

June 12, 2006

Marysville City Council
7:00 p.m.

ORIGINAL 000185
City Hall

Call to Order/Invocation/Pledge of Allegiance	7:00 P.M.
Roll Call	
Approval of Minutes	
Approve the May 22, 2006 City Council Meeting Minutes.	Approved
Approve the June 5, 2006 City Council Work Session Minutes.	Approved
Consent Agenda	
Approval of May 17, 2006 Claims in the Amount of \$891,782.83; Paid by Check No. 30737 through 30943.	Approved
Approval of May 24, 2006 Claims in the Amount of \$672,471.42; Paid by Check No. 30944 through 31110 with Check No. 29316 Void.	Approved
Approval of May 31, 2006 Claims in the Amount of \$386,602.12; Paid by Check No. 31111 through 31275.	Approved
Authorize Mayor to Sign Amended Community Work Crew Contract Schedule A with Department of Corrections effective July 1, 2006 through June 30, 2007.	Approved
Authorize Mayor to Sign Final Plat Mylar for Palisades; PA 03030.	Approved
Authorize Mayor to Sign Employment Contract with John Turner to Serve as Interim Police Chief.	Approved
Authorize Mayor to Sign Supplemental Agreement No. 2/Contract Extension with Gray & Osborn for the Lakewood Sewer Extension Project.	Approved
Authorize Mayor to Sign Professional Services Agreement with MWH for SR9 Reservoir Design.	Approved
Authorize Mayor to Sign Professional Services Agreement Extension with HDR for the Ingraham Boulevard Project.	Approved
Review Bids	
Public Hearings	
Sunnyside/Whiskey Ridge Annexation; PA 06005.	Approved
Sunnyside Elementary School Annexation; PA 06015	Approved
Current Business	
New Business	
Public Institutional Zone Code Amendment; PA06023	Approved
2006 Comprehensive Plan Amendments	Approved
2006 Code Revisions	Approved
Legal	
Ordinances and Resolutions	
Approve an Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Kellogg Marsh Elementary School Annexation Area into the City of Marysville	Approved Ord. 2633
Approve an Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Mattson Annexation Area into the City of Marysville.	Approved Ord. 2634
Approve an Ordinance of the City of Marysville, Washington Establishing Standards for the Public/Institutional Zone, Amending MMC 19.04, Establishing a Zoning Designation; Amending MMC 19.08, Providing for	Approved Ord. 2631

Permitted Uses; Amending MMC 19.12, Instituting Density and Dimension Standards; and Amending MMC 19.14, Making Development Subject to Design Requirements.	
Approve an Ordinance of the City of Marysville, Washington Providing for Family Daycare Services to be Operated as Home Occupations In or Out of the Primary Dwelling Unit, Amending MMC 19.32.030.	Approved Ord. 2638 then Repealed and Voided
An Ordinance of the City of Marysville, Washington Amending Residential Permitted Uses and Development Conditions, Amending MMC 19.08.030.	Approved Ord. 2639
Approve an Ordinance of the City of Marysville, Washington Amending Recreation/Cultural Permitted Land Uses, Amending MMC 19.08.040 to Allow the Following as Permitted Uses in the Downtown Commercial Zone: Marina; Dock and Boathouse, Private, Non-Commercial or Public; and Boat Launch, Non-Commercial or Private.	Approved Ord. 2640
Approve an Ordinance of the City of Marysville, Washington Amending Government/ Business Services Permitted Uses and Development Conditions, Amending MMC 19.08.060.	Approved Ord. 2641
Approve an Ordinance of the City of Marysville, Washington Amending Retail/Wholesale Permitted Uses and Development Conditions, Amending MMC 19.08.070.	Removed from Agenda
Approve an Ordinance of the City of Marysville, Washington, Amending MMC 19.14.190 Requiring Screening of Mechanical Equipment and Placement of Noise Generating Equipment or Vents to be Situated to Opposite Building Side as Residentially Designated Property.	Approved Ord. 2642
Approve an Ordinance of the City of Marysville, Washington, Amending the Zoning Code's Definition of "Net Project Area" by Amending MMC 19.06.343 to Include "Underground Stormwater Detention Areas Also Used for Recreation" as Net Project Area and to Exclude "Nontransferable Critical Areas" as Net Project Area.	Approved Ord. 2635
An Ordinance of the City of Marysville, Washington Amending Ordinance No. 2569 Relating to the Marysville Growth Management Comprehensive Plan and Approving the Recommendations of the Marysville Planning Commission for Map Revisions and Approving the Concurrent Rezone of Lands in Association therewith Relating to City of Marysville Staff Initiated Amendment No. 3 and Wenz/George/Kenekeberg – Staff Initiated Amendment No. 5 Pursuant to the City's Annual Amendment and Update Process.	Approved Ord. 2632
Approve an Ordinance of the City of Marysville Amending Ordinance No. 2627 Correcting the Legal Description for the Annexation Known as the American Eagle Annexation.	Approved Ord. 2636
Approve an Ordinance of the City of Marysville, Washington, Amending the Zoning Code by Amending MMC 19.32.020 and MMC 19.32.030 to Revise Standards for Home Occupations and Family Daycare Services Operating as a Home Occupation.	Approved Ord. 2643
Approve an Ordinance of the City of Marysville, Washington, Amending	Approved

June 12, 2006

Marysville City Council
7:00 p.m.

000187

City Hall

the Zoning Code by Amending MMC 19.06.025 Providing a Land Use Definition for Daycare Facilities.	Ord. 2644
Approve an ordinance of the City of Marysville, Washington, Amending the Zoning Code Regarding General Services Permitted Land Uses by Amending MMC 19.08.050 to Allow Daycare II Facilities as a Conditional Use in the R 4.5, R 6.5, and R 8 Zones.	Approved Ord. 2645
Approve a Resolution of the City of Marysville Initiating Annexation of an Area Contiguous to the City Known as the Sunnyside/Whiskey Ridge Annexation Into the City, and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.	Approved Res. 2179
Approve a Resolution of the City of Marysville Initiating Annexation of an Area Contiguous To the City Known as the Sunnyside Elementary School Annexation into the City And Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.	Approved Res. 2180
Information Items	
Mayor's Business	
Affirm the Mayor's Re-Appointment of Kelly Wright, Jim Scharf and Gary Edmondson to the Salary Commission.	Approved
Staff Business	
Authorize the Mayor to sign the Toro NSN agreement.	Approved
Call on Councilmembers	
Adjournment	9:53 p.m.
Executive Session	9:56 p.m.
Real Estate	No Action Taken
Adjournment	10:01 p.m.

MARYSVILLE CITY COUNCIL MEETING

JUNE 12, 2006

7:00 P.M.

CITY HALL

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the June 12, 2006 meeting of the Marysville City Council to order at 7:00 p.m. and led those present in the Pledge of Allegiance.

ROLL CALL

Chief Administrative Officer Mary Swenson gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Dennis Kendall

Council: Lee Phillips, Carmen Rasmussen, Jeff Seibert, John Soriano, Jeff Vaughan, and Donna Wright

Staff: Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Jim Ballew, Parks and Recreation Director; Gloria Hirashima, Community Development Director; Paul Roberts, Public Works Director; John Turner, Chief of Police; and Laurie Hugdahl, Recording Secretary.

Mary Swenson noted the excused absence of Mayor Pro Tem Jon Nehring who was out of town on business.

COMMITTEE REPORTS

John Soriano reported on the May 24th Public Safety Committee meeting. Topics discussed included the custody officer hiring process, a review of overtime and discussion about the need for donations to refurbish their newly donated vehicle.

PRESENTATIONS

Marysville Little League Team – Mayor Kendall presented Coach Martinez and his team with a Certificate of Achievement for winning 2nd place in the Little League Major Boys Tournament of Champions.

Employee Service Awards

Steve Winters, Police Commander, 25 years – Chief John Turner presented the award to Commander Winters.

DISCUSSION ITEMS – None.

AUDIENCE PARTICIPATION**Bill Phillips, 4405 – 95th Street NE.**

Mr. Phillips discussed an ongoing problem his neighborhood has had with people parking in front of the mailboxes that serve nine residences. He recommended that the line delineating the no parking area be extended out further.

APPROVAL OF MINUTES.**1. Approval of May 22, 2006 City Council Meeting Minutes.**

Motion made by Councilmember Wright; seconded by Councilmember Vaughan to approve the minutes as presented. Motion passed unanimously (6-0).

2. Approval of June 5, 2006 City Council Work Session Minutes.

Motion made by Councilmember Seibert; seconded by Councilmember Rasmussen to approve the minutes as presented. Motion passed unanimously (6-0).

CONSENT AGENDA

Motion made by Councilmember Soriano; seconded by Councilmember Vaughan to approve the following Consent Agenda Items 3, 4, 5, 8, 9, 32, 15, 16, and 17. Motion passed unanimously (6-0).

- 3. Approval of May 17, 2006 Claims in the Amount of \$891,782.83; Paid by Check No. 30737 through 30943.**
- 4. Approval of May 24, 2006 Claims in the Amount of \$672,471.42; Paid by Check No. 30944 through 31110 with Check No. 29316 Void.**
- 5. Approval of May 31, 2006 Claims in the Amount of \$386,602.12; Paid by Check No. 31111 through 31275.**
- 8. Authorize Mayor to Sign Amended Community Work Crew Contract Schedule A with Department of Corrections effective July 1, 2006 through June 30, 2007.**
- 9. Authorize Mayor to Sign Final Plat Mylar for Palisades; PA 03030.**
- 32. Authorize Mayor to Sign Employment Contract with John Turner to Serve as Interim Police Chief.**
- 15. Authorize Mayor to Sign Supplemental Agreement No. 2/Contract Extension with Gray & Osborn for the Lakewood Sewer Extension Project.**

16. Authorize Mayor to Sign Professional Services Agreement with MWH for SR9 Reservoir Design.

17. Authorize Mayor to Sign Professional Services Agreement Extension with HDR for the Ingraham Boulevard Project.

REVIEW BIDS – None.

PUBLIC HEARINGS

10. Sunnyside/Whiskey Ridge Annexation; PA 06005.

Community Development Director Gloria Hirashima reviewed a summary of the annexation as described in the Executive Summary for Action. She discussed the boundaries of this proposed annexation. Regarding some concern they have received about the issue of school districts, she explained that the annexation would not impact the school district boundaries and the districts would remain the same. She noted that the City of Marysville has adopted all three school district's Capital Facilities Plans as part of the Marysville Comprehensive Plan. She also commented that the City of Marysville collects higher school district fees than the County to support the costs associated with new construction. Ms. Hirashima discussed the zoning that would accompany the annexation and reviewed the Master Plan requirement for the area east of 83rd.

Chief Administrative Officer Mary Swenson pointed out the following:

- As the area develops in Snohomish County it is developing to the County standards and not Marysville's standards. This means that the City will be inheriting development that is not up to standards.
- Transportation mitigation fees would be used to improve local transportation. The County would not spend the money there.
- The City of Marysville is anticipating increasing staffing to accommodate this significant annexation – 4 additional officers and possibly another detective, 2 street maintenance employees.
- Marysville Fire District is looking for a location for an additional fire station in that area. They will maintain a high level of service until the new station is available for service.

Councilmember Seibert asked Ms. Hirashima to describe the Master Plan requirement for the area east of 83rd Avenue NE. She discussed the higher development standards in that area. She explained that there would be separate hearings and plenty of opportunity for public input for that process. Councilmember Seibert pointed out the area that was not just added to the UGA was already undergoing significant development in the County. Ms. Hirashima concurred.

Public Testimony (7:30 p.m.):

Lisa Stettler, 3226 – 87th Avenue NE (east of 83rd)

Ms. Stettler stated that she lives in the area that is currently under appeal. She noted that it is a very unique area that is rural and affordable to families with modest incomes. She

believes that this area is associated more closely with Lake Stevens than Marysville. She is satisfied with the current level of services provided by the County. She urged preservation of this area by not annexing it.

Gregory Normand, 3310 – 81st Drive NE (west of 83rd)

Mr. Normand stated that he also lives in the contested area. His main concern was that there would be a decrease in the value of his property following annexation. He compared housing valued in Lake Stevens and Marysville and noted that they are significantly lower in Marysville.

Barbara Miller, 10507 Sandy Beach Drive, Lake Stevens (east of 83rd)

Ms. Miller stated that she was speaking on behalf of several landowners east of 83rd (Lacy, Holland, Haze, Rowe, Sweezy, Drake, Kalicott, Pavich, Wiseman, Cook, Vassel, Parker, Berger, Wilcox, Prescott, Shott, and Howgent families) These property owners support annexation. She stated that they are the silent majority and they have the support of at least 60% of the property owners. She encouraged the Council to act in good faith and approve the annexation.

Holly Farrar, 3205 - 82nd Drive NE (west of 83rd)

Opposed to annexation due to a negative impact on property values.

Michael Cole, 3323 – 81st Drive NE (west of 83rd)

Opposed to annexation because it closes the door to annexation by the City of Lake Stevens. His family considers themselves residents of Lake Stevens.

Mr. Cole stated he is also concerned that this would open the door for students to attend Marysville public schools because there is no guarantee that the boundaries will not change in the future.

Tom King, 3103, 3113, 3129 Sunnyside Blvd.

Mr. King spoke in favor of annexation. He feels that the residents would be well-served by the annexation.

Dan Anderson, 3409 – 81st Drive NE (west of 83rd)

Mr. Anderson stated that if the annexation goes through, the residents would have high expectations of the City of Marysville. He pointed to the stated objectives of the BRB to preserve neighborhoods and communities, to use physical boundaries and to provide logical service areas. He did not feel these objectives were being met. He said that if they are annexed he plans to be very involved in local government.

Daniel Watson, 3329 – 81st Drive NE, Everett, WA 98205 (west of 83rd)

Mr. Watson expressed concern that they would become part of the Marysville School district. He referred to WASL scores that were higher in Lake Stevens than in Marysville.

Councilmember Seibert asked City Attorney Grant Weed to explain what is involved in changing school district boundaries. Mr. Weed responded that city councils do not have any responsibility for changing the boundaries. They are set only by the school district working in conjunction with the state. He stated that this is a non-issue as far as this hearing was concerned.

Trent Olson, 8211 – 29th Place NE, Everett, WA 98205

Mr. Olson stated that he intentionally moved out of Marysville and loves Lake Stevens. He considers himself a resident of Lake Stevens. He read and presented to Council a petition signed by 73 residents that are opposed to the annexation.

Ken White, 3303 – 87th Avenue NE (east of 83rd)

Mr. White was opposed to the annexation. He loves his neighborhood and wants to keep it the way it is. He spoke to the implication that this is a grass roots effort and stated that he feels it is being promoted by the people who have a monetary interest. He does not want to live in Marysville and is not convinced that Marysville could control growth in the area.

Carl Jensen, 7305 – 77th Drive NE (owns property east of 83rd)

Mr. Jensen spoke in favor of the annexation. He concurred that the school district boundaries would not change as a result of this annexation. He noted that they are very difficult to change. He referred to the current status of no sewer, no sidewalks and no storm drainage. He stated that 83rd Street would not be improved until it is part of the city.

Richard Hanley, 3103 – 82nd Drive NE, Everett, WA 98205.

Mr. Hanley expressed concerns about a decrease in property values and the school district issue.

Kim Zabel, 3131 – 82nd Drive NE, Everett, WA 98205.

Ms. Zabel stated that she does not want to be in the Marysville School District. She was also concerned about growth and lower house values. She was opposed to the annexation.

Annmarie Hanley, 3103 – 82nd Drive NE, Everett (west of 83rd)

Ms. Hanley was opposed to the annexation because of concerns about the school district. She also was sure that she would lose friends because they would move if annexed.

Shannon Bath, 3228 – 81st Drive NE, Everett, WA 98205 (west of 83rd)

Ms. Bath wondered what would happen to the Whiskey Ridge area as far as commercial development. She also wondered how the housing density was going to change in the area.

Darlene Salo (no address given)

Ms. Salo is opposed to annexation. She considers herself part of Lake Stevens and supports the Lake Stevens School District. She stated that she lacks confidence in the City's road projects. She is opposed to the City's feeling that they need more housing. She suggested that the people in favor of this annexation will be selling their homes soon. She felt that the ones who were staying were the ones who were opposed to it.

Herb Montevillo, 3723 73rd Avenue NE

Mr. Montevillo stated that his number one consideration was the issue of poor police protection in the County. He likes Marysville's pride, patriotism and sense of community. He is undecided about the annexation, but he wishes that he had received better information sooner.

Mark Rayes, 7524 44th Street (west of 84th)

Mr. Rayes was opposed to annexation. He noted that the Marysville School District had already purchased property near him and he was sure they would change the boundaries. He stated that he did not want to be part of Marysville.

Barry Keller, 3305 – 81st Drive (west of 83rd)

Mr. Keller stated that he is scared to live in Marysville. He addressed issues of cleanliness.

Lorelle VanFossum, 67th and 44th.

Ms. VanFossum has lived at her residence for 47 years. She expressed pride for Lake Stevens and felt that Marysville was an embarrassment. She encouraged the City focus on rebuilding its heart and spirit and to revitalize the downtown.

Shawn Harris, 8219 – 29th Place NE (west of 83rd)

Mr. Harris stated that he was opposed to the annexation. He does all of his business and shopping in Lake Stevens and would like his tax dollars to go to Lake Stevens. He stated that he intentionally chose not to purchase a home in Marysville and does not want to be a part of it.

Darryl Mathews, 3609 – 71st Avenue NE (west of 83^d)

Mr. Mathews stated that he was opposed to the annexation for reasons that have already been stated.

David Toyer, representing property at 7624 – 40th Street.

Mr. Toyer spoke in support of annexation.

Roch Player, 3304 – 81st Drive NE (west of 83rd)

Mr. Player stated that he was opposed to annexation because of uncertainties with regard to the school districts and because of a lack of communication with residents about zoning changes, master plan information and commercial plans.

John Bergie, 7627 Soper Hill Road (west of 83rd)

Mr. Bergie spoke in favor of the annexation. He stated that he is a retired firefighter and fire chief from Everett. He pointed out that the City of Marysville has a great fire department with good staff and superior infrastructure. He felt that they would be better served by Marysville. He concurred that the school district is not an issue.

Shawn Goodwin, 7013 – 38th Place (west of 83rd)

Opposed to annexation because of property value and the school issue.

Cathleen Wilcox Weber

Ms. Weber spoke in support of the annexation.

Terry Johnson, 4829 - 87th Avenue NE (east of 83rd)

Ms. Johnson stated that the Marysville City Council has done an excellent job keeping the public informed and involved. She has met many times with staff to discuss questions. There have been numerous public meetings, maps on line and other information available. She encouraged people to get involved with the process along the way and not just at the end.

Steve Munoz, 3719 - 152nd Street.

Mr. Munoz asked for clarification about the annexation area. Ms. Hirashima provided him with that.

Holly White, 3303 – 87th Avenue NE

Ms. White stated that she is vehemently opposed to annexation. She does not want the development.

Dwayne Wiseman, 8805 East Sunnyside School Road

Mr. Wiseman said that he likes the Lake Stevens School District, but he encouraged cooperation between Marysville and Lake Stevens. He felt they could both be better working together.

Vanessa Valles, 3118 82nd Drive NE, Everett, WA 98205

Ms. Valles stated that she was opposed to annexation because of the property value issue.

Seeing no further public comment, Mayor Kendall closed the hearing at 8:30 p.m. There was a recess until 8:41 p.m.

Council Deliberation:

Councilmember Seibert asked Ms. Hirashima to describe the area that had recently been added to this annexation. Director Hirashima explained that it was the area east of 83rd and west of Highway 9, but north of Soper Hill Road. She noted that many of the speakers were from the area west of 83rd and that area has been part of the Marysville UGA for over ten years. She noted that the sewer service for the new developments was provided by the City of Marysville. Councilmember Seibert asked if it could be that many homeowners from new developments signed agreements to annex to the City without opposition. Ms. Hirashima concurred with that.

Councilmember Soriano asked Commander Winters about response time comparisons with the County. Mr. Winters stated that he did not have the specifics but noted that the response time is better in the City than in the County.

Councilmember Rasmussen asked about pending developments in the County. Director Hirashima replied that there are hundreds of homes that are pending development in the County, especially west of 83rd. Councilmember Rasmussen asked about Snohomish County zoning for the master plan area. Ms. Hirashima explained how the current zoning in the County is actually denser than what the City has proposed for the area east of 83rd.

Councilmember Seibert asked Ms. Hirashima about differences in density calculations between the City and the County. Ms. Hirashima explained that their calculations are different, but that the City has required for several years that they be compliant with the City's density calculations.

Councilmember Phillips commented that the County Council has the final say on the UGA and this is what they expect the City to annex. Ms. Hirashima agreed.

11. Sunnyside Elementary School Annexation; PA 06015.

Mayor Kendall solicited public testimony at 8:50 p.m. Seeing none, the hearing was closed at 8:51 p.m.

CURRENT BUSINESS – None.

NEW BUSINESS**12. Public/Institutional Zone Code Amendment; PA06023.**

Action taken below on Item 20.

13. 2006 Comprehensive Plan Amendments

Action taken below on Item 28.

14. 2006 Code Revisions

Ms. Hirashima reviewed the following changes to the distributed document:
The addition of "internet" to Section 19.32.020 Home Occupation Standards, Item 1(g) and a provision for modifications.

Public Comment:

Ms. Roberts of Roday's Sign Company

Ms. Roberts stated that she has a home based business in a 3,500 sf shop on 2.8 acres. She has two employees outside of her family and is requesting a variance to allow this. She presented a letter of support from her closest neighbor, Spencer Vaden.

Ms. Hirashima finished reviewing changes to the Daycare Section 19.32.030 (3). She noted that "primary residential dwelling unit" should be removed.

Councilmember Seibert stated that he wanted to see a level playing field with the churches. He had an issue with requiring parking in the back. He did not feel that a large parking lot would be utilized since people would be dropping off and picking up at staggered times.

She noted that Item 25 was being deferred at this time due to concerns about increased costs of the road project.

Under Automotive Repair, Councilmember Seibert suggested separating out businesses that do restoration as opposed to just repair. Ms. Hirashima cautioned against this since they have had quite a number of nuisance issues related to auto repair. She felt this would impair their ability to deal with those effectively.

LEGAL – None:

ORDINANCES AND RESOLUTIONS

18. An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Kellogg Marsh Elementary School Annexation Area into the City of Marysville.

Motion made by Councilmember Rasmussen; seconded by Councilmember Wright to approve Ordinance 2633 regarding the Kellogg Marsh Elementary School Annexation. **Motion** passed unanimously (6-0).

19. An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Mattson Annexation Area into the City of Marysville.

Motion made by Councilmember Soriano; seconded by Councilmember Vaughan to approve Ordinance 2634 regarding the Mattson Annexation Area. **Motion** passed unanimously (6-0).

20. An Ordinance of the City of Marysville, Washington Establishing Standards for the Public/Institutional Zone, Amending MMC 19.04, Establishing a Zoning Designation; Amending MMC 19.08, Providing for Permitted Uses; Amending MMC 19.12, Instituting Density and Dimension Standards; and Amending MMC 19.14, Making Development Subject to Design Requirements.

Motion made by Councilmember Soriano; seconded by Councilmember Rasmussen to approve Ordinance No. 2631 establishing standards for the Public/Institutional Zone. **Motion** passed unanimously (6-0).

21. An Ordinance of the City of Marysville, Washington Providing for Family Daycare Services to be Operated as Home Occupations In or Out of the Primary Dwelling Unit, Amending MMC 19.32.030.

Motion made by Councilmember Rasmussen; seconded by Councilmember Vaughan to approve Ordinance 2638 as amended per language distributed and discussed tonight regarding Family Daycare Service. **Motion** passed unanimously (6-0).

(It was later noted that Ordinance 2638 was replaced by a subsequent ordinance.)
(**Motion** made by Councilmember Phillips; seconded by Councilmember Rasmussen to repeal and void action on 2638. **Motion** passed unanimously (6-0).)

22. An Ordinance of the City of Marysville, Washington Amending Residential Permitted Uses and Development Conditions, Amending MMC 19.08.030.

Motion made by Councilmember Wright; seconded by Councilmember Vaughan to approve Ordinance 2639 regarding Residential Permitted Uses and Development Conditions. **Motion** passed unanimously (6-0).

- 23. An Ordinance of the City of Marysville, Washington Amending Recreation/Cultural Permitted Land Uses, Amending MMC 19.08.040 to Allow the Following as Permitted Uses in the Downtown Commercial Zone: Marina; Dock and Boathouse, Private, Non-Commercial or Public; and Boat Launch, Non-Commercial or Private.**

Motion made by Councilmember Vaughan; seconded by Councilmember Seibert to approve Ordinance 2640. **Motion** passed unanimously (6-0).

- 24. An Ordinance of the City of Marysville, Washington Amending Government/ Business Services Permitted Uses and Development Conditions, Amending MMC 19.08.060.**

Motion made by Councilmember Soriano; seconded by Councilmember Vaughan to approve Ordinance 2641. **Motion** passed unanimously (6-0).

- 25. An Ordinance of the City of Marysville, Washington Amending Retail/ Wholesale Permitted Uses and Development Conditions, Amending MMC 19.08.070.**

Item Removed from Agenda.

- 26. An Ordinance of the City of Marysville, Washington, Amending MMC 19.14.190 Requiring Screening of Mechanical Equipment and Placement of Noise Generating Equipment or Vents to be Situated to Opposite Building Side as Residentially Designated Property.**

Motion made by Councilmember Vaughan; seconded by Councilmember Wright to approve Ordinance 2642. **Motion** passed unanimously (6-0).

- 27. An Ordinance of the City of Marysville, Washington, Amending the Zoning Code's Definition of "Net Project Area" by Amending MMC 19.06.343 to Include "Underground Stormwater Detention Areas Also Used for Recreation" as Net Project Area and to Exclude "Nontransferable Critical Areas" as Net Project Area.**

Motion made by Councilmember Vaughan; seconded by Councilmember Rasmussen to approve Ordinance 2635. **Motion** passed unanimously (6-0).

- 28. An Ordinance of the City of Marysville, Washington Amending Ordinance No. 2569 Relating to the Marysville Growth Management Comprehensive Plan and Approving the Recommendations of the Marysville Planning Commission for Map Revisions and Approving the Concurrent Rezone of Lands in Association therewith Relating to City of Marysville Staff Initiated Amendment No. 3 and Wenz/George/Kenekeberg – Staff Initiated**

Amendment No. 5 Pursuant to the City's Annual Amendment and Update Process.

Motion made by Councilmember Vaughan; seconded by Councilmember Soriano to approve Ordinance 2632 regarding the 2006 Comprehensive Plan Amendments. **Motion** passed unanimously (6-0).

33. An Ordinance of the City of Marysville Amending Ordinance No. 2627 Correcting the Legal Description for the Annexation Known as the American Eagle Annexation.

Motion made by Councilmember Wright; seconded by Councilmember Vaughan to approve Ordinance 2636 regarding the American Eagle Annexation. **Motion** passed unanimously (6-0).

34. An Ordinance of the City of Marysville, Washington, Amending the Zoning Code by Amending MMC 19.32.020 and MMC 19.32.030 to Revise Standards for Home Occupations and Family Daycare Services Operating as a Home Occupation.

Motion made by Councilmember Rasmussen; seconded by Councilmember Vaughan to approve Ordinance 2643 regarding Zoning Code Revisions with changes as discussed in handout. **Motion** passed unanimously (6-0).

35. An Ordinance of the City of Marysville, Washington, Amending the Zoning Code by Amending MMC 19.06.025 Providing a Land Use Definition for Daycare Facilities.

Motion made by Councilmember Wright; seconded by Councilmember Vaughan to approve Ordinance 2644 regarding a Zoning Code amendment providing a land use definition for Daycare Facilities. **Motion** passed unanimously (6-0).

36. An ordinance of the City of Marysville, Washington, Amending the Zoning Code Regarding General Services Permitted Land Uses by Amending MMC 19.08.050 to Allow Daycare II Facilities as a Conditional Use in the R 4.5, R 6.5, and R 8 Zones.

Motion made by Councilmember Seibert; seconded by Councilmember Soriano to approve Ordinance 2645 as revised in the handout distributed tonight. **Motion** passed unanimously (6-0).

29. A Resolution of the City of Marysville Initiating Annexation of an Area Contiguous to the City Known as the Sunnyside/Whiskey Ridge Annexation Into the City, and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.

Motion made by Councilmember Vaughan; seconded by Councilmember Seibert to approve Resolution 2179 regarding the Sunnyside/Whiskey Ridge Annexation. **Motion** passed unanimously (6-0).

30. A Resolution of the City of Marysville Initiating Annexation of an Area Contiguous To the City Known as the Sunnyside Elementary School Annexation into the City And Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.

Motion made by Councilmember Wright; seconded by Councilmember Seibert to approve Resolution 2180 regarding the Sunnyside Elementary School Annexation. **Motion** passed unanimously (6-0).

INFORMATION ITEMS

A. Mayor's Business

37. Reappointment of Salary Commissioners

Motion made by Councilmember Seibert; seconded by Councilmember Rasmussen to approve the reappointment of Kelly Wright to the Salary Commission. **Motion** passed unanimously (6-0).

Motion made by Councilmember Seibert; seconded by Councilmember Soriano to approve the reappointment of Jim Scharf to the Salary Commission. **Motion** passed unanimously (6-0).

Motion made by Councilmember Wright; seconded by Councilmember Seibert to approve the reappointment of Gary Edmondson to the Salary Commission. **Motion** passed unanimously (6-0).

Other Business:

- Mayor Kendall noted that Public Works and the Safety Committee will continue to work on Mr. Phillips' issue regarding blocked mailboxes.
- He noted that he did five miles for the Relay for Life
- Strawberry Festival is this weekend with the grand parade on Saturday night.

B. Staff Business

38. Irrigation Control System Service Agreement (Parks).

Parks and Recreation Director Ballew updated Council on an emergency situation with regard to the golf course irrigation system which has failed. He discussed the need to replace this immediately since staff is currently operating the irrigation systems manually.

Motion made by Councilmember Soriano; seconded by Councilmember Phillips to authorize the Mayor to sign the Toro NSN agreement. Staff will forward a 2006 budget amendment to Council upon completion of the installation. **Motion** passed unanimously (6-0).

Other Staff Business:

Doug Buell thanked the Mayor and Councilmember Soriano for coming to Shred-It Saturday. He reported that they had good participation.

Paul Roberts commended Council's work.

Gloria Hirashima stated that they would file the annexation with the BRB this week.

Grant Weed said they have been working diligently on the Wal-Mart appeal and the hearings board matter.

Mary Swenson announced that the Mayor and the Council had received a raise from the Salary Commission.

Jim Ballew reported that Ebey Waterfront Park would be closed for use in Strawberry Festival events. He discussed the Flag Day celebration and invited everyone to attend.

John Turner announced that the copper thieves had been caught.

C. Call on Councilmembers

Carmen Rasmussen asked about the PSRC presentation. Mayor Kendall replied that it had been rescheduled for September. There was consensus to have the tour on September 16. Ms. Rasmussen said she was now available any weekend in September for the Public Works tour.

She stated that the Healthy Communities leadership meeting went well last week.

Lee Phillips participated in the Relay for Life. He thanked Mayor Kendall and Councilmember Soriano for donations. He announced that the relay raised a total of \$92,000 this year.

He suggested looking into neighborhood community development.

John Soriano agreed that the Healthy Communities leadership meeting went well. He added that he is looking forward to Strawberry Festival.

Jeff Seibert thanked the police department for doing a great job in catching the copper thieves.

Donna Wright complimented the Community Development and the Planning Commission for their hard work on all the annexations.

Mary Swenson announced that they would need a five-minute Executive Session for informational purposes.

ADJOURNMENT

Mayor Kendall recessed into Executive Session at 9:53 p.m.

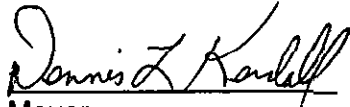
EXECUTIVE SESSION

Council met in Executive Session at 9:56 p.m.; discussed one real estate issue; and reconvened into Regular Session.

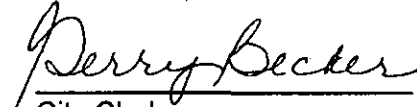
ADJOURNMENT

Seeing no further business, Mayor Kendall adjourned the meeting at 10.01p.m.

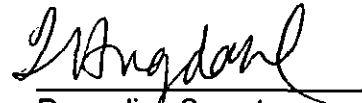
Approved this 26th day of June, 2006.



Mayor
Dennis Kendall



City Clerk
Gerry Becker



Recording Secretary
Laurie Hugdahl

June 19, 2006

7:00 p.m.

City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the June 19, 2006 meeting of the Marysville City Council Work Session to order at 7:00 p.m. Mayor Kendall led those present in the Pledge of Allegiance.

ROLL CALL

Chief Administrative Officer Mary Swenson gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Dennis Kendall

Council: Mayor Pro Tem Jon Nehring, Carmen Rasmussen, Jeff Seibert, John Soriano, and Donna Wright

Staff: Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Sandy Langdon, Finance Director; Gloria Hirashima, Community Development Director; John Turner, Chief of Police; Doug Buell, Community Information Officer; Greg Corn, Fire Chief; and Laurie Hugdahl, Recording Secretary.

Chief Administrative Officer Mary Swenson noted that Councilmember Lee Phillips was ill and Councilmember Jeff Vaughan had a prior commitment.

Motion made by Councilmember Nehring; seconded by Councilmember Seibert to excuse Councilmember Vaughan. **Motion** passed unanimously (5-0).

Motion made by Councilmember Seibert; seconded by Councilmember Soriano to excuse Councilmember Phillips. **Motion** passed unanimously (5-0).

COMMITTEE REPORTS – None.

PRESENTATIONS – None.

DISCUSSION ITEMS – None.

APPROVAL OF MINUTES.

1. Approval of June 12, 2006 City Council Meeting Minutes.
2. Approval of June 19, 2006 City Council Work Session Minutes.

CONSENT AGENDA

3. Approval of June 7, 2006 Claims in the Amount of \$1,887,704.91; Paid by Check No. 31276 through 31430 with Check No. 9704, 31204, and 31223 Void.

4. Approval of June 14, 2006 Claims in the Amount of \$2,882,959.41; Paid by Check No. 31431 through 31608; with Check No. 9829 and 25656 Void.
5. Approval of June 5, 2006 Payroll in the Amount of \$848,308.41; Paid by Check No. 16267 through 16341.
6. Authorize Mayor to Sign Supplemental Agreement No. 1 with Skillings Connolly, Inc. for the State Avenue (116th Street NE to 136th Street NE) Roadway Improvements Project R9701.
7. Authorize Mayor to Accept and Sign for Equipment Valued at \$4,957.09 Purchased through a Snohomish County Department of Emergency Management Grant.

Chief Turner explained that this would provide satellite phone capability. They are already in possession of the equipment; this just takes care of the paperwork.

8. Approval of Contract Change Order #1 for Northwest Water Transmission Main Project.

Mayor Kendall noted that this was needed because the fire hydrants were left off the original bid. Mayor Pro Tem Nehring asked about the difference between gate and butterfly valves. Ms. Swenson indicated she would find that out.

REVIEW BIDS

9. 2006 Solid Waste Containers.

Ms. Swenson reported that the bids were opened and higher than anticipated so staff will be doing further research on this matter.

PUBLIC HEARINGS

10. Whiskey Ridge North Annexation; PA 05056.

Community Development Director Hirashima informed Council that they had not received many phone calls regarding this area.

CURRENT BUSINESS

11. Communication Center Services.

Chief Administrative Officer Swenson reviewed the Draft Entrance Plan. She noted that they had met today with SNOPAC and had decided that Marysville would have its own station immediately to make for a smoother transition. Another topic discussed was the functions that the dispatchers are currently doing that would not transfer to SNOPAC. The police officers have indicated that they rely on some of the duties performed by dispatch. Staff is recommending a 24/7 Records Operation system with the addition of three to four records positions.

Interim Police Chief Turner discussed the path that Mercer Island has taken with its decision to contract with the neighboring City of Kirkland two years ago. Kirkland now has decided that technology is changing too much and they cannot keep up. They are in discussions with the City of Bellevue who is also considering consolidating. They are now trying to secure funds for the creation of NORCOM, a new regional dispatch center. Chief Turner discussed the economy of scale achieved by consolidating network functions. He noted that this would enable better communication and information sharing with other members of the region. He felt this would greatly benefit the police department and the City in general.

Councilmember Wright asked how the fire department would fit into this. Chief Greg Corn responded that they would be put on the North County fire frequency, which would be shared with other departments. He noted that they will be on 800 MHz soon.

Councilmember Seibert asked if Marysville's requests would be a required part of reaching agreement with SNOPAC. Ms. Swenson replied that they are.

Mayor Pro Tem Nehring asked if the excise tax relinquishment was accounted for in the numbers provided by staff. Finance Director Langdon replied that it was.

Councilmember Rasmussen asked about the transition phases. Ms. Swenson explained that it still needs to be negotiated with the police officers, but it would state at what point things would move.

Mayor Pro Tem Nehring asked for an explanation of the annual increase in the SNOPAC proposed fee. Ms. Langdon explained that it was a 5% increase. Mayor Pro Tem Nehring noted that it appeared some increases were more than 5%. Ms. Langdon indicated she would get back to him with an explanation for that, but noted that the numbers were estimates only.

Councilmember Rasmussen asked how the pending and future annexations would impact the number of dispatchers needed. Ms. Swenson replied that having our own station really secures those numbers as we grow. There is plenty of room for growth on that station and this will provide the police officers with the level of service they are used to. Ms. Rasmussen asked about expectations for response. Ms. Swenson explained that the dispatchers for Marysville will conform to Marysville's expectations for response.

NEW BUSINESS – None.

LEGAL – None.

ORDINANCES AND RESOLUTIONS

12. An Ordinance of the City of Marysville, Washington Creating a New Chapter 3.01 of the Marysville Municipal Code Relating to Crime Prevention Funding; and Severability.

City Attorney Grant Weed explained that there is a new code on the books which grants authority for the City to recover certain types of assets. This will allow the City to assess an additional \$50 charge for certain crimes.

13. An Ordinance of the City of Marysville Establishing Marysville Municipal Code Chapter 3.95A Recovery Costs for Certain Convicted Persons to Recover the City's Cost of Emergency Response for Persons Guilty of Alcohol or Drug Related Driving, Boating, or Aircraft Violations.

City Attorney Weed explained that this will pay for emergency response costs associated with alcohol- and drug-related incidents.

14. An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area Known as the Smith Annexation into the City of Marysville.

Gloria Hirashima stated that this is the area north of Haggens. It would become effective July 1.

15. An Ordinance of the City of Marysville Amending the 2006 Budget to Include Revised Salary Schedules for 2006 and Amending Ordinance No. 2604, 2608, 2616, and 2619.

Ms. Swenson stated that they are done with labor negotiations and this salary schedule will address that.

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

Mary Swenson reported that they will be holding an auction on the site at the end of July.

17. A Resolution of the City of Marysville Stating Its Intention to Annex Certain Unincorporated Area, Known as the Whiskey Ridge-North Annexation, into the City, and Transmitting the Matter to the Washington State Boundary Review Board for Snohomish County for Approval.

This pertains to the Item 10.

INFORMATION ITEMS

A. Mayor's Business

- Mayor Kendall stated that the Strawberry Festival was great. Everyone had a good time. He also enjoyed Poochpalooza.
- The Flag Ceremony in the park was very nice.
- He will be leaving for the convention tomorrow.

B. Staff Business

Doug Buell reported that they had 300 dogs, 1120 paying visitors and 4300 visitors for the day to raise money for an off-leash dog park.

Grant Weed noted the need for an Executive Session to discuss a personnel matter for approximately 30 minutes. No action was needed.

Chief Turner commented on a Sex Offender Meeting notification regarding a Level 2 sex offender on Wednesday night.

C. Call on Councilmembers

Carmen Rasmussen stated that the Strawberry Festival parade was awesome and Poochpalooza was great. She really enjoyed the energetic crowd that showed the residents' enthusiasm for providing services for their pets.

Jon Nehring noted that there was a good article in the paper about Poochpalooza.

Jeff Seibert asked about details regarding the AWC convention. Mayor Kendall answered those questions.

Mr. Seibert asked about the status of the Wicklow annexation. Mayor Kendall explained that the BRB extended it to 88th street and the City is having discussions with the County about funding matters.

Councilmember attended the car show and the parade and thought they were great.

John Soriano requested a summary of the 116th neighborhood meeting notes since they would be out of town.

He commented that the corridor study on Highway 2 was discussed at Cities and Towns. He also enjoyed the Strawberry Festival.

Donna Wright enjoyed the events at Strawberry Festival. She wondered how much overtime the festival was costing the City, especially for police services. Mary Swenson indicated she would get that information.

She enjoyed Poochpalooza but noted that some people were not interested in paying for an off-leash park.

18. Marysville Library Board Minutes; April 13, 2006.
19. Marysville Salary Commission Minutes; May 15, 2006.
20. Marysville Salary Commission Minutes; June 6, 2006.

ADJOURNMENT

Mayor Kendall recessed into Executive Session at 7:55 p.m.

EXECUTIVE SESSION

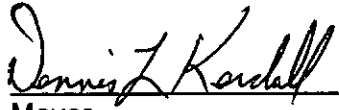
Council met in Executive Session at 8:00 p.m., discussed personnel issues, and reconvened into Regular Session at 8:35 p.m. with no action taken.

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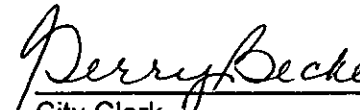
ADJOURNMENT

Seeing no further business, Mayor Kendall adjourned the meeting at 8:36 p.m.

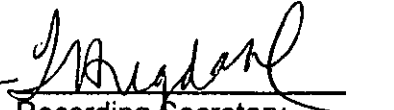
Approved this 26th day of June, 2006.



Mayor
Dennis Kendall



City Clerk
Gerry Becker



Recording Secretary
Laurie Hugdahl