

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

JANUARY 12, 1998

CALL TO ORDER/FLAG SALUTE:

7:00 p.m.

ROLL CALL:

All present

0167

MINUTES OF PREVIOUS MEETINGS:

1. 1/5/98 Council Meeting Minutes

Approved

AUDIENCE PARTICIPATION:

Mike Papa, Bruce Tipton,
Dana Braatman, Suzanne
Smith, Julie Lightbear,
Paul Linehouse

CONSENT AGENDA:

Approved:

1. Approval of 1/12/98 Claims in the amount of \$165,264.17 paid by check nos. 37375 through 37384.
2. Approval of 1/12/98 Claims in the Amount of \$336,339.89; paid by check nos. 37332 through 37374 with check nos. 36657, 36985 and 37218 void.
3. Affirm Hearing Examiner's Decision to Approve Rezone & Preliminary Plat with Conditions; Westview at Sunnyside Division II; PA 9605021.
4. Approval of Liquor License Renewals for Albertsons #471, Circle K #8878, First Stop Deli, Jackpot Food Mart, Jackpot Food Mart #160, Pearl Garden, State Avenue Bar & Grill, Strawberry Lanes and Conto's Pizza & Pasta.

CORRECTED: SEE 1/12/98 MINUTES

STAFF'S BUSINESS:

Report on Curfew Ordinance

MAYOR'S BUSINESS:

Swearing in of new officers Franzen & Wood

CALL ON COUNCILMEMBERS:

PUBLIC HEARINGS:

None

NEW BUSINESS:

1. Discussion of 1998 Washington State Legislative Issues; Transportation Funding & Deregulation of Electric Utility.
2. Amend Ord. 2165 Levying Property Taxes for Emergency Medical Svcs.

Motion to show Marysville City Council Position

Ord. 2175 Approved

ORDINANCES & RESOLUTIONS:

None

ADJOURNMENT:

8:28 p.m.

EXECUTIVE SESSION:

8:40 to 9:50 p.m.

1. Personnel
2. Real Estate
3. Potential Litigation

Action (See Minutes)
Action (See Minutes)
No Action

RECONVENED:

9:50 p.m.

ADJOURNED:

9:52 p.m.

MARYSVILLE CITY COUNCIL MINUTES

0168

JANUARY 12, 1998

7:00 p.m.

Council Chambers

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

Councilmembers:

John Myers
Normajean Dierck
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
Bob Carden, Police Chief
Lt. Dennis Peterson, MPD
Wanda Iverson, Recording Secretary

CORRECTED: SEE 1/26/98
MINUTES

CALL TO ORDER/FLAG SALUTE:

Mayor Weiser called the meeting to order at 7:00 p.m. and two members of Boy Scout Troop 84 led us in the flag salute.

ROLL CALL:

Finance Director Wilson called the roll with all members present/absent as indicated above.

MINUTES OF THE PREVIOUS MEETINGS:

1. City Council Meeting; January 5, 1998.

Councilmember Herman noted on page 6 in the first paragraph, second line, that the increasing of representatives is an issue that needs to be addressed, along with restructuring of the board in 2 years.

Councilmember Pedersen noted on page 4 at the bottom, in the next to last paragraph, it was Councilmember Bartholomew who asked about the improvement 88th has made by alleviating traffic at the 4th St. entrance/exit.

There being no further corrections, Councilmember Bartholomew moved and Councilmember Pedersen seconded to approve the January 5, 1998 City Council Minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Mike Papa, 8127 54th Dr. NE, reported on the Quilceda/Allen Watershed Meeting recently held with about 50 concerned people in attendance. He said he sees adoption of a watershed management plan as a good start at saving endangered species and he would like to see a resolution adopted, signed by Marysville, Arlington, the county council. He noted Marysville is in a leadership position here and he sees no reason to delay any further; it's good for the salmon, good for quality of water and quality of life like the City of Marysville motto says: "Quality of Life is our Way of Life."

Councilmember Pedersen asked about the process of getting the resolution adopted and Mr. Papa said the holdup is at the county level.

Councilmember Wright said she heard this issue discussed at the state level and Mr. Papa said the State gave the county \$278,000 in 1993 to come up with this plan and it's been in process ever since; in the "legal process." He said Surface Water Management is done with it but then there has to be a public hearing and then the implementing agency's evaluation, then it goes back to the Watershed Committee with a final plan with concurrency of DOE. He noted there is nothing happening at the county level; his group

is not asking for money, just moral support to get this thing going.

Councilmember Herman noted there is concern about this not going anywhere and he believes money has been set aside for this. He said he believes the issue just needs to be brought to the forefront and he said he would like to see a motion for a public hearing.

Councilmember Bartholomew suggested a "nudge" should go to the county prosecutor.

Bruce Tipton, 6308 100th St. NE, handed out a letter and said he was addressing the Quilceda/Allen Creek Watershed issue also. He said he would like to see it move forward. He explained the difference between the recovery plan for endangered species and the watershed plan and that we might avoid the listing of other species if this watershed plan goes forward and it's demonstrated that there is effort being made to save the habitat, eg. He said this plan recommends buffers three to seven times as large as the county's, which is necessary for water quality because of the fecal coliforms caused by cats, dogs, and other pets, not just cows. We need larger buffers in the urban areas vs the rural areas, he said.

City Administrator Zabell noted a letter on this matter had also been received from Rose & Russ Hunter, with the same concerns.

Dana Braatman of the Outreach Program, 18230 McElroy Rd., addressed City Council and read from a prepared statement. She said she's been a life long resident of this area and sees this as a very necessary watershed plan. She said it will begin to reduce the degradation of the watershed and will benefit the fish, kids, the health and environment for us all.

Suzanne Smith, 4821 75th Ave. NE, addressed Council. She said she was at the forum also the other night and thinks it's important that it get through to the public review. She pointed out that Marysville is growing rapidly and the buffers are going to have to be increased; it's going to be a painful process but very necessary, she predicted.

Julie Lightbear, 200 Priest Pt. Dr., addressed Council and noted the fish used to swim past her house but don't anymore. At the rate development of Marysville is going, we are losing habitat and all our hard work is going to go "down the storm drain," she said.

Paul Linehouse, 2520 Jordan Rd., Arlington, addressed Council. He pointed out it's not even safe to drink the water anymore. He talked about a book: "This Place on Earth" by Allan Gurney who moved to Washington, DC and has realized how sacred water, air, fish, etc. are and not the dollar. Mr. Gurney apparently went on a world watch, looking at effects of industrialization on third world countries. When comparing American cities with other cities in the world, we do not have "places"--we have jobs and we need to get back to basics such as more buffers for our streams, he concluded.

Councilmember Myers said he would like a letter of support to go to the county.

Councilmember Herman moved to send a letter to the County Executive, County Prosecutor and County Council showing our support and asking primarily that the Quilceda/Allen Creek Watershed Plan be moved to the public hearing stage. Councilmember Pedersen seconded the motion.

Councilmember Dierck said this is an issue she has heard a lot about, it's very important to people, the water is very polluted (human skin is not to come into contact with the water), there's oil floating on the water, killing the salmon and this is a great

CORRECTED: SEE 12/26/98
MINUTES 5/10 "Lombard Beer"

CORRECTED: SEE 12/28/98
MINUTES 5/10 "Burning"

opportunity to make a difference; we have a lot of people here tonight, she noted.

The motion passed unanimously to send the letter to the County.

Councilmember Dierck then moved to prepare a resolution also showing the City's support, to be discussed at next Council meeting, so this issue will move forward. Councilmember Myers seconded the motion.

Councilmember Wright noted said she would like to hear from the City Attorney as this may involve "takings."

Councilmember Pedersen said she thought they were just getting the issue out so it can be better reviewed.

Councilmember Herman said he sees a need to get priority for this issue by sending the County a letter; the funding has been in place for over a year.

The motion to adopt a resolution passed 4-3 with Councilmembers Leighan, Wright and Bartholomew against.

Councilmember Myers moved and Councilmember Leighan seconded that all Councilmembers should sign the letter to the County Prosecutor's office. Passed unanimously.

CONSENT AGENDA:

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Councilmember Myers moved and Councilmember Pedersen seconded to approve Consent Agenda Items 1, 2, 3 & 4. Passed unanimously.

STAFF'S BUSINESS:

Finance Director Wilson followed up on a question about Administration of Sales Tax, formerly done by the Dept. of Revenue and he said the fee went down from 1.5% to 1% a couple years ago and so no more savings would be realized in this instance.

City Administrator Zabell reminded Council that City Hall will be closed January 19th for observation of Martin Luther King's birthday. He noted City Council has received invitations from the School District to attend Martin Luther King celebration programs. He also noted the upcoming Cities and Towns Meeting and mentioned Public Works Director Winckler being at a ULID 64 meeting.

City Attorney Weed reported on the 6 month review of the curfew ordinance, adopted Apr. 7, 1997. He reported that the 3/24/97 meeting minutes were reviewed in which "Councilmember Herman said he would like feedback from the public here tonight" and part of the motion was to review the ordinance "unless it's not necessary." He said the question to ask the police is whether they have seen any changes in behavior since adoption of the ordinance.

Lt. Peterson responded that during the summer they did see a decline but towards the end of summer it started to increase again but now it's down again and they are not sure if this is the

CORRECTED: SEE 1/20/98 MINUTES 9/10 "JACKPOT"

result of the curfew ordinance. He added they are awaiting the decision of the courts, also.

Councilmember Wright asked if there had been any negative responses to the curfew ordinance and Lt. Peterson said none; there was a lot of press for the new ordinance so it worked out well.

Councilmember Myers said he hears quite regularly that the kids are trying to comply with the curfew and City Attorney Weed said they have reason to believe the curfew ordinance is enforceable, with caution. He added that the ordinance may need some fine tuning but there is an ordinance on the books and the officers talk to juveniles about the curfew, they just are not taking the juveniles home, etc.

CONNECTED: SEE 11:26 PM
MINUTES Delete "with caution"

City Planner Hirashima reported that in reference to the Quilceda/Allen Creek Watershed Plan, the Planning Commission had reviewed this in 1996 and the files can be pulled so Council can have a head start on some of the concerns, issues, etc. She reported a second 88th St. Access Management Plan Workshop will be held tomorrow night and they anticipate a public hearing 1/27/98 and then it will come before the City Council.

MAYOR'S BUSINESS:

1. Swearing In of New Police Officers; Jeff Franzen and Jeremy Wood.

Mayor Weiser administered the oath of office to the two new police officers.

2. Draft EIS for Work Release Facility.

Mayor Weiser said there will be a presentation at the Feb. 2 Council Meeting and it is anticipated there will be an open house of the facility the last week of February.

CALL ON COUNCILMEMBERS:

Councilmember Leighan said he has a concern about the Beach St. improvements, with the different grade levels of the street, eg. where the drainage was put in. He asked about the status of the 4x4 vehicle for the police dept. Chief Carden said the vehicle is now available for use.

Councilmember Wright reminded Council of the Cities & Towns Meeting Thursday, with some positions up for election and representatives to be chosen.

Councilmember Pedersen reported on her attendance at a recent Law & Justice Committee meeting as well as the Library Board meeting. She noted the mid block pedestrian crossing issue at the new library will be coming before City Council soon; she believes it will be a solution to the transportation issue.

Councilmember Dierck asked about the Councilmember Orientation and Mayor Weiser explained it was supposed to be tonight but will have to be rescheduled (due to inclement weather) and it will probably be close to the end of the month or at the beginning of February.

Councilmember Bartholomew said she would like a progress report from the police dept. regarding the HUD housing project at 1350 Cedar, whether police surveillance is to continue and at what expense.

Mayor Weiser asked Council's consensus on when to hold the Storm Water Management Plan Workshop - Jan. 29th or 31st. It was decided to hold it Jan. 29 (Thursday) at 7 p.m. at the Public Safety Center.

NEW BUSINESS:

**1. Discussion of 1998 Washington State Legislative Issues;
Transportation Funding and Deregulation of Electric Utility.**

Mayor Weiser asked for input from Councilmembers and Councilmember Herman spoke about the inadequacies of transportation, MVET, other areas that need support, gas tax, too little too late, need for a higher gas tax.

Councilmember Pedersen spoke about a surplus in the 601 account and said she would like to see taxes stay in the county where they are levied.

Councilmember Wright spoke about MVET, agreed with Councilmember Herman on the need for a higher gas tax, noting it is a user tax and one of the fairest taxes.

Councilmember Bartholomew mentioned an excellent article in the Seattle Times which talks about this very issue and how 525 and 405 are going to get the majority of the funding (\$100,000,000) for HOV lanes, etc. and she said she agrees that five cents is not enough on the gas tax.

After more discussion, Councilmember Herman moved to show Marysville's legislative position on transportation funding, to not reduce the Motor Vehicle Excise Tax and to show support for transportation funding through an increase in the gas tax and further, five cents as proposed by the governor is not adequate. Councilmember Pedersen seconded the motion which passed unanimously.

Councilmember Bartholomew said she would like to request specifically a fax on any gas tax issue progress and/or actions.

Mayor Weiser noted the Seattle Times also had an excellent article about deregulation of electrical utilities and the different types of power sources. He said there are basically three electrical grids; one west of the Mississippi, one east of the Mississippi and the State of Texas. He said the biggest concern seems to be how deregulation will affect the City's ability to collect utility taxes, as well as monitoring and the competition of the utilities.

During discussion, Councilmember Bartholomew suggested having Ron Dotzaur give a presentation, Councilmember Herman suggested getting information from PUD, there was further discussion about rates, NLC, Washington rates being lower than in any other parts of the country, the need to keep an eye on the progress of this issue.

2. Amend Ordinance 2165 Levying Property Taxes for Emergency Medical Services.

Finance Director Wilson reviewed the agenda bill, noting the amount for 1998 under Section 2 needs to be amended to \$700,000 with the total not to exceed 50 cents. He said the amendment is to increase taxes from new construction to 101.9% of existing tax rate.

Councilmember Bartholomew moved and Councilmember Myers seconded to approve/adopt Ordinance 2175. Passed unanimously.

ADJOURNED: 8:28 p.m.

EXECUTIVE SESSION: 8:40 to 9:50 p.m.

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

RECONVENED: 9:50 p.m.

CONNECTED: SEE 1/26/98
MINUTES

CONNECTED: SEE 1/26/98
MINUTES

CONNECTED: SEE 1/26/98
MINUTES 510 "Dotzaur"

Councilmember Bartholomew moved and Councilmember Myers seconded to set the grade for the accounting position at PAN-GI. Passed unanimously.

Councilmember Bartholomew moved and Councilmember Myers seconded to purchase property discussed in Executive Session for the price discussed. Passed unanimously.

ADJOURNMENT: 9:52 p.m.

Accepted this 26th day of January, 1998.

David Weiser
MAYOR

Mary Swenson
CITY CLERK

Wanda A. Swenson
RECORDING SECRETARY