

MARYSVILLE CITY COUNCIL WORK SESSION MINUTES

February 3, 2003

7:00 p.m.

Public Safety Center

CALL TO ORDER/PLEDGE OF ALLEGIANCE

The February 3, 2003 Work Session of the Marysville City Council was called to order at 7:00 p.m. Mayor Weiser led the assembly in the Pledge of Allegiance.

INVOCATION

Pastor Greg Kenchen gave the invocation.

ROLL CALL

Mary Swenson, Chief Administrative Officer, called the roll. Those present were noted as follows:

Council: Mayor David Weiser, Mayor Pro Tem Mike Leighan, Councilmembers Suzanne Smith, John Soriano, Jon Nehring, Jeff Seibert, Donna Wright, and Lisa Vares.

Staff: Mary Swenson, Chief Administrative Officer; Sandy Langdon, Finance Director; Gloria Hirashima, Community Development Director; Jim Owens, Public Works Director; and Bill Spies, Fleet and Facilities Manager.

COMMITTEE REPORTS

Councilmember Lisa Vares reported on the Governmental Affairs Committee. She described how they are discussing how to open up dialog with the Tulalip Tribes and also issues to be discussed with the Tribes. She noted they are making some progress in that area.

DISCUSSION ITEMS

A. Surface Water Comprehensive Plan and Hydrologic Modeling/Master Drainage Basin Planning Study.

Mayor Weiser explained that a public hearing was heard with the Planning Commission. This was a continuation of that issue. Gloria Hirashima, Community Development Director, and Jim Owens, Public Works Director introduced this issue. Mr. Owens explained that the County had decided not to raise rates, but had decided to lower them instead. The rates in this Plan would need to be looked at again in light of that.

Councilmember Jon Nehring asked if taking care of the culverts in the north end would help with the backups. Mr. Owens responded that this was a very complex

issue. He said that the natural conveyance systems couldn't carry the volume that they should due to the amount of silt, but if they were cleaned out and freely flowing there would be impacts further downstream.

Chief Administrative Officer Mary Swenson explained that they are considering doing flat rates in order to cut down on staff time and to free up money to solve some of the problems such as this. She also stated that Jim Owens needs to have some more time to review this Plan before requesting adoption by the Council. This is due mainly to the fact that he is newly hired and the people involved in developing the Plan are no longer with the city. Ms. Swenson stated that they planned to continue with the public hearing and get testimony, but more detail needs to be done at staff level.

Councilmember Mike Leighan asked when the new rates needed to be in place. Finance Director Sandy Langdon replied they need to be in place by November 1st. In light of that Councilmember Leighan then asked if it was wise to have the public hearing this early. Community Development Director Hirashima explained that the public hearing had been advertised so they felt they should go through with it. Ms. Swenson added that the hearing could either be cancelled or they could take public participation and delay action. Ms. Hirashima indicated that two people had showed up at the Planning Commission hearing.

Councilmember Jeff Seibert referred to the committee that had been formed to look at this issue. He expressed frustration that they had no voice in any decision that has gone on.

Public Works Director Owens explained that the issue of rate structure could be easily redone. Calculating a flat rate would be much easier, but they need to look at the rate in the context of the city's financial needs. The Plan will not change materially, but they need to carefully evaluate the language in order to make sure they will not add unintended requirements.

Councilmember Lisa Vares addressed the issue she had with the original rate study in that there was no potential credit for developments that are taking care of all or most of their stormwater on site. Mr. Owens said that under a flat rate system they would be charged the same. Councilmember Seibert added that everyone receives the benefit of not having flooding and said that if the city starts exempting some people they will have to look at each situation. Councilmember Suzanne Smith then brought up the possibility of exempting residents who create their own detention on site. Councilmember Vares noted that Arlington was giving a discount to residents who went to great expense and effort to create significant stormwater treatment. Mr. Owens stated that there are numerous small detention facilities and catch basins that the city maintains. Everyone in the city benefits from and has a responsibility to contribute to the overall system of the city.

Councilmember Jon Nehring asked how much of the rate increase was state mandated and how much was to take care of the city. Mr. Owens replied that the DOE Manual is more heavily mandated because new development must meet certain criteria. There was discussion about the DOE standards and the flooding issue.

Councilmember Donna Wright asked how much time Mr. Owens would need in order to become prepared. Mr. Owens replied that it should take 4-6 weeks. Councilmember Leighan noted that he had no problem with it taking longer if needed as long as it got back to Council by June or July. Councilmember Leighan stressed the importance of the city being very thorough in reviewing this Plan. He further stated that he believed the hearing should be cancelled. There was general consensus among the Council to cancel the public hearing at this time.

Councilmembers Leighan and Vares requested copies of the Planning Commission minutes to be put into the Council's packet.

B. Title 18C-Impact Fees & School Mitigation.

Councilmember Wright asked questions about vesting. Ms Hirashima explained this issue to her satisfaction. There was discussion about the timing of the collection of the fees.

Councilmember Smith said that she had spoken with the Mayor of Monroe and the Mayor of Lake Stevens. The City of Monroe just adopted a Capital Facilities Plan and changed their discount to 25%. The City of Lake Stevens had it on their agenda right now, but the mayor there was fairly sure it would go to the 25% discount.

Councilmember Smith asked both of the mayors if they would consider going to the County to request that they change their discount factor. She felt it would carry more weight if three councils were in support of this at the same time. Mayor Weiser indicated he wasn't sure if the County could pass an ordinance that would set different discount rates for different areas.

Councilmember Seibert asked if school districts had been notified that this would be on the agenda. Mayor Weiser and Ms. Hirashima both indicated that the districts had been notified.

Councilmember Seibert asked about school districts that were asking for no discounts. He asked to get more information on this. Ms. Hirashima stated that she would look into this issue further.

Councilmember Smith asked what authority the city had to apply a discount at all. She referred to a state mandate that requires the funding of the schools. Ms. Hirashima explained that on the area of impact fees cities and councils have wide authority in implementation. They have broad authority to establish and collect fees. She further explained that it does need to be a fair formula and one that could be defended in court. Safety factors are very common in impact fees. In the school impact fee situation the discount factor is the safety factor. She added that local legislative authorities could determine the percentage.

Mayor Weiser stated that the GMA allows school mitigation fees and establishes the city as the collecting authority. He went on to say that if they are basing the cost of schools on what it costs to build it he wondered about using that money to buy

portables at a fraction of the cost. He asked if mitigation fees should be allowed to buy portables when they are supposed to be used to "house" students. At the same time the school districts are claiming those students are "unhoused" in order to get grant money.

Councilmember Wright then asked about the issue of people with no children buying homes and being charged the school impact fees. Councilmember Smith explained that the rates are averaged among all the residents. There was some discussion about whether or not this was fair.

Councilmember Nehring referred to the 50% discount rate and asked if this amount came out of a meeting with the school districts. There was discussion about the origination of this rate.

Councilmember Smith discussed her concern with severe overcrowding in schools. Councilmember Nehring agreed, but stated that it bothered him that the impact money was spent on portables. He noted that the per-student cost of public school education is far greater than other forms of education. He wondered how much of the schools' problems were due to lack of fiscal restraint and how much were due to overcrowding. Mayor Weiser reminded him that public schools have the added burden of providing educational services to all services, which in turn increases their costs. Councilmember Nehring concluded by saying that he would like to see the impact fees were fair to the school districts and to the new home owners.

Councilmember Leighan commented that the new homes being built are still paying off old bonds. He also noted that it would be easier if the school districts would collect their own fees. He suggested getting public information at the next meeting, but holding off taking action to think about this issue some more.

There were no further comments or questions.

C. Economic Development Council of Snohomish County; Model Permit Process.

Ms. Hirashima introduced this issue by stating the Community Development Department has already implemented a number of measures including enhancing staff training, developing needed application submittal and review checklists, developing handout information, collecting review and permit turnaround information, etc. The Economic Development Council of Snohomish County (EDC) is conducting a pilot of the "Model Permit Process" developed over the past year in a collaborative effort by businesses, jurisdictions and consultants. The City of Marysville will be participating as a pilot jurisdiction along with Mountlake Terrace and Sultan. EDC staff will work closely with Marysville permitting staff through the year to review and audit existing permit review processes and assist in implementing improvements and monitoring mechanisms.

Diana Dollar, Snohomish County Economic Development Council

Ms. Dollar began by explaining the project:

- ◆ Is a public/private partnership including government, business, development professional, and community groups.
- ◆ Reflects best practices – looked at Kent, Tacoma, Renton, Everett, and Silicon Valley.
- ◆ Incorporates feedback from developers, builders, and architects.
- ◆ Includes a phased approach and that EDC provides full implementation support of the Model Permit System.

Ms. Dollar continued to explain the project combines a customer service ethic (both citizens and developers) with a straightforward, predictable (consistent), and timely permit process. The project has an emphasis on an administrative review process. Ms. Dollar also noted that there was a heavy focus on the process of large, complex commercial/industrial projects. This is all done within the framework of state and federal laws and requirements and local regulations and permit systems. She added that this work was limited to jurisdictions within UGAs. She explained that there is a heavy emphasis on promoting positive attitude and professionalism.

Ms. Dollar outlined and briefly discussed the 6-Step approach that applies to both the applicant and the jurisdiction. This includes:

1. Submittal Information – This should be clear and simple for Applicant, preferably Web-based.
2. Pre-Applicant Submittal – Everything needs to be provided to applicant at that time.
3. Application Intake – They recommend that this be done at the counter to save time.
4. Application Review – This should be characterized by a team process between multiple departments – also a single point of contact for both sides.
5. Permit Decision – No major changes recommended.
6. Hearing Examiner Appeals – Promote use of this rather than council review.

Kurt Latimore, Snohomish County Economic Development Council

Mr. Latimore reviewed the Model Permit System (MPS) Project timeline for the next year. He also showed examples of Kent’s timeline and how their processes increased significantly throughout the year. He explained the difference between full members and associate members of the Pilot Program. Full members such as Marysville will benefit from the full model, full audit, full cycle and full results. The speed and capacity will be determined by the support level from each member. Mr. Latimore concluded by describing the flow diagram as a tool that will be used in this process.

There were no comments or questions following this presentation.

CONSENT AGENDA

A. Approval of February 10, 2003 Claims.

- B. Approval of February 5, 2003 Payroll.**
- C. Approval of New Liquor License Jack-Pot Food Mart; 5830 Grove Street, Marysville.**
- D. Authorize Mayor to Sign Yearly Harley-Davidson Police Renewal for Motorcycle Lease Agreement; Bears & Roses Harley-Davidson.**

These items were briefly reviewed.

CURRENT BUSINESS

A. Salary Commission.

Mayor Weiser introduced this issue as one that was brought to the Governmental Affairs Committee. Councilmember Leighan commented that their recommendation last year was to take no action on the basis of what they had seen happening in Arlington. Councilmember Nehring indicated that he has always been in favor of this.

NEW BUSINESS

A. State Avenue, 136th Street NE to 152nd Street NE Project Funding Status.

Councilmember Seibert stated he was happy to see this getting started even though it would be awhile until completed. Councilmember Smith asked about the priority status of this project. Councilmember Seibert referred to the list of projects in the packet and noted that it was on track with this grant. Councilmember Vares asked about the timeline of when the work would start and when it would be finished. Mayor Weiser indicated he was not sure about that. There was general consensus among the Council that they hoped this project would get completed quickly.

B. Sensitive Areas Ordinance Environmental Consultant List Update; PA 0209038.

Councilmember Seibert asked about a number of firms that did not meet qualifications in one or more areas. Ms. Hirashima explained that this was due to the fact that they did not have employees who were available and competent in those areas.

There were no further comments or questions.

C. Zoning/Development Code Amendments; PA 0209039.

Councilmember Seibert asked for clarification about the requirements for building a garage in the front yard. Ms. Hirashima referred to Code Amendment No. 2 regarding Accessory Buildings. She explained that code does not allow building in the front yard unless it's not feasible to build it in your backyard. Councilmember Seibert said he had an issue with the same design being acceptable if it is attached, but not acceptable if it's detached. There was some discussion about what constitutes an attached structure. Mr. Seibert asked if the purpose was that it be well integrated with the

house. Ms. Hirashima indicated that it was. She offered to take this back to broaden the terms. She said she would bring back information as to what constitutes an attached building. Mr. Seibert also requested a list of the types of items the city considers when looking at the feasibility of building in the back yard. In response to that Ms. Hirashima listed some of those factors as space, grading, other buildings and septic systems.

There were no further comments or questions.

ORDINANCES AND RESOLUTIONS

1. A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal thereof.

There were no comments or questions regarding this item.

INFORMATION ITEMS

Mayor's Business.

Mayor Weiser explained that WSDOT, Department of Corrections, Washington State Patrol, Tribal Police and Marysville Police met to discuss the issue of 528 and I-5. WSDOT crews did a minor cleanup. The Department of Corrections and WSDOT also did a major cleanup today with the State Patrol, Tribal Police and Marysville Police. He commented that it looked good and hopefully it will stay that way. He noted that they had come up with a plan to keep the area picked up.

Staff Business.

Sandy Langdon asked for input on the meeting time of the Finance Committee meeting. It was determined they would meet from 4:00 p.m.-5:00 p.m.

Bill Spies commented that 6 of 10 vehicles being surplus are not replacement. They are being decreased due to lack of use in an effort to save money. The Council was pleased to hear this.

Mayor Weiser clarified that Councilmember Wright will be the sole Councilmember going to the AWC Legislative Conference on February 19th and 20th.

Call on Councilmembers.

Jeff Seibert noted that there will be bridge testing beginning in the next few weeks and that it will likely be conducted during the daytime.

Suzanne Smith commented that she met with Diana Dollar of the EDC and that she was impressed with her ideas and wisdom. Councilmember Smith said she had invited her to be part of the new Economic Development Committee. Mary Swenson added that they had also asked Ms. Dollar to be part of that committee and that she was more than willing to assist in that way.

Regarding the Economic Development Committee, Ms. Smith offered to step down if there was another councilmember interested in taking her place. There was some discussion about this. Councilmember John Soriano expressed an interest in being on the committee. Ms. Smith clarified that she would like at least one member of the MERC Committee to be on it. Councilmember Nehring then proposed that a Councilmember be on the Economic Development Committee along with Councilmembers Smith and Leighan.

Ms. Smith then discussed limiting political signs. She wondered what could be done about it. Mayor Weiser explained that they couldn't limit freedom of speech on a public right of way. It was also explained that the sign ordinance does not refer to political signs. Ms. Swenson said they could put together a packet to bring back. Ms. Smith said not to bother if there was nothing to be done about it.

Ms. Smith asked the representatives of the Governmental Affairs Committee about Arlington adopting parts of the manual for the watershed area. Councilmember Leighan explained that they were possibly creating a drainage or diking district for the area within the watershed. Mr. Owens commented that they were making progress.

Ms. Smith referred to Councilmember Leighan's idea about moving the retaining wall at the 528 and I-5 overpass. She wondered if another lane could be added there. Mayor Weiser said that DOT was not in favor of that idea.

Jeff Seibert said he had visited the Chamber's Visitor Center last week and talked with Caldie Rogers. He was very impressed with what they had done there, especially the card wall. Ms. Swenson added that businesses have also been very impressed with the Visitor Center.

ADJOURNMENT

The meeting was adjourned at 9:05 p.m.

Approved this 10th day of February, 2003.

David Weiser
Mayor

Derry Becker
City Clerk

Lainie Hagedahl
Recording Secretary