

**MINUTES RECAP  
MARYSVILLE CITY COUNCIL - REGULAR MEETING  
JUNE 12, 2000**

000217

CALL TO ORDER/FLAG SALUTE	7:00 p.m.
ROLL CALL	All present.
MINUTES OF PREVIOUS MEETING 1. June 5, 2000 city council	Approved as corrected.
AUDIENCE PARTICIPATION Jeff Seibert, Bruce Tipton, Jan Gustavson, Pete Newman	
PRESENTATIONS/PETITIONS/COMMUNICATIONS None.	
ACTION ITEMS	
REVIEW BIDS None.	
PUBLIC HEARING None.	
CURRENT BUSINESS 1. CT bus stop.	Approved temporarily; then to alternate location at newly designated alley (New Business 3).
NEW BUSINESS 1. Professional service agreement with Pertect Engineering, Inc - State Avenue and 100 <sup>th</sup> Street NE design report.  2. Standard plan for alternate parking channelization  3. Alley designation (south of First Street, east of State Avenue)	Approved.  Approved.  Approved.
CONSENT AGENDA 1. Approve June 12, 2000 Claims in the amount of \$304,137.82; paid by check Nos. 52691 through 52797. 2. Approve and authorize Mayor to sign temporary water agreement with Snohomish County P.U.D. 3. Authorize Mayor to sign independent contractor agreements for recreation/athletic programs with Skyhawks Sports Academy and Challenger British Soccer Camps.	Approved.  Approved.  Approved.
LEGAL MATTERS None.	
ORDINANCES AND RESOLUTIONS 1. A Resolution of the City of Marysville amending Ordinance No. 2068 relating to the Marysville Growth Management Comprehensive Plan and approving the recommendations of the Marysville Planning Commission for test and map revision pursuant to the city's annual amendment and update process. 2. A Resolution of the City of Marysville expressing its desire to adopt and fund an Art in Public Places ordinance subject to a satisfactory ordinance being brought before the city council for adoption.	Approved Ordinance 2323.  Approved Resolution 1992
INFORMATION ITEMS 1. Mayor's business 2. Staff's business 3. Call on councilmembers	
ADJOURN	9:35.m.

**MINUTES  
MARYSVILLE CITY COUNCIL - REGULAR MEETING  
JUNE 12, 2000**

**CALL TO ORDER/FLAG SALUTE**

The meeting was called to order by Mayor David Weiser at 7:00 p.m. in the Council Chambers. The flag was presented by Marysville Troop 10 Girl Scouts and the assemblage joined in the flag salute. A voice roll call of councilmembers was conducted. Attendance was as follows:

Councilmembers Present:	Administrative Staff present:
David Weiser, Mayor	Dave Zabell, City Administrator
Mike Leighan, Mayor Pro Tem	Commander Peterson, Police Department
Shirley Bartholomew	Thom Graafstra, Assistant City Attorney
Jim Brennick	Gloria Hirashima, City Planner
NormaJean Dierck	Ken Winckler, Public Works Director
Donna Pedersen	Owen Carter, City Engineer
Suzanne Smith	
John Soriano	

**MINUTES OF PREVIOUS MEETING**

1. City Council Meeting, June 5, 2000.

Councilmembers noted the following corrections:

- Page 3, last paragraph: "Councilmember Brennick questioned...."
- Page 5 under Mr. Zabell, clarify to indicate that staff was working on the budget and August 4 was the deadline for getting any potential tax increases on the September ballot.

**MOTION** by Bartholomew, second by Dierck, to approve the minutes of the June 5, 2000 meeting as corrected. Motion carried unanimously (7-0).

**AUDIENCE PARTICIPATION**

Jeff Seibert, 5004 80<sup>th</sup> Street, spoke on the Marysville School District Capital Facility Plan that was being reviewed by the Planning Commission. His daughter was in 7<sup>th</sup> grade and had been in portable classrooms for most of her schooling due to overcrowding in the schools. He noted the plan requested mitigation fees, but the city's ordinance mirrored the county's and cut any such requests by 50%. He requested council to start the process of changing the code to allow imposing 100% of school mitigation fees so development would be paying its fair share.

Councilmember Leighan responded that if the county raised its percentage, the city would follow, as the city's code mirrored the county's. It would be unfair for someone in the city to pay twice as much as someone in the county. Mr. Seibert urged council to not wait for the county but do what was best for the city's students.

Councilmember Dierck suggested that Paragraphs 2 and 3 could be removed from the city's ordinance. The Planning Commission could hold a public hearing just on Marysville's plan and not wait for Lakewood and Lake Stevens, then council could set a public hearing where the school district could give its presentation and also on deleting the two paragraphs. In this way all the changes would be made at once.

Councilmember Smith added that the current council might choose not to mirror the county and only request mitigation fees at 50%. She wanted to proceed with a complete review of school mitigation fees without waiting for the other two school districts to complete their plans.

Ms. Hirashima explained that in the latest code revision, Marysville instituted paragraphs 2 and 3, which stated there was no cap but the city's fees would not be higher than the county's. During the current review of the city's capital facility plan, significant changes were made regarding facilities and priorities, including changes in costs, sites and the projected timing of construction for the high school. The Planning Commission was now doing a substantial review for consistency with the adopted ordinance. Reviewing the ordinance itself was not on the Commission's work program.

**MOTION** by Smith, second by Dierck, to request the Planning Commission as follows:

to review the city's ordinance for the purpose of removing the requirement to mirror the county's mitigation fee rate,

to have the Marysville School District Capital Facility Plan review stand on its own,  
to separate Marysville School District's review from Lakewood and Lake Stevens in an effort to speed up the process.

**DISCUSSION:**

Ms. Hirashima stated the Planning Commission intended to review the school district's capital facility plan pursuant to the city's existing code, which was revised and approved earlier in the year. If council intended to revise the ordinance, then that plan review should be delayed because changing the ordinance by removing paragraphs 2 and 3 would make a big difference.

Councilmember Smith clarified her intention was to revise the ordinance only to remove the requirement that the city's fees mirror the county's.

Councilmember Dierck offered a friendly amendment regarding the scope of work for the Planning Commission and the timing of public hearings.

**MOTION WITHDRAWN.** The maker and seconder of the motion agreed to withdraw it.

**MOTION** by Dierck, second by Smith, to direct the Planning Commission to hold a public hearing on June 22 to review the school district's capital facility plan and the city's ordinance and to schedule a public hearing on July 3 before the city council on the capital facility plan and the ordinance.

**DISCUSSION:**

Councilmember Brennick asked about Lake Stevens and Lakewood districts. Mayor Weiser advised that part of their districts were within the city limits. Lakewood had submitted its plan but Lake Stevens had submitted only a draft.

Ms. Hirashima questioned the timing, noting that if the plan were taken to public hearing consistent with the present ordinance and then the ordinance was changed, the plan would have to go back through a public hearing process.

Councilmember Pedersen questioned the council's procedure as this issue had arisen during Audience Participation and it was customary to refer such issues to staff and not take immediate action.

Councilmember Bartholomew asked where the county was in its review process. Ms. Hirashima noted they had a Planning Commission hearing three weeks ago; the Planning Committee of the council would set a public hearing, then the full council would host a public hearing. She estimated six weeks to complete the review. She noted they were only considering Marysville School District's CFP as it was the only district that had completed revisions which were consistent with the ordinance changes. She cautioned there was inadequate time to give the required notices.

Councilmember Smith offered a friendly amendment to switch the order of review to take the ordinance first then the capital facility plan so that the plan would not have to be redone if the ordinance were changed.

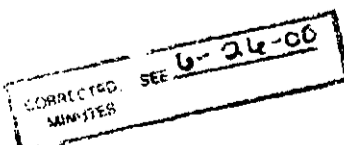
Councilmember Soriano asked for information regarding housing starts in the county and city last year; Ms. Hirashima agreed to supply the data but stated there were more in the county.

Councilmember Bartholomew suggested delaying this action until the County Assessor had completed the current round of reassessments scheduled to be completed by October 1.

Councilmember Dierck stated there was no firm evidence that these fees were passed through to home purchasers and \$225,000 had been lost which could have helped the schools.

**MOTION RESTATED:** To direct the Planning Commission to hold a public hearing on the Marysville School District Capital Facility Plan on July 11 and that the city council would review the school mitigation fee ordinance on July 22.

**VOTE ON MOTION:** On roll call vote, Soriano, Smith, Dierck, and Brennick voted aye; all others voted nay; motion carried (4-3).



Bruce Tipton, 6308 100<sup>th</sup> Street NE, supported council's action to help finance schools.

Jan Gustavson, 6606 73<sup>rd</sup> Street NE, supported council's action and stated the mitigation fees needed were set out in the school's plan.

Pete Newman, 6320 71<sup>st</sup> Street NE, supported council's action.

**PRESENTATIONS/PETITIONS/COMMUNICATIONS:**

None.

**ACTION ITEMS**

**Review Bids**

None.

**Public Hearing**

None.

**Current Business.**

1. Community Transit bus stop

Mr. Carter gave the background presentation, noting that was for a far-side bus stop on First Street, west of State and would require removal of eight parking stalls. The Traffic Safety Committee had reviewed the request and noted that siting a bus stop there would help address the issue of trucks having adequate space to turn west at this location. He added that CT and staff had been in contact with merchants and management for the mall. A bus stop at this area would be a benefit to the waterfront park.

Councilmember Dierck asked if there had been interaction with the merchants in the area who would be losing the parking spaces; Mr. Carter responded that staff felt this was not an issue as they had observed the area over a period of time and found only one car parked there, probably a commuter. The Engineering Department did a parking study that covered from 2<sup>nd</sup> to 4<sup>th</sup>, State to Columbia, and found parking to be utilized at approximately 40%. The Department and Traffic Safety Committee concluded removal of the parking spaces would not have a negative effect.

Richard Tarry, 7100 Hardison Road, Everett, spoke on behalf of Community Transit, noting this route constituted a service change that would go into effect June 26.

The Mayor called for public input.

Jeff Seibert asked if the stop would be far enough forward to be clear of the buildings and not obstruct sight distance. Mr. Carter stated replied in the affirmative.

Ken Baxter, 1895 Liberty Lane, asked for clarification of the proposal. Mayor Weiser noted it was for an addition of a bus stop on the north side of First Street behind Staples, west of State, which would require removal of 8 parking stalls. Mr. Baxter thought removing 8 stalls was significant as it would be difficult to reclaim them in the future.

Councilmember Pedersen asked if this layover stop wouldn't be better sited near the hotel on the reservation where there was adequate room for the buses to wait for their connections. Mr. Tarry noted that this location had been chosen because it allowed for connection to the Route 210 bus. If the 222 bus parked at the site she suggested it would be disconnected from the rest of the service area. CT's proposal allowed room for the DART bus to bring its passengers in and connect also. The 222 bus made 15 to 16 trips per day, running from 6:00 a.m. to 9:40 p.m., and the longest layover at this site would be 12 to 15 minutes. He stated they originally looked at Fred Meyer area but were unable to reach agreement with the property owner. The proposed site could be considered temporary until a better location was found.

Councilmember Brennick asked about the Asbury Field site. Mr. Tarry stated CT had concerns about the parking there and the location of their stops.

Councilmember Bartholomew asked if CT would build a shelter; Mr. Tarry responded that they would start the permit process when they had a firm commitment for a stop.

Councilmember Pedersen noted that council had the topic of an alley designation scheduled for later in the agenda. She questioned whether CT could make use of that site since it was near the general area being discussed.

**MOTION** by Pedersen, second by Bartholomew, to table further discussion on this topic until later in the agenda to allow time for staff and CT representatives to discuss the possibility of utilizing the area south of First and East of State. Motion carried (7-0).

### New Business

1. Professional services agreement with Pertect Engineering, Inc. - State Avenue and 100<sup>th</sup> Street NE design report

Mr. Winckler gave the background presentation from the agenda materials.

Councilmember Brennick asked about the approval process if additional fees were charged. Mr. Winckler noted that if it was within 10% of the approved amount it was handled administratively; if not, it came back to the council. Councilmember Brennick asked about paragraph 3.3, time of performance; Mr. Zabell answered that the work covered in Exhibit A was to be completed within 60 days.

Councilmember Soriano asked if one or two intersections would be added; Mr. Winckler stated it was triangular intersection, a re-channelization that came up to State but did not change anything on State.

Councilmember Smith asked that council be notified of any public meetings; Mr. Winckler noted that. Councilmember Dierck requested a wide radius for notification to the public of any meetings; Mr. Winckler stated staff would mail to all those in the area that were thought to be impacted by this intersection. Staff would err on the side of too large a mailing.

Mayor Weiser asked if Alternative 3 were chosen would that include looking at the intersection of 108<sup>th</sup> and 51<sup>st</sup>. Mr. Carter responded that that area was under design by Snohomish County; they were looking at traffic counts and were proposing a fire station in the area. The same consultant was doing the work for the county.

**MOTION** by Pedersen, second by Smith, to approve the professional services agreement with Pertect Engineering, Inc. in the amount of \$25,244 and authorize the Mayor to execute the agreement on behalf of the City. Motion carried unanimously (7-0).

2. Standard plan for alternate parking channelization

Mr. Carter gave the staff presentation.

Councilmember comments and questions included:

- Was this only for streets that had 25 mph speed limits? Mr. Carter responded that all 50' wide streets were at 25 mph.
- Who would determine if this parking plan were used, staff or the developer? This option would become part of the approved standards and would be an available option during any revue process.
- Would approving this option obviate the need for formal traffic calming measures? No, this was just one traffic-calming device. It would become a standard for new developments. Mr. Winckler added that traffic calming measures were usually done now in areas that were already established; this proposal would be proactive and would be built into new developments.

The Mayor called for public comments; there were none.

**MOTION** by Leighan, second by Soriano, to adopt Alternate Parking Channelization Standard Plan 3-525-013. Motion carried (7-0).

3. Alley designation (south of First Street, east of State Avenue)

Mr. Winckler noted this land was currently vacant and was dedicated to the city for roadway. The city now wished to use it as an alley and for access to the RV dumpsite. Mr. Carter added that WSDOT had concerns about the exit onto State and wanted it limited to right-turn only. CT had agreed that they could work with that restriction.

Mr. Winckler stated that CT had reviewed the plans for this location and agreed it would work for their proposed bus stop.

Councilmember comments and questions included:

- If the city vacated the property would it revert to the owners on each side? No, the city purchased this property; it was not dedicated by adjoining property owners. Mr. Graafstra confirmed that if the city owned the property in fee simple it would not revert.
- Could the RV dumpsite on Ash be repaired? No, it was beyond repair and had already been removed.
- When the parking spots on First were returned, could they be posted for "no commuter parking?" It could be posted that way, but a more straightforward enforcement method was to post it as 2 hour or 4 hour parking. Councilmember Bartholomew requested a recommendation on parking limits for that area.

Ken Baxter commented on the importance of having an operable RV dump site because Marysville was listed as having one in many of the RV publications.

**MOTION** by Bartholomew, second by Pedersen, to dedicate that portion of parcel 2-001 as public right of way for the purpose of constructing an alley and limited traffic to one way west bound. Motion carried (7-0).

**NEW BUSINESS (Continued)**

1. Community Transit bus stop

Mr. Carter reported that CT could utilize the alley area for their permanent bus stop and would temporarily use 60' from State Avenue to the west while the alley site was being prepared. Mr. Tarry noted that the buses would exit the alley to the right, then cross the traffic lanes to turn left on Cedar.

There were no public comments.

**MOTION** by Dierck, second by Leighan, to approve a temporary bus stop west of State on the north side of First Street, removing 3 or 4 parking stalls on a temporary basis, then moving that stop to the east side of State when the alleyway was repaved, and requesting the Traffic Safety Committee to reevaluate the parking stalls and restore them. Motion carried (7-0).

**CONSENT AGENDA**

1. Approve June 12, 2000 Claims in the amount of \$304,137.82; paid by check Nos. 52691 through 52797.
2. Approve and authorize Mayor to sign temporary water agreement with Snohomish County P.U.D.
3. Authorize Mayor to sign independent contractor agreements for recreation/athletic programs with Skyhawks Sports Academy and Challenger British Soccer Camps.

**MOTION** by Dierck, second by Bartholomew, to approve consent item 1. Motion carried (7-0).

Councilmember Bartholomew asked if the city had received payment from P.U.D. for a portion of the pipeline. Mr. Zabell stated they had paid everything they were obligated to pay to date. The final agreement would contain their exact percentage.

**MOTION** by Leighan, second by Bartholomew, to approve consent item 2. Motion carried (7-0).

Councilmember Bartholomew asked for copies of the insurance policies, not just certificates, for the companies involved, also the addition of "elected officials" in the indemnity clause.

**MOTION** by Bartholomew, second by Leighan, to approve consent item 3 as changed. Motion carried (7-0).

**Legal**

None.

**Ordinances & Resolutions**

1. A Resolution of the City of Marysville amending Ordinance No. 2068 relating to the Marysville Growth Management Comprehensive Plan and approving the recommendations of the Marysville Planning Commission for test and map revision pursuant to the city's annual amendment and update process.

**MOTION** by Bartholomew, second by Brennick, to adopt Ordinance 2323. Motion carried (7-0).

2. A Resolution of the City of Marysville expressing its desire to adopt and fund an Art in Public Places ordinance subject to a satisfactory ordinance being brought before the city council for adoption.

**MOTION** by Pedersen, second by Smith, to approve Resolution 1992. Motion carried (7-0).

**DISCUSSION ITEMS:**

None.

**INFORMATION ITEMS:**

1. Mayor's business.
  - City of Everett extended its agreement on the animal shelter.
  - Reminder regarding Town Meeting June 14.
  
2. Staff's business
 

Mr. Zabell:

  - Flyers regarding the town meeting were mailed June 9.

Ms. Hirashima:

  - Planning and Public Works initiated a trial program where staff is available from 7:30 to 5:00.
  
3. Call on councilmembers
 

Councilmember Leighan:

  - Asked about ceremony for Flag Day. The Mayor advised it would be at noon at the Senior Center.
  - Asked about an open house for the 116<sup>th</sup> Master Plan. Mr. Winckler stated the open house scheduled for Marshall Elementary was the 2<sup>nd</sup> in a series dealing with a portion of State Avenue and was not part of the 116<sup>th</sup> process.
  - Questioned use of library by various organizations during elections. Mayor Weiser responded that the city attorney was researching this and would report.

Councilmember Pedersen:

  - Asked if the Police Department had received its reimbursement for WTO mobilization, as the Fire Department had received theirs. Commander Peterson replied in the negative, it was still being discussed.
  - Who was responding to the questions from the first town meeting, and could the answers be available at the second meeting? Mr. Zabell said he, Ms. Swenson and the Mayor were preparing responses. They would be mailed out to all who had attended. He would ensure that copies were also available for the next meeting.
  - Asked that the council discuss its policy on how to handle audience comments.

- Asked if an appointment could be made with someone from the Engineering Department after 4 p.m.; Mr. Winckler replied in the affirmative, although they were still filling 5 positions and were short-staffed.

Councilmember Dierck:

- Asked who had given the city attorney direction to write language regarding use of the library. Mayor Weiser replied that he had asked for a resolution to clarify allowed uses of public buildings for candidate forums.
- Asked if councilmembers had any questions for the Quilceda Allen workshop. Councilmember Soriano asked for clearer definitions of the roles of the various entities.
- Advised she would be tardy or not attending the next town meeting due to an important solid waste meeting that evening.

Councilmember Brennick:

- Requested copies of responses that went back to citizens; Mayor Weiser agreed to get copies to councilmembers when they were done.
- Was a copy of the capital facility plan available for study? Ms. Hirashima stated it would come to the council with the Planning Commission's recommendations.
- Thanked staff for responding to the questions raised at the town meeting and reporting back.

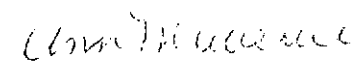
**ADJOURN**

Council adjourned at 9:35 p.m.

Accepted this 26th day of June, 2000.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Recording Secretary