Police Dept.
Greg Corn, Fire Chief
Wanda Iverson, Recording Secretary

CORRECTED: SEE 10/27/97
MINUTES

EXECUTIVE SESSION: 6:30-7:15 p.m.

1. Personnel. (No Action)

CALL TO ORDER/FLAG SALUTE:

Mayor Weiser reconvened the meeting at 7:15 p.m. and led us in the flag salute.

MINUTES OF PREVIOUS MEETINGS:

1. City Council Retreat; October 3, 1997.

Councilmember Myers asked that on page 6, paragraph 2, in the first sentence, that the word "increase" be changed to "change".

Councilmember Herman moved and Councilmember Bartholomew seconded to approve the Council Retreat Minutes of October 3, 1997 as corrected. Passed unanimously.

2. City Council Meeting; October 6, 1997.

Councilmember Herman asked that the word "not" be inserted in the second paragraph under Current Business on page 6: "Councilmember Herman suggested not being reimbursed....." He also noted he made a motion for Council to be not be reimbursed for Snohomish Cities and Towns meetings but for the City to pay for the dinner only but the motion did not receive a second. This occurred between "The amendment to the motion passed unanimously" and "The original motion then passed unanimously."

Under C, Councilmember Pedersen asked that the comma be deleted between "City Council" and "Retreats".

Councilmember Myers moved and Councilmember Pedersen seconded to approve the October 6, 1997 City Council Meeting Minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

CONSENT AGENDA:

- 1. Approval of Sept. 1997 Payroll in the Amount of \$670,344.65; paid by check nos. 27150 through 27492 with check nos. 27111, 27112, 27139, 27260 and 27261 void.**

2. **Approval of 10/13/97 Claims in the amount of \$965,686.67; paid by check nos. 35966 through 36218 with check nos. 35221, 35792 and 35843 void.**

Councilmember Myers moved and Councilmember Bartholomew seconded to approve Consent Agenda Items 1 & 2. Passed with Councilmember Leighan abstaining on check #36208 under Item #2.

STAFF'S BUSINESS:

Finance Director Wilson reminded Council there will be a Budget Workshop this Saturday at 9 a.m. at City Hall.

City Attorney Weed noted there will be a day long conference this Thursday of the Washington Cities Insurance Authority, at which he will be a speaker and will not be at City Hall that day.

Public Works Director Winckler announced the Utilities Committee Meeting has been changed from Thursday to Wednesday, at 7:30 a.m. at the Public Works Building and there will be a Utilities Open House Wednesday evening, 10/15/97 at 6:30 p.m.

He said by way of follow up on the Jennings-Slickers issue, he will be following up with the State regarding the right hand turn lane on 4th St.

He then summarized Change Order #1 for the State Avenue project between 88th and 94th; \$5,000 for night work for this week and there will be three night time closures on State, he said. This change order represents .53% of the total project cost of \$940,645.47.

1. **152nd Street Complex Report - Jim Ballew and Henry Boyar, Architect.**

Parks & Recreation Director Ballew explained they are working on a proposed professional services agreement with Mr. Boyar for Phase I which would include access, permitting, utilities and design. He said they hope to develop a design committee with representation from the public, etc., with an open house to fine tune the construction project. He said they did not receive any state funding, however there is some youth granting/funding coming up and this project might be eligible for these funds. He added that several youth athletic groups have been cooperating and supporting this project. He introduced Mr. Boyar.

Henry Boyar, 6837 48th Ave. NE, Seattle, WA 98115, addressed the City Council. He outlined what would be entailed in the 2 phases: Phase I would include design/development stage, location of fields because of proximity to Quilceda Creek, which is salmon bearing, earthworks, grading, permitting, SEPA checklist, upstream analysis, dealing with wetland areas, culverts, etc. He spoke about the Master Plan depicting accesses, right of way, creek, athletic field, parking areas, skateboard facility (proposed), roadway, detention ponds, swales (relocation), landscaping, buffering, lighting, offsite design issues. He said engineering issues need to be addressed first, they are looking for City input, would need to get a construction cost estimate, receive public input, construction drawings to be developed.

Mayor Weiser noted because this is in the county, this will not be included in Marysville's UGB until next year and so it cannot be annexed until then. He asked about starting to put in sewer, seeding, water to the site.

Mr. Boyar said yes, that could be done or it could even be broken out by "field" for phasing and he said they will be working closely with the City on estimates, timing, getting fields ready, etc.

Councilmember Herman asked what \$1.3 million includes and Mr. Boyar said that would be for Phase I--entry roads, utilities coming into the facility (infrastructure), grading/gravel roadways, storm drainage ponds, erosion control, grading, contingency. It would not include curbing, lighting unless Council wants to designate part of the \$1.3 million.

Councilmember Bartholomew asked about the county's docketing process/time line and City Planner Hirashima said timing is a major concern; it will probably be included within Marysville's UGB by the end of 1998 or early 1999.

Mr. Boyar spoke about ideal seeding timing (in the spring) because of temperature needed for germination and he said they would like to work with staff on the timing and decisions for the project.

Councilmember Bartholomew noted the county realigned the stream 10 years ago and she asked if they also increased the size of the culvert.

Mr. Boyar said the culvert is not working well at present; the fields can be seeded in January through a special process developed in California and be ready to play on in 2 months but they do need to be maintained. He compared the cost of this method (\$2.00 per sq. ft.) to hydroseeding (50¢ per sq. ft.).

Councilmember Pedersen pointed out the definite advantages of the "accelerated turf program" and asked if the costs could be recouped through user fees.

Parks & Recreation Director Ballew explained some of the considerations, gave some examples at the golf course, etc.

Mr. Boyar spoke about a baseball field he had experience with and Councilmember Pedersen expressed concern about getting a facility ready as soon as possible.

Parks & Recreation Director Ballew encouraged Council to start with the softball fields and then possibly approaching corporations such as Boeing to fund another field, skateboard park, eg.

Councilmember Bartholomew referenced a letter from the Navy to Bonnie Williams, Sr. Center Coordinator with regard to the Navy wanting to be involved in the community and she suggested they would probably be willing to fund some of the Athletic Complex.

There was more discussion about acreage devoted to soccer, different grasses, soccer group funding, versatility of fields and needs for play, durability, drainage.

MAYOR'S BUSINESS:

- 1) Mayor Weiser noted he is trying to be available for Councilmembers from 10-12 Mondays and Fridays however he will not be available this Friday.
- 2) He commented on an upcoming Cities & Towns meeting to be held in Philadelphia 12/3-12/6/97.
- 3) A political fund raising event previously scheduled for the Senior Center has been moved to Maxwell's tomorrow.

10/27/97
change to 'help with'

10/27/97
National League of Cities

CALL ON COUNCILMEMBERS:

Councilmember Bartholomew referenced a letter from WSDOT regarding an upcoming proposed Hwy. 529 bridge closure and asked what this is about.

Public Works Director Winckler said he believed it will be a review only; City Engineer Carter is to attend the meeting.

Councilmember Bartholomew expressed concern about closures, fire response in the event of an emergency at Smith Island, commuter issues, etc.

Councilmember Herman added that he spoke with Sid Morrison about work on I-5 and 529 being done at the same time and perhaps this needs to be followed up again with a letter from the City. He noted there have been a lot of problems in North Everett because of this, also.

Councilmember Leighan spoke about an old law on the books re sanitary conditions that goes back to 1894, imposing a maximum fine of \$25, that needs updating.

Councilmember Pedersen followed up on the issue that came up at last Council meeting about the noise and lack of parking on 6th at Beach.

City Planer Hirashima said she followed up on this, with Code Enforcement Officer Rochon, and the business actually does have enough parking but they are not utilizing it.

Councilmember Pedersen reported she was recently at a candidates' forum and there were questions about area wide rezoning.

City Planner Hirashima said a schedule has been developed and she handed out a rather lengthy document. She noted there are 3000 parcels involved and it will involve a lot of staff time as well as technical review, inventory, staff reports particularly about residential and downtown areas, SEPA considerations, public information. She said the Planning Commission would probably review in January and February, with the City Council review following that.

Councilmember Pedersen asked about the Comp Plan review/annual amendment process and gave a brief Library Board Report. It was noted the piano belongs to the Friends of the Library but they will be gifting it outright to the Ken Baxter Senior Center. The Board has recommended putting a stained glass work over the large double doors (inside entrance) and they would like to know how much money could be made available for this. Also, they would like a sign saying "Slow--Library Pedestrian Crossing". One of the board members' term is up January 1st and she asked if the Mayor would like a list of people who are willing to serve.

Mayor Weiser said he will be advising on this at next Council meeting.

Councilmember Myers asked about the C-curb repairs on 4th and Public Works Director Winckler said the State is not responding to telephone calls and so he is going to have to write them a letter about this.

REVIEW BIDS:

1. Roof Structure; Decant Facility.

Director of Public Works Winckler reviewed the agenda bill, noting 3 bids were received; staff recommends Ron Loop Construction be awarded the bid in the amount of \$35,061.60 plus tax for steel piling. The total would come to \$37,936.65 and the tentative completion date would be 11/15/97.

Councilmember Myers moved and Councilmember Baxter seconded to award the bid as recommended to Ron Loop Construction, in the amount of \$37,936.65. Passed unanimously.

CURRENT BUSINESS:

1. Fire District 20 Contract Merger.

Fire Chief Corn reviewed the contract outlining conditions of consolidation of the Marysville Fire District and Fire District 20, including insurance, dispatch, pros and cons. He stated an interlocal agreement has been prepared between the City of Marysville, Fire District 12 and Fire District 20, for a two year trial period. He noted fire district commissioners from both fire districts are willing to sign, it would be effective January 1, 1998 and the three entities would remain separate but operations would be consolidated. He added that Fire Dist. 20 did not see annexations as an obstacle to the agreement.

City Attorney Weed clarified that it was okay for fire board members to vote as Councilmembers.

Councilmember Pedersen moved and Councilmember Leighan seconded to authorize the Mayor to sign the interlocal agreement as outlined. Passed unanimously.

2. Snohomish County Commute Trip Reduction; Interlocal Agreement; continued from 10/6/97.

City Planner Hirashima reviewed the agenda bill.

Councilmember Myers moved and Councilmember Leighan seconded to authorize the Mayor to sign the interlocal agreement. Passed unanimously.

3. Design Standards Review.

City Planner Hirashima reviewed the agenda bill, noting some jurisdictions use a design review board and it is the Planning Department's recommendation to have the Planning Commission review the design standards/review process again, as well as facade requirements and techniques available (screening of rooftop equipment, etc.). She noted an appeal process is available to the hearing examiner.

Councilmember Herman said he would be in favor of a design review board if it could be used with some efficiency and expediency as well as effectiveness.

Councilmember Pedersen asked about the delay of the area wide rezone if this goes back to the Planning Commission with the possibility of a design review board being formed.

City Attorney Weed noted the Council could make minor changes.

Councilmember Baxter asked how this applied to flat roofs and City Planner Hirashima said this only applies to multifamily and commercial buildings, not industrial buildings.

There was discussion about setting standards for a design review board, definition of a facade, internal gutter systems, time it would take for the Planning Commission to reconsider; dropping roofline variation requirement and amending facade requirements/techniques for commercial buildings, duplex design requirement proposals, goal to get more attractive buildings as well as to use variations in plans, flexibility.

Councilmember Herman moved and Councilmember Wright seconded to remand the roofline and facade variation requirement back to the Planning Commission with it being anticipated that this will take only one meeting and then to have a special meeting of the Planning Commission for public input. Passed unanimously.

NEW BUSINESS:

1. Parking Space Dedications for Senior/Community Center.

Parks & Recreation Director Ballew reviewed the agenda bill, recommending that 7 out of 23 spaces on 6th be dedicated to the Ken Baxter Senior Center in addition to 15 behind the building, as well as 2 handicap spaces.

There was discussion about parking decals, employee parking, possibility of two more handicap spaces, hours on the signs, Boeing commuter parking, 5th St. vs. 6th St. access, moving the children's play area.

Councilmember Herman moved and Councilmember Bartholomew seconded to approve parking space dedications: 2 handicap spaces on south of building (5th St.) in addition to spaces in back of building, 5 spaces on 6th (with hours), in back of building to be for employees. Passed unanimously.

2. Rental Rates and Alcohol Consumption in Rental Facilities; Ken Baxter Senior/Community Center.

Parks & Recreation Director Ballew reviewed the agenda bill.

Councilmember Pedersen stated she opposes smoking and alcohol consumption in any City facility. She noted the main objective with the Ken Baxter Senior Center is to serve seniors.

Councilmember Wright said she would like to see a lot higher deposit if alcohol is to be consumed, to cover the liability issue, but really she is opposed to alcohol consumption, also.

Councilmember Myers said he is not opposed if it is not served outside the building. He asked what time the building is to be closed.

Parks & Recreation Director Ballew said 9 or 10, otherwise a penalty would be charged.

Councilmember Baxter commented that the Parks Board discussed the liquor situation at length; it would be for wedding receptions and that type of party only (private). He noted other cities seem to be able to do it but he would like to wait and see how the senior programs go for awhile.

Parks & Recreation Director Ballew said there are a lot of unknowns and possibly weekends would not be available to private parties. Also, the Parks Dept. can control scheduling; seniors would like some evening programs, too.

Councilmember Leighan said this is an expensive facility, a senior/community center, and the City could use some income to help recoup some of the costs. He gave as an example a function/meeting he attended in Pasco when wine was served at a city owned facility.

Councilmember Bartholomew remarked that under normal conditions beer can be purchased at the golf course, so she thinks the City needs to have a consistent policy, she said and would be in favor of liquor being served at the senior center as long as the City has some strict rules with regard to rental of the facility.

CORRECTED: SEE 10/27/97

Parks & Recreation Director Ballew stressed there will be staff supervision 100% of the time, strict control of activities.

Councilmember Herman asked about Everett's experience and Parks and Recreation Director Ballew stated both Everett and Edmonds have had very few problems but if they do, the police are summoned immediately.

Councilmember Herman said he thinks the City needs to have the building available primarily for seniors. There are a limited number of facilities, limited staffing; he asked if it is possible that the room at the south end of the building could be left open to seniors even if there is another event going on in the building.

Councilmember Pedersen asked about control, expressing a definite concern about alcohol consumption on City property and the smell it leaves the next day.

Councilmember Wright asked about police input and Councilmember Myers asked about special events permits, threshold for police dept. approval.

Mayor Weiser asked about age of staff supervising, noting alcohol is only allowed in the restaurant at the golf course. He said he would oppose drinking at the senior center and would like to see a 60 day advance reservation policy.

Councilmember Pedersen spoke about the general use of the facility (policy) and asked who would be checking ID.

Councilmember Bartholomew said she is concerned about insurance coverage/liability if there is alcohol consumption.

Parks & Recreation Director Ballew stated a hold harmless agreement is signed by the lessee and they must pay for any damages.

Councilmember Bartholomew noted the county requires all lessees be insured; she said she is concerned about lawsuits.

Councilmember Pedersen said she is willing to allow additional use by the community as long as seniors get priority -- with no alcohol use in the building by anyone. This was made into a motion with Councilmember Wright seconding.

Councilmember Baxter made an amendment to the motion for staff to bring back information on alcohol consumption at other facilities, regarding insurance, etc. Councilmember Herman seconded the motion. The motion failed 4-3 with Councilmembers Leighan, Wright, Pedersen and Bartholomew against.

The original motion for rental rates as per the agenda bill and excluding alcohol passed 4-3 with Councilmembers Herman, Leighan and Myers against.

There was discussion about political activities, restrictions on use of public facilities, RCW 42.17.130, no campaign kickoffs, support of a proposition, fund raising activities, caucuses and candidates' forums/conventions okay.

LEGAL MATTERS:

1. Professional Services Agreement; Boyar Associates.

Parks & Recreation Director Ballew reviewed the handout, noting the fee has been increased from \$63,850 to \$91,500. He said staff is recommending going with either one of the fees; it can be changed according to what Council wishes to do.

Councilmember Myers clarified that there is no sales tax on a professional services contract; he asked where the funds are coming from and Parks & Recreation Director Ballew said we need to apply to the state for grant money; some funding may come from the Growth Management Fund.

Councilmember Baxter asked how much City of Marysville citizens will pay and Parks & Recreation Director Ballew said the goal is to approve as much community funding as we can, grant monies, corporation donations; there is no contemplated bond issue.

Councilmember Myers moved and Councilmember Leighan seconded to authorize the Mayor to sign the Professional Services Agreement with Boyar Associates in the amount of \$91,500. Passed unanimously.

ADJOURNMENT: 10:10 p.m.

Accepted this 27th day of October, 1997.

David Weiser
MAYOR

Mary J. Dawson
CITY CLERK

Wanda A. Iverson
RECORDING SECRETARY