

MINUTES RECAP

00022

MARYSVILLE CITY COUNCIL MEETING APRIL 6, 1998

CALL TO ORDER: 7:00 p.m.ROLL CALL: All PresentMINUTES OF PREVIOUS MEETINGS:

1. City Council Meeting; 3/23/98 Approved

AUDIENCE PARTICIPATION: NoneCONSENT AGENDA:

Approved:

1. Approval of Final Plat for Kruse Verde; PA 9312038.
2. Authorize Mayor to Sign Standard Contract, Subject to Approval by City Attorney, Authorizing the Finance Department's Usage of One or More Collection Agencies.

STAFF'S BUSINESS:MAYOR'S BUSINESS:

1. Proclamation: Volunteer Recognition Week (April 19-25, 1998).
2. Proclamation: CCC Recognition Month.

CALL ON COUNCILMEMBERS:REVIEW BIDS:

1. Network Hardware & Software; Computer Workstations Approved

CURRENT BUSINESS: NoneNEW BUSINESS:

1. Utility Variance Req. for 1 Water Connection, no sewer connection; Alex Keen; 1316 Lakewood Rd., subj. to Conditions; UV 98-007. Approved
2. 60th Dr. NE Extension; R9606. Approved 6-1
3. Tulalip Tribes Util. Var.; 31st Ave. NE & Marine Drive Approved 6-1
4. Citywide GPS & Benchmark Network Consultant Contract; Entranco Approved
5. Prof. Services Agreement; Lloyd Taubeneck Bldg. Remodel; Driftmier Architects, P.S. Remanded back to staff for more information
6. Mobile Home Park Standards; Terra Firma/Jack Cole. Continued to 4/13/98

ORDINANCES & RESOLUTIONS:

1. Ordinance 2185 Approved Affirming Hearing Exam. Decision & Rezoning Property owned by Robert Aldridge and Amending Official Zoning Map Previously Adopted in Ord. 772.
2. Ordinance 2186 Approved 5-0 Affirming Hearing Exam. Decision, Approving Prel. Plat & Prel. Site Plan & Rezone for Property located on the west side of 67th Ave. NE, north of 77th Pl. NE, amending Official Zoning Map previously adopted in Ord. 772 and Denying the Appeal of Brad Johnson.
3. Resolution 1880 Approved Regarding Establishment of 30 Minute Parking Designations on 1st St. & Addition of a Handicap Parking Stall on 7th St.
4. Resolution 1881 Approved Granting Utility Var. for Brenmar Builders, Inc./Alex & Carina Keen Property located at 1316 Lakewood Road, Stanwood, WA.
5. Resolution 1882 Approved Granting Utility Var. for Douglas & Nancy Barnes for property located at 5027 102nd Pl. NE, Msvl.
6. Resolution 1883 Approved Denying without Prejudice Application for Utility Variance by Tony & Maureen Sitz for property located at 5008 73rd Dr. NE, Marysville.

ADJOURNED: 11:27 p.m.EXECUTIVE SESSION:

11:33 to 11:43 p.m.

1. Litigation No Action

RECONVENED & ADJOURNED:

11:43 p.m.

MARYSVILLE CITY COUNCIL MINUTES

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7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
 Donna Wright, Mayor Pro Tem
 John Myers
 NoraJean Dierck
 Donna Pedersen
 Mike Leighan
 Otto Herman
 Shirley Bartholomew
Administrative Staff:
 Dave Zabell, City Administrator
 Grant Weed, City Attorney
 Gloria Hirashima, City Planner
 Ken Winckler, Public Works Director
 Owen Carter, City Engineer
 Mary Swenson, City Clerk
 Wanda Iverson, Recording Secretary

CORRECTED:
 MINUTES SEE 4/13/98

CORRECTED: SEE 4/13/98
 MINUTES

CALL TO ORDER:

Mayor Weiser called the meeting to order at 7:00 p.m. and led us in the flag salute.

ROLL CALL:

City Administrator Zabell called the roll and all members were present/absent as indicated above.

MINUTES OF PREVIOUS MEETINGS:**1. City Council Meeting; March 23, 1998.**

Councilmember Herman noted on page 9, in the 4th paragraph, the word "allowed" should be "required."

Councilmember Dierck noted on page 9, second paragraph, the motion passed 5-1 with Councilmember Dierck against.

Councilmember Bartholomew moved and Councilmember Myers seconded to approve the minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Marty Larson, 5712 70th NE, addressed Council and asked if the 57th Dr. issue would be included under the 60th Dr. Extension item under New Business and Mayor Weiser suggested he bring it up at that time.

CONSENT AGENDA:

1. **Approval of Final Plat for Kruse Verde; PA 9312038.**
2. **Authorize Mayor to Sign Standard Contract, Subject to Approval by City Attorney, Authorizing the Finance Department's Usage of One or More Collection Agencies.**

Councilmember Pedersen moved and Councilmember Wright seconded to approve Consent Agenda Items 1 & 2. Passed unanimously.

STAFF'S BUSINESS:

City Administrator Zabell reported the Network Administrator job has been filled; the employee has a good computer background. The Assistant Human Resources Director position is still being evaluated, he reported.

Public Works Director Winckler reported on Change Order #1 for the Highway 9 Reservoir in the amount of \$1550 to cut down some trees in the right of way. This equals .19% of the total project (\$620,041), he said.

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City Engineer Carter reported on 3 WSDOT upcoming projects:

1) WSDOT is going to be resurfacing SR 529 with a one lane closure northbound for 2 months from June to August, 1998 and with a 50 day closure for southbound traffic from August 26. They also need to redo the Ebey and Steamboat Slough bridges, he reported, this project to start in the summer of 1999 for 150 days per bridge, so it's close to a year and the City is working with WSDOT with regard to detouring, expediting issues, etc.

2) The 116th interchange signal project is planned for the fall of 1999.

3) SR 2 westbound will be closed during the summer of 1999 so WSDOT can rebuild substructure plus resurface 350' which involves a one lane closure with a total closure on 2 weekends. Detour would go down around Ebey Slough Road but in future phases, there won't be those alternatives, he pointed out.

Councilmember Bartholomew asked how they are going to deal with gridlock on I-5 which is unacceptable to her and many others.

City Engineer Carter said they are looking at signal timing at 4th, 88th and 116th. The closure of SR 529 will basically mean a doubling of traffic volume for I-5 exits and onramps.

Councilmember Bartholomew asked about emergency vehicle access and City Engineer Carter said they have to keep traffic flowing between Ebey and Steamboat Slough bridges because of at least one business and in addition there is a landfill cleanup going on so they won't be able to close the Steamboat Slough bridge until the cleanup is done.

Mayor Weiser noted the fire dept. was present at the meeting with WSDOT and they are working on alternatives for emergency vehicles.

Councilmember Bartholomew said her concern is if there is an accident on I-5 in the middle of a gridlock. She asked how they think we are supposed to get people to a hospital under emergency conditions--by air lift?

Mayor Weiser said that's a possibility.

Councilmember Herman asked if there is any overlap of the two bridge closures because Marysville has to have some guarantee there won't be.

Mayor Weiser said the City is also going to have a project on 528 that may possibly conflict with the WSDOT projects.

Councilmember Pedersen said this is a serious problem and she would recommend inviting a representative or have another meeting with WSDOT. She asked if each bridge is to be closed separately.

Mayor Weiser explained they need access to the business there, as well as the EPA cleanup.

City Engineer Carter said the City's suggestion was temporary signals on both bridges.

Councilmember Pedersen said she would like to make a very strong recommendation to have WSDOT representatives come up during our rush hour so they can have a first hand look.

Councilmember Wright asked about the signal on State and when it will become operational and City Engineer Carter said within the next couple weeks.

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MAYOR'S BUSINESS:

1. **Proclamation: Volunteer Recognition Week (April 19-25, 1998).**
2. **Proclamation: CCC Recognition Month.**

Mayor Weiser signed the proclamations with copies to the press.

CALL ON COUNCIL:

None, in the interests of time.

REVIEW BIDS:

City Clerk/Assistant to the City Administrator Swenson reviewed the agenda bill for **Network Hardware & Software and Computer Workstations.**

She explained two proposals were received out of 6 bids invited and said staff is recommending purchase from Capital Business Machines in the amount of \$118,759.33 including 10% contingency plus Computer Work Station project for \$74,643.33.

Councilmember Pedersen asked about the specific exclusion of Compaq computers at the bid opening and Scott Furr of BJSS Computer Consultants, 320 W. Bay Dr. #312, Olympia, said they thought it might be too much of a proprietary solution and wanted to stick to computers with a wide variety of availability of parts.

Councilmember Bartholomew asked how soon before the system(s) would be operational and City Clerk/Assistant to the City Administrator Swenson said hopefully within 2-3 months everything will be fully operational with the Parks Dept. getting priority because of their upcoming summer programs and the need to convert over from their Macs. She said part of the process does involve performance bonds.

Councilmember Pedersen moved and Councilmember Bartholomew seconded to approve the Network Hardware and Software and Computer Workstations as recommended above, with the Mayor to be authorized to sign project contracts subject to review by the City Attorney, with Capital Business Machines. Passed unanimously.

NEW BUSINESS:

1. **Utility Variance Request for One Water Connection and No Sewer Connection; Alex Keen; 1316 Lakewood Road; Subject to Conditions; UV 98-007.**

Public Works Director Winckler reviewed the agenda bill, noting staff recommends approval for one water connection.

Councilmember Leighan asked if the applicant has been made aware of the rate structure for being out of City limits and Public Works Director Winckler said he believed so.

Councilmember Herman moved and Councilmember Leighan seconded to approve UV 98-007 as recommended. Passed unanimously.

2. **60th Drive N.E. Extension; R9606.**

City Engineer Carter reviewed an overhead, agenda bill and history of the events leading up to this issue. He said the Plat of Nicole was recommended as a preliminary plat in 1980 and was approved as a 60' road with a temporary turnaround easement. In 1982 Allen Creek Elementary School was to have access to 60th as per a Hearing Examiner decision and there was to be allowance for future extension of 60th at that time. He noted the extension was approved under the City's 6 Year Street Improve-

ment Plan; Perteet Engineering did design and traffic projection as well as warrant analysis, he said. Then in 1989 a signal was to be included in the extension project.

Don Hanson, Perteet Engineering, 2707 Colby #900, Everett, addressed Council. He said in August they performed final design of this project. Originally they proposed 14' lanes and 6' sidewalk but then it was changed to narrow down to 12' lanes with a 10' wide path for pedestrians and a bike lane, he said. They also proposed speed tables for pedestrian crossings, he said and they got comments about speeding up to 70th and so they came up with bulb outs to further calm traffic. Bulb outs are preferred to speed tables, he said, because of having to close the complete roadway down for construction of a speed table. He spoke about proposed landscaping, swales, detention pond and wetland replacement to the east of the project, with a traffic signal to be located at 528 & 60th.

Councilmember Pedersen asked about similar examples of speed tables and Mr. Hanson said they designed one in Port Townsend for students; the speed tables are 3" high and you can travel at 25 mph over them very comfortably without damage to your vehicle.

Councilmember Pedersen asked how deep the detention pond will be and Mr. Hanson said 2' deep so it doesn't require a fence but they can add that if people would like them to do that.

City Engineer Carter noted the detention pond is on the opposite side of the street from the walking area.

Councilmember Myers asked if there would be a crosswalk at 528 & 70th and Mr. Hanson said yes.

Councilmember Pedersen noted the mobile home park on the south side of 528 had a concern about traffic backing up on 528 and then people would not be able to get in or out of the mobile home park.

Mr. Hanson stated Perteet did a queuing analysis and there is room for at least 8-10 cars with adequate room for turning, he said.

Councilmember Leighan asked about the signal at 528 & 60th being only on demand for 60th and Mr. Hanson said yes, it will be actuated for 60th with a button for pedestrians as well. Mainly, it will be green for 528 and pedestrian and vehicle actuated for 60th, he said.

City Engineer Carter noted the City's Access Management Plan stipulates 250' between a driveway and a signal at 35 mph (posted speed). He noted at the 2/26/98 open house people attended as a result of notices being mailed to residents within 300' and the majority of the people who live on 60th Drive feel that 57th Drive should be opened up. The MMC refers to 57th Drive only being opened with a vote from City Council or the majority of Parkview Estates residents requesting a public hearing and so the City mailed to Parkview Estates and Parkview Manor residents in addition to the 300' radius residents, he said. Concerns expressed at the open house were traffic, narrowing of the street as well as the issue of opening 57th, he said and he reviewed issues from the agenda bill. He said they wanted extra wide sidewalks and at this time, staff would recommend construction of the extension of 60th Dr.; the Marysville School District was in support of this also. He added that this is a critical time frame if this project is to be completed this summer while school is out and have it completed by late August. He noted that this project has been completely budgeted for.

Mayor Weiser noted there are 17 people signed up to speak and he asked people to come forward.

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Richard Robinson, 5700 66th St. NE, addressed Council. He said his family is opposed to the 57th right of way opening. He noted he and his family came back to Marysville for quality of life and are opposed to 57th opening. He said he had no comment on 60th.

Jim Ogle, 5602 69th St. NE, addressed Council. He said he is also opposed to 57th right of way opening and he agrees with the comments of Mr. Robinson. No comment on 60th, he said.

Lonnie Wehr, 5536 70th St. NE, addressed Council. He said a light is definitely needed on 528 as well as a decent sidewalk on 60th for kids. He noted the plan for a sidewalk stops at 70th and there are a lot of joggers along there, speed is a problem and you can sit and wait 5 minutes at Grove & 70th. He concluded there is too much traffic on 528 and it's not equipped to handle it.

Clyde Pentzer, 5900 64th St. NE, Manager of Glenwood Mobile Home Park, addressed the Council. He noted it is very obvious that the engineers have not tried to drive out of the Glenwood driveway: You can get 6-8 cars out there but that won't handle Glenwood's traffic in and out of the mobile home park. He said he thinks this should be reviewed further so people don't have a 5 minute delay getting in and out of the mobile home park.

Mary Ellen Berkbigler, 7024 57th Dr. NE, addressed Council. She said she has lived there for 23 years and has many grandchildren and great grandchildren that come to visit her all the time. She said she agrees about the traffic on 70th and there are a lot of joggers, children, kids on bicycles, pedestrians and she is very concerned about the traffic at 70th & 55th when there are ball games. To add 200 more cars a day would be disastrous and she said she is opposed to opening 57th also.

Robert Lindenhovius, 6716 55th Dr. NE, addressed Council. He read a letter from Jeff & Alisa King expressing their opposition to opening of 57th. They noted there are many children in the two neighborhoods of Parkview Manor and Parkview Estates and not opening 57th would mean one less thing for them to worry about. They said these kids need the City's protection. Mr. Lindenhovius asked about a SEPA review.

City Engineer Carter said the SEPA review is in process; the City does have approval from the Corps for the 60th St. Extension.

Fred Long, 5712 Parkside Dr., addressed Council. He also read a statement saying he was opposed to the 57th Extension/opening. He said the attitude is mainly against and on 3 different occasions this has come before Council and all 3 times they were opposed; the only people in favor are the police and fire dept. and they have a gate for emergency access. He said these people are quiet and but still opposed. They were sent a memo regarding 57th & 60th but the agenda only mentions the 60th Dr. Extension.

Mayor Weiser explained the issue of the 57th Dr. opening came up at the 60th Dr. Extension open house.

Mr. Long stated he and his wife came to Marysville because it was quiet and peaceful and they settled in a cul de sac and hoped they could escape the growth and they just don't want to see 57th opened up. Also, if he lived on 60th, he said he would sell his home and leave town because you shouldn't have detention ponds around kids--that's a big concern. Also, a developer bought that property and it is Mr. Long's feeling these changes are developer-driven and he doesn't think they should have to pay for that, he said.

Halley Hupp, 6821 58th Dr. NE, addressed the Council. He said he understand the MMC requires this issue to come before Council if a majority of residents in that area want 57th opened up but he said he doesn't see this as a valid issue. He said his major concern is for safety--speeding, blind intersections, corners. If this is opened up, traffic is really going to put children at risk as well

increasing crime, he said. As far as 60th Dr., a stop light might help this, he said. In front of the school on 528 he said he notes the speed limit is still 35 mph and if children cross 528, the speed limit should be dropped in addition to a signal being put in.

Hans Hansen, 5622 70th St. NE, addressed Council, stating his position was originally to oppose opening of 57th and he thought this had been resolved several times. He asked if the showing tonight was going to put this issue to bed. He added that they walk in the area of 60th every morning and if it's extended he's not sure who that is going to serve. Right now, it's a secure area and to put a major thoroughfare through there he doesn't think is serving the residents of 60th and he is opposed to both the 57th and 60th Dr. Extensions, he concluded.

David Foley, 5622 69th St. NE, addressed Council and asked how the issue of 57th came up.

City Engineer Carter said that it was just brought up because it was brought up at the 60th Dr. Extension open house.

Mr. Foley said he is opposed to 57th opening up; no comment on 60th.

Gene Zielke, 5706 65th St. NE, Architecture Control Committee Chairman of Parkview Estates, addressed Council. He submitted a petition with 98 signatures on it, opposed to the opening of 57th Dr. due to traffic and everything already previously mentioned, he said.

Richard Clark, 6980 60th Dr. NE, addressed Council, saying he is against 60th and 57th Drive Extensions. He explained when they went to the open house, they wanted both kept closed. He noted 1000 people go to the Y a day which equals 2000 trips in and out; most of these people said they would use 60th Dr. and if it is opened, both 57th and 60th will be used. He added that 80% of the kids walk to school and there is probably a lot who use the short cut on 60th and with cars added, you are going to have accidents. There are a lot of kids and they would like to see some signs up, he said, like "Do Not Block Entrance to the Mobile Home Park" and "Do Not Block the Intersections." He suggested the City spend some money on signs where it will do more good and he concluded he is against both 57th & 60th Drive being opened up.

Kenneth Swanson, 5613 69th St. NE, addressed Council, as a resident of Parkview Estates. He said he wants to make sure his opposition to both 57th and 60th is heard. His kids go to Allen Creek School and right now people drive very courteously but if it's opened, sooner or later a little kid is going to get killed, he predicted.

James Elliott, 6922 60th Dr. NE, addressed Council and said they estimated 2000 cars on 60th if it's opened. He asked if that is a minimum or maximum and City Engineer Carter said 1600 vehicles on 60th Drive a day would be anticipated.

Mr. Elliott said the 60th Drive Extension will also affect 57th. He said he keeps hearing about speed tables and really doesn't think they are going to slow the juveniles down--they are going to take it at 60 mph if it's possible.

Perteet Engineer Hanson said he doubted there would be any damage to the care but it is definitely uncomfortable at high rates of speed; he said he suspects people will only speed over it once.

Mr. Elliott said the only thing he would like to say is he does not see the purpose of this street for the safety of the children. He asked how many cars it takes before a signal is put in on 60th.

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City Engineer Carter said there is no magic number of cars, warrants have to do with volume, peak hour trips, etc., not just based on one magic number. One thing he would like to add is projections--1645 vehicles on 60th Dr. and currently they are going around to the school, so there would be a reduction at Grove and 55th and 64th, he said. He showed an overhead indicating substantial reductions in traffic counts at all intersections.

Mr. Elliott said he had a petition signed by many of the residents that he wished put in the record. He said he feels the safety is going to be compromised for the many children and he would encourage the City Council to not vote to open this street.

Jim Cochran, 6946 60th Dr. NE, addressed Council. He stated he went to the open house also and asked about the people around that area--only the people from 60th were invited to the open house and he said he would like to see everyone invited. School buses are having a hard time getting on to the highway (528) and maybe they should use flaggers, he suggested. He asked who this will actually benefit and guessed it would not be the residents. He added that his kids grew up on this street and they are used to it being a dead end street, there is wildlife back there, it's dark back there and the City could widen it and put lights in there but it's ludicrous to put a highway through the neighborhood, he said. There are no sidewalks on 70th, so everyone is going to have a hard time with the extra traffic, he pointed out, adding that everyone is going to use this and he would rather see safety items upgraded for the children. They don't need a road through the children's playground, he concluded.

Chriss Burgess, Principal of Allen Creek Elementary, addressed Council. She said she sees many positive parents here tonight but it's been the school district's belief that 60th Dr. would open up eventually. She noted enrollment at Allen Creek Elementary has increased from 480 in 1993 to 730 in 1997, with a current enrollment of 697 students and they only have 2 buses. Approx. 100-150 students walk and the rest carpool, she said. It is very fearful when kids cross over to the YMCA, turning left on 528 is difficult and so a signal is needed. Another hazard is people can't see oncoming traffic because of the people parking on 528 and so left hand turn visibility is poor, she said, and added they basically have two poor times of the day at the school and the Y has really added to the safety issues. She said they do have crossing guards and parents that help but when it's dark it's a real problem. She said students come from north of 64th but the children from across the street do play at the school and there are children that go to the Y, too from across 528.

Councilmember Leighan asked about open ditches and retention pond hazards/problems for the children and Ms. Burgess said she has not had any reports about that but they do have a lot of fender benders in the school parking lot.

Nicky Pittman, 6619 58th Dr. NE, addressed Council. She said she is opposed to the 57th access for reasons given. There is no reason why it should be open, she said, because that's only opening up another neighborhood. She said as far as opening up 60th, she would not want that opened if she lived there but the reality is that she would rather take her time and have a more safe trip, taking the kids to the school. It's a choice people have to make, she said and we need to keep Marysville a little slower, enjoy life and enjoy seeing the kids get safely to school. She recalled when Marysville was slower and the current situation is not fair for these kids, she said. She concluded she is opposed to 60th opening up but in favor of a light on 528.

Mark Larsen, 6624 55th Dr. NE, addressed Council and pointed out that 3-4 years ago they went over the 57th street opening issue at that time. There were discussions about response times, traffic number given by the fire and police chiefs. Now that he is in the Seattle Fire Dept. he has dealt with children on streets just like

these and he said he doesn't like it--it's too dangerous and he's seen what can happen. He said he is adamantly opposed to it. He added that there is a potential drug dealing house in their neighborhood right now and there are speeders. He said he would like to see a 4-way stop but he knows that is not possible. There are 255 homes in their neighborhood with 300 to 400 children and if 57th opens up, people will use it, he said. He added he moved there because it was a closed neighborhood; he has kids that go to Allen Creek and that's a nightmare with all the traffic getting in and out, getting onto 528 is impossible so the City needs to put a light there because you have Boeing traffic, too. He concluded that he has dealt with a lot of serious problems with traffic and kids and it's a poor mixture.

James Nelson, 6896 60th Dr. NE, addressed Council. He said he has 4 children and has lived at this location for 6 years. He said he is very concerned about it opening up and it doesn't sound like 57th residents want that to be opened, either. The City could probably put a light in there, though, he said, but they do not want to help anyone open up the 60th or 57th areas--they flat don't want it open so there won't be traffic going through their neighborhoods. He noted he did not choose a house on a thoroughfare and opening it up is going to lower property prices, be a traffic safety hazard and so he thinks the City should just put a light in, he said. He concluded that it doesn't take a rocket scientist to figure this out.

Ray Stanton, 5900 64th St. NE, addressed Council. He said he concern is the traffic signal and the mobile home park residents getting in and out. He said yesterday one of the residents was trying to get out and waited for 50 cars on a Sunday afternoon and that's not the busiest time. He added that it looked to him today like if 10 cars are stopped for a traffic light, he would not be able to get in or out of the mobile home park. The traffic light needs to have something done, synchronization, something, and those manually operated lights don't work, either, he said.

Wendy Goble, Executive Director at the Y, home address 7017 53rd Place NE, addressed Council. She noted the main issue is safety and she asked what conditions need to occur before a traffic light is installed without 60th Dr. being put through.

City Engineer Carter said there are certain warrants, volumes, peak periods, through vehicles, side street vehicles, it takes a traffic study to determine whether it meets warrants.

Ms. Goble stated the Y membership has grown over the years and they just added 6000 square feet to the Y. She said she would like to see a light without punching through 60th Dr. but someone needs to look at accidents on 60th and 528--she said she has seen a lot and wonders how many accidents it takes to get a light. We need to have a higher degree of safety for the members, she said and she added she just saw a 3 car accident today on 528. She concluded that she knows there are a lot of impacts to the neighborhoods but they definitely need to look at safety first.

City Engineer Carter explained that it did not meet the national accident warrant standards which is 5 or more accidents within a 12 month period. The last time they had a report from WSDOT that warrant was not met, he said.

Sonja Gordino, 6424 69th St. NE, addressed Council, stating she lives on the 69th St. that everyone takes to get to Allen Creek Elementary and everyone uses it as a shortcut to the Thriftway, etc. She said she has seen many accidents and is asking if these other people around 57th and 60th would be willing to share the traffic load that she sees in front of her house. She said they have a lot of children in their neighborhood, too and she has seen joggers hit and doesn't think it's fair that all the traffic goes past her house. She said for every reason the others have given to keep their roads closed, these are her reasons to open it so that she can gain some measure of safety in her neighborhood.

Larry Cobb, 6502 57th Dr. NE, Parkview Estates, addressed Council. He asked about increasing the delay time on the signal coming down the hill to allow the side streets and traffic to get out of the Y, Thriftway, the school and mobile home park onto 528.

Engineer Carter said that's a WSDOT signal and the capacity of the intersection at 64th (528) & 67th would be sacrificed if there was a delay as Mr. Cobb suggested.

Mr. Cobb noted there are 255 homes in the mobile home park; other neighborhoods have less homes and they also have other outlets but the mobile home park does not. He said he is opposed to the opening of 57th and 60th.

Marty Larsen, 5712 70th St. NE, addressed Council. He submitted 3 letters for the record (from Beth Morean Opel, Allen and Theresa Vance and Robin and Audrey Hammond) all opposed to the opening of 57th. He said he is opposed to opening 57th and came here totally prepared to scold the Council. This is the 4th time they have been here saying they don't want 57th opened and he is also opposed to opening of 60th St., he said. They do need a traffic light at the Y and the school, however, he admitted and asked if any other form of traffic flow has been looked at, for example a through/circle driveway through the Y. He noted lots of money has been spent on designs but there are no sidewalks or light at 70th and asked what happens after that. He said he would urge the City to look at alternative plans to opening up 57th and 60th.

Leif Logie (??), 6822 59th Dr. NE, addressed Council. He said he was at a hearing here when the City Council was trying to permit the opening of 57th Drive before and it was agreed at that meeting to put an emergency gate up and to build a berm for a noise barrier. An agreement was made to put that gate up and now this whole issue has come up again--why, he asked.

CORRECTED: SEE
MINUTES 4/13/98
s/b "Loney"

Mayor Weiser explained that at the public meeting regarding 60th, the 57th issue came up and so the City sent notices out to everyone. For 57th to be opened it would take an action of the Council or the residents of 57th to take it back to the Hearing Examiner, he said.

Todd Taylor, 5702 57th Dr. NE (at 70th), addressed Council. He noted safety is the main issue and asked what safety studies have been done at 70th, especially with regard to the park.

City Engineer Carter stated he chairs the Traffic Safety Committee and the issue came up between 67th and 70th, about providing a pedestrian facility; the City is going to construct a paved shoulder area or sidewalk.

Mr. Taylor said there are speeders, illegal parking, especially when there is a baseball game, a lot more traffic, it's congested, poor sight visibility, a lot of problems and it bothers him that it has to come to a serious accident before something is done about it. At the top of the dip at Jennings Park he said he has been in a line up of 8 cars and it's getting worse.

Debbie Leatherman, 5531 70th St. NE, addressed Council. She said she remembers how small this town used to be and now she has children of her own and she has to walk her kids to school because there is no protection for them or for joggers. She asked why we have to wait for the state to put a light at the school. She said she goes on 69th where that other lady was talking about everyone using it for a shortcut, for the safety of her daughter. When there are weekend events at the park, her parking strip is full every weekend, she said and when you send more cars through there it's very dangerous. They have Easter Egg Hunts, baseball games, etc. and there is a lot of illegal parking on 528, she noted. She added that she sees kids crossing 528 all the time and sees problems with the buses, near accidents all the time. She said she watches this and sees it every day and they just have to have

a light at the school so the kids can cross safely. She said she will spend the extra time to take her daughter to school and just doesn't want to see any more traffic in their neighborhood.

Mayor Weiser clarified that the City would be paying for the light but has to follow federal warrants.

Mrs. Leatherman said she knows there is going to be a kid hit soon--the City is trying to help some kids out but is putting just as many back in at risk at the same time.

Willie Pippin, 6619 58th Dr. NE, addressed Council. He said a light is needed not just for the kids but for the older people, too, people in the mobile home park. He said he has seen people trying to get out of the mobile home park and they really need a light there, too.

City Engineer Carter said in addition to volume, there is a warrant to meet regarding distance between signals.

Mr. Pippin reiterated that he thinks both the school and mobile home park need a signal.

Mr. Lindenhovius (??) addressed Council again. He said he has also lived in Seattle and they had one of their kids killed and finally got a stop light. He said he hopes they don't have to go through that here.

No one further wished to speak from the audience and the Mayor closed the public testimony portion of this matter at 9:07 p.m.

There was considerable discussion concerning the 57th issue coming up in conjunction with the 60th Dr. Extension, warrants that are projected to be met and how soon, petitions for and against 57th and 60th to be opened up. It was noted the MMC says there has to be a majority of Parside Manor and Parkview Estates residents in favor of opening 57th before it can be sent back to the Hearing Examiner.

Increases of traffic were discussed from within the developments; a lot of people have to get to I-5 and if 60th were opened they could get there through a more direct route, Councilmember Leighan noted. He also noted Parkside Manor is a unique neighborhood but City Council has to look at the total traffic pattern; people are not going to go through neighborhoods if they don't have to.

Councilmember Wright noted 60th Drive has always been on the City plans to be extended and she will support an affirmative motion for it to be opened.

Councilmember Myers noted he will not be participating in the vote as he lives too close.

Councilmember Bartholomew said she knows it's almost impossible to get out of the mobile home park and the United Methodist Church onto 528 and would support a light at 60th.

Councilmember Herman noted it's possible the decision made back when about 57th was not the right decision, however it's been reaffirmed twice. There is some logic for opening it, however they have made prior decisions and need to honor that perceived agreement on 57th, he said. The problem now is a need for extension of 60th, a signal, need for traffic circulation in the neighborhood, a lot of work has gone into mitigation of speed, etc. and the long term plans of the City have been to extend 60th, he pointed out. He said he would like to see the Council make the right decision the first time so it is his intention to support the extension of 60th Dr. as it makes sense for the overall traffic flow of the community.

Councilmember Dierck noted 20 people testified tonight against opening up 57th, 14 people against opening up 60th, plus the 98 on the petition regarding 57th. She noted there are wetlands on both sides with a 2' detention pond, a fence was talked about but it was "iffy". She asked about completion of environmental documentation.

City Engineer Carter said the SEPA documentation has not been finalized yet; the drainage code requires fencing if it is a 3' detention pond and it's only 2' so the City doesn't have to but they can if the Council requests it. He noted the YMCA has more of a swale and it is not fenced.

Councilmember Dierck asked when the environmental documentation will be done and City Planner Hirashima said they have a file in the Planning Dept. regarding wetlands and traffic if anyone would like to review it. The application was actually made through the Corps and DOE and that's mainly been resolved but the main issue was the traffic study and it has not been completed; the remainder will probably be this week with a SEPA determination within 2 weeks, she said.

Councilmember Dierck said she would like these things finished first before coming before Council and City Planner Hirashima said staff wanted additional information/direction from Council before proceeding.

Councilmember Pedersen said as far as 57th is concerned this has come before Council many times, before she was on the Council, so she would not support opening of 57th. She said she sympathizes with the 70th neighborhood but the plan has been in effect since 1988 and several things have been improved, eg. speed tables, etc. and she will be supporting the 60th extension project completion, she said.

Councilmember Herman said in terms of the environmental review it would be a lot of time and effort wasted if they were not to approve completion of the projects, however the Council has had a discussion on fencing and he would like to see staff given some direction on that.

Councilmember Pedersen said personally she has a concern about such a close difference between 2' and 3' and she would be inclined to give direction to seriously considering fencing the detention pond so toddlers are deterred.

Mayor Weiser asked about the 3' guideline and City Engineer Carter said the 2' is projected for the 100' storm level so it's normally less, that would be a maximum. The guidelines are in the Drainage Comp Plan which will be coming before Council in the next couple weeks, he said.

Engineer Hanson from Perteet said the overflow would go over the top, i.e. the maximum height of the detention pond is 2' in a 50' by 80' area.

City Administrator Zabell said his recollection is that there is a fairly deep drainage ditch and that the swale/pond drains into that ditch; i.e. a 600' ditch that can't be fenced.

Public Works Director Winckler pointed out that the City can go beyond the minimum requirements/standards/guidelines and can take into consideration proximity of homes and can exceed standards if the Council desires.

Councilmember Herman asked what the distance is between the top of the swale and roadway and Mr. Hanson of Perteet Engineers said the swale is right next to the roadway and if it were fenced, there is not much room, about 1'.

City Engineer Carter pointed out that they are trying to impact the wetlands as little as possible.

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Kevin Weed, another Pertteet Engineer present, addressed Council and said the swale is actually shallower than 2' and the UBC code says you don't have to fence a pond if the slope is walkable. He pointed out that fencing this shallow pond might set a precedent and it's not always aesthetically pleasing to have a fence. The swale is actually only 1' deep, he said.

There was discussion about fencing and street lighting.

Councilmember Leighan moved to direct staff to move ahead with extension of 60th, the traffic light and the SEPA evaluation. Staff to bring back recommendations on fencing and work with the Glenwood Mobile Home Park to minimize impacts on their driveway. Councilmember Bartholomew seconded and the motion passed 6-0, with Councilmember Myers abstaining.

3. Tulalip Tribes Utility Variance; 31st Avenue NE and Marine Drive.

Public Works Director Winckler reviewed the agenda bill, noting the property is not within City limits, any ULID or the UGB but it is within CWSP and RUSA boundaries. He referred to Sections IV & VIII of the Wheeling/Joint Operational Agreement. He reviewed the recommended action from the agenda bill and 8 conditions.

City Planner Hirashima said she contacted the Tulalip Tribes and inquired about the status; the Tulalip Tribes Planning Dept. has received a building application for the site, it's an administrative review only for them, she said and no SEPA review is required.

Councilmember Bartholomew asked about alienated or allotted lands vs tribal lands and City Planner Hirashima said one was tribal, one was allotted, with no county review.

Councilmember Herman asked about a SEPA or NEPA review and City Planner Hirashima explained the Tulalip Tribes do not have those requirements to meet; there is a county agreement with regard to road improvements on the reservation only.

Councilmember Bartholomew asked about recognition of the City's concerns about the capacity of the WWTF and Public Works Director Winckler said yes, he believes there is a good understanding of the City's requirements by the Tulalip Tribes.

Councilmember Herman asked about the CWSP overlapping area and City Administrator Zabell explained both the county and Tulalip Tribes overlap in a triangle around Ebey Slough; it was designated in the CWSP and was basically left as an overlap area.

Councilmember Bartholomew referenced a letter in the packets regarding City utilities at 88th St. but Mayor Weiser said the only issue being discussed at this time will be the 4th St. one.

John McCoy, Executive Director, Governmental Affairs, Tulalip Tribes, addressed City Council. He noted he lives at the corner of Quil Scenic Way and Quilceda Drive and knows all about people taking short cuts to save time. He noted he found the items just prior to this one very interesting and it looks like the Tulalip Tribes and City of Marysville Councils have similar meetings and similar issues that come up. He said they would like to work with the City of Marysville and plan on a cooperative effort; the two entities need to work together and grow together. He commented that the Tribes will be back before City Council regarding 88th St. as per Councilmember Bartholomew's reference earlier.

Mayor Weiser asked about the Tulalip Tribes' Comp Plan, how close it compares with the City of Marysville's and Mr. McCoy said it is in their long term plan but there may be some opportunity for joint venturing; they want to work with the City because it's the only way for both entities to grow.

Mayor Weiser said one of the only ways to provide sewer to areas outside of Marysville's city limits is to condition land use and he asked about zoning of the property.

Mr. McCoy said for the expediency of this retail complex, they would like Marysville's sewer but they are in very active discussions right now about handling sewer by the Tulalip Tribes. The business complex has the appropriate zoning now, he said and they are asking for a variance to the 1983 agreement.

Councilmember Pedersen asked if this is the last parcel that would be affected by the 1983 agreement and Mr. McCoy said he believed it is.

Councilmember Myers asked if he had had a chance to review traffic impacts and Mr. McCoy said yes, they would be putting in curbs, street lights and as far as grease traps, that came up last year and the developer has agreed to put them in so they would not be putting any foreign material such as heavy metal into Marysville's sewer lagoon.

Councilmember Myers asked about alternate fire protection and Mr. McCoy said if need be, they would use the wheeling agreement or a pressure tank.

Councilmember Leighan asked if there were any plans to improve the 4th St. & I-5 underpass or overpass and Mr. McCoy said no, they were working on improving the First Street Bypass.

Debbie Bry, Tulalip Tribes Economic Development Committee, said they have not received the traffic study as yet but it addressed the entire 4th St. area and they will provide the City with a copy of the study as soon as they get it.

City Administrator Zabell said he thinks it is important to review that traffic corridor and this project will likely add to that traffic so they need to look at mitigation.

Councilmember Leighan spoke about and referred to codes regarding industrial business parks and Ms. Bry said that is why they are requesting a variance.

Councilmember Herman asked if this covers the entire portion and City Administrator Zabell said no, just the westerly half. Public Works Director Winckler noted the other half is owned by Sonny Sam (the parking lot).

Ms. Bry said this agreement was signed when the casino was built and it was all tribal land at that point.

City Administrator Zabell noted there was a moratorium on at the time also (1983) and the Tulalip Tribes were exempt.

Councilmember Herman spoke about different standards, traffic issues, etc.

Mr. McCoy explained they have been meeting with the county for about 15 months now about land use, Comprehensive Plans, zoning plans and they are actually not as far apart as he had thought they would be as far as differences between the county codes and Tulalip Tribes codes. He said they are actually very close now after having to just redefine some things such as a "forestry designation" which the Tulalips have, "clustering," etc. He said they would like to finalize this by August and both their permitting processes will be very similar, i.e. the permitting process between the county (for fee simple land) or Tulalip Tribes (for trust land). He said it has been a very enlightening experience working with the county and we all have to work together. He clarified that allotted land is trust land under jurisdiction of the Tulalip Tribes.

CORRECTED: SEE 4/13/98
 MINUTES sb "Bry"

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Mayor Weiser asked about a minimum lot size for SEPA or NEPA and Mr. McCoy said they go through that drill on everything because they only have 22,000 acres and can't mitigate anywhere else--they have nowhere to go and have to avoid eagles' nests and burial sites, for example.

Councilmember Myers said his biggest concern is with the traffic impact on 4th St. at I-5 and Mr. McCoy noted a lot of the driving patterns are changing and avoiding that interchange, he believes. For example, they may be having to relocate Boom City, he said.

Ronn Beams, 945 2nd St., Mukilteo (home) and 1515 3rd St., Marysville (shop), addressed the Council. He said he doesn't have any object to the Tulalip Tribes but as a small business person, he has some reservation about what the plan is for who is coming in. Another concern he has is with traffic, he said and they were told the Front St. Bypass was going to relieve 20% of the 4th St. traffic but then it turned out that it was just a WSDOT estimate. He said downtown Marysville has seen no real change in less traffic and his main concern is the impact of the retail store that is planned on the reservation; the congestion that is going to be produced is tremendous with thousands of cars a day. He added he has seen this type of thing happen in Oregon and he thinks Marysville needs to get a good handle on the traffic pattern and he would like to see the Tulalips do a traffic study. He said he knows the Downtown Merchants are very interested in what's going to happen on the east side as well as the west side of the freeway.

Carol Kapua, 5930 74th St. NE, owner of Nature's Cache, addressed Council. She said she has a concern about the traffic study--was it done over a period of time? She said she will be very interested in it. From the freeway to get onto Cedar on a Sunday recently, it took her 20 minutes to go 3 blocks, she said and one of these big box retail stores will cause a major problem. With the heavy equipment at Welco, downtown traffic, traffic coming off the freeway, it's going to be a major impact on both sides of the freeway, she said.

Councilmember Herman expressed his frustration with not knowing the long term plan here and noted the City seems to be working on a case by case basis and it's very difficult to see the overall picture this way.

Councilmember Bartholomew said she also has some concerns and would like to see the Tribes and City get together on some joint planning.

Mr. McCoy said they would like to have monthly meetings with the City with the possibility of joint venture; the format they are using with the county is the county executive and as many council members as it takes so it's legal and they try to meet with them on a monthly basis.

Councilmember Leighan spoke about the water agreement, UGA, public comment, discussions in Washington, DC, land lease money, tax base. He said he also would like to see more discussions between the Tulalip Tribes and City.

Councilmember Bartholomew noted the Tulalip Tribes are exempt from the GMA and UGAB and asked where that puts the City.

City Attorney Weed read from the RCW concerning not permitting urban development and regarding public health and safety welfare.

It was noted that the water issue with the Tulalip Tribes is already dealt with in the wheeling agreement.

Councilmember Bartholomew moved for approval of the sewer connection request to serve the retail center but with the listed mitigation and City requirements including:

- traffic mitigation of impact resulting from proposed commercial activity;
- application of all Marysville's Code pertaining to discharge of wastewater;
- ability for the public to participate in the permit process;
- agreement upon a process for collection of utility billings;
- meeting conditions of Marysville Sewer Comp Plan for potential expansion within RUSA, which may include frontage improvements and easements across the site;
- providing alternate fire flow protection or improving the City's system to adequately provide fire flow protection of the proposed structure;
- application of all utility code requirements under Title 14, except matters for which variances are requested and granted or modified by contract;
- other conditions as deemed to be appropriate.

Councilmember Dierck seconded the motion.

There was further discussion regarding traffic impacts, traffic study, First Street Bypass, joint participation in solving traffic problems.

Councilmember Herman suggested a friendly amendment to the motion: To have a joint agreement between the Tulalip Tribes and the City as a condition to both work on traffic mitigation based on the traffic study. Both the maker and seconder of the motion agreed that this be part of the original motion.

The motion passed 6-1 with Councilmember Leighan against.

Mr. McCoy added that the Tulalip Tribes does have the ability to tax but then it would discourage the retail operations so they are not going to tax the retail operation in this case. He said they are willing to work with Marysville on traffic mitigation and he also noted Boeing is moving out so they will have another 1100 acres available.

6. Mobile Home Park Standards; Terra Firma/Jack Cole.

City Planner Hirashima reviewed the agenda bill, noting the mobile home park actually has 60% in favor of annexation at this time but Terra Firma has brought up the issue regarding vesting under county codes.

Jack Cole, 13900 48th Dr. SE, Snohomish, addressed Council. He noted the above ditch standard is critical as well as setback differences.

City Planner Hirashima explained the Planning Dept. is basically asking them to be consistent with City code.

Mr. Cole explained it's a 189 paid park and the open ditch is planned to be extended so they have to do road improvements in the City, however in the county, they don't have to do that. They are not really anxious to go forward with the Phase IV but would like to be in Marysville. He said he would like a chance to compare the two standards.

Ralph Kretsinger, 409 148th St. NE, Arlington, addressed Council. He said the drainage swales were installed at the rear of all the lots except for Phase IV; they have one ditch yet to go. They are maintained by the park and all the roads inside the park are private, he said.

Councilmember Herman moved to continue this to next meeting to allow the applicant to make the comparison between the county and City standards. Councilmember Leighan seconded and the motion passed unanimously.

**4. Citywide GPS & Benchmark Network Consultant Contract;
Entranco.**

Public Works Director Winckler reviewed the agenda bill, recommending the Mayor be authorized to sign the contract. He noted the City will be tying in with the county's system; the contract with Entranco is in the amount of \$77,450.

There was discussion about firms that may still submit a manual plan and it was noted the City would still be able to accommodate them and they would not be required to have an electronic system compatibility.

It was also noted that Entranco would be held to the rate structure on the last page of the contract.

Councilmember Myers moved and Councilmember Bartholomew seconded to authorize the Mayor to sign the contract as recommended. Passed unanimously.

**5. Professional Services Agreement; Lloyd Taubeneck Building
Remodel; Driftmier Architects, P.S.**

Public Works Director Winckler reviewed the agenda bill and said they would like the architectural design done for the interior, first and second floors and recommend Driftmier Architects at a cost of \$36,622, which has been budgeted for.

There was discussion about the lowering of the insurance limits in the contract to \$500,000 from the normal \$1,000,000 required, also the fact that the architectural fee is approximately 1/3 of the total cost of the project which seemed a bit high. There was also discussion regarding the possibility of moving the Public Works or Planning Department out of that building and probably needing to remodel the building regardless.

Councilmember Leighan moved and Councilmember Bartholomew seconded to remand this back to staff regarding the cost issue, how much is installing the air conditioning system, how much is for moving walls around, other eligible bidders. Motion passed unanimously.

ORDINANCES & RESOLUTIONS:

**1. Ordinance Affirming Hearing Examiner Decision & Rezoning
Property owned by Robert Aldridge and Amending Official Zoning
Map Previously Adopted in Ord. 772.**

Councilmember Bartholomew moved and Councilmember Pedersen seconded to adopt Ordinance 2185. Passed unanimously.

**2. Ordinance Affirming Hearing Examiner Decision, Approving Prel.
Plat & Prel. Site Plan & Rezone for Property located on the
west side of 67th Ave. NE, north of 77th Pl. NE, amending
Official Zoning Map previously adopted in Ord. 772 and Denying
the Appeal of Brad Johnson.**

City Attorney Weed handed out a single page that had a change to the ordinance in the packet.

Councilmember Leighan moved and Councilmember Pedersen seconded to adopt Ordinance 2186 with the changes.

Councilmember Herman said he has continued disagreement on standing but the major portion of the ordinance supports issues he made and so he will support the ordinance as it stands now.

The motion passed 5-0 with Councilmember Dierck against and Councilmember Myers abstaining.

3. Resolution Regarding Establishment of 30 Minute Parking Designations on 1st St. & Addition of a Handicap Parking Stall on 7th St.

Councilmember Myers moved and Councilmember Leighan seconded to adopt Resolution 1880. Passed unanimously.

4. Resolution Granting Utility Variance for Brenmar Builders, Inc./Alex & Carina Keen Property located at 1316 Lakewood Road, Stanwood, WA.

Councilmember Wright moved and Councilmember Herman seconded to adopt Resolution 1881. Passed unanimously.

5. Resolution Granting Utility Variance for Douglas & Nancy Barnes for property located at 5027 102nd Pl. NE, Marysville.

Councilmember Herman moved and Councilmember Leighan seconded to adopt Resolution 1882. Passed unanimously.

6. Resolution Denying without Prejudice Application for Utility Variance by Tony & Maureen Sitz for property located at 5008 73rd Dr. NE, Marysville.

Councilmember Pedersen moved and Councilmember Wright seconded to adopt Resolution 1883. Passed unanimously.

ADJOURNMENT: 11:27 p.m.

EXECUTIVE SESSION: 11:33 to 11:43 p.m.

1. Litigation. (No Action)

RECONVENED & ADJOURNED: 11:43 p.m.

Accepted this 13th day of April, 1998.

David Weim
MAYOR

Mary D. Swenson
CITY CLERK

Wanda A. Swenson
RECORDING SECRETARY