

MARYSVILLE CITY COUNCIL MINUTES

00194

AUGUST 28, 1989

7:30 p.m.

Council Chambers

PRESENT: Rita Matheny, Mayor
Councilmembers:
Ken Baxter, Mayor ProTem
Mel Schank
Dave Weiser
Bill Roberts
Larry Hots
Bob Lashua
Lee Cundiff
Administrative Staff:
John Garner, City Administrator
Mike Corcoran, City Planner
Jim Allendoerfer, City Attorney
Dave Zabell, Public Works Director
Gloria Hirashima, Associate Planner
Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Matheny called the meeting to order at 7:30 p.m. and led the flag salute.

ROLL CALL:

Recording Secretary Iverson called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilor Schank noted in the 8/14/89 minutes on page 2, second paragraph, next to last line, the word "hsi" should be "his" and on page 9, 5th paragraph, the word "continued" should be "continue."

There being no further corrections to the minutes, Councilor Schank moved that the minutes of the 8/14/89 meeting be approved as corrected. Councilor Lashua seconded and the motion passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

None.

PRESENTATIONS:

None.

PETITIONS & COMMUNICATIONS:

1. Letter from Washington Finance Officer's Association dated 7/17/89.
2. Letter from Jean L. Perry dated 8/7/89.
3. Memorandum from Police Chief Dyer Regarding Chita's.
4. Letter from Sno-Isle Regional Library System dated 8/8/89.
5. Letter from Dale & Sharon Glassett & Children.
6. Letter from Snohomish County Planning dated 8/18/89.
7. AWC Training Session Budgets & Ballots.

City Administrator Garner also noted that additional communication from Snohomish County Visitor Information Center was circulated to Councilmembers.

PUBLIC HEARINGS:

None.

CONSENT AGENDA:

1. July/August Personnel Report.
2. 8/28/89 Claims in the amount of \$580,508.17.

Councilor Cundiff moved and Councilor Hots seconded to approve the Consent Agenda. Passed unanimously.

REVIEW BIDS:

None.

CURRENT BUSINESS:

1. RUSA Variance - Pinney (continued from 7/10/89).

City Administrator Garner explained that the location is outside RUSA but they have poor water quality in the area. It was requested that the Health District submit substantiation for hookup to City water, however the letter simply states that if public water is available that they should connect it in lieu of developing their own source of water on site.

City Attorney Allendoerfer noted that this does not meet the criteria for a hardship case.

Ms. Gisela Cunningham, 18th & Mukilteo Blvd., real estate agent representing the Pinneys, addressed the Council. She noted that it would cost the Pinneys about \$6,000 to hook up to a private system and there are already 7 people on the well. She said she knows the water in the area is not testing out properly but it's impossible to get the Health District to say that because they would be red lining the area if they did.

Councilor Roberts noted that most people who come before Council for a variance have already dug a well and the well has gone bad whereas this is undeveloped property and it wouldn't be right or fair to just set up a general policy for all homes in that general vicinity.

Ms. Cunningham stated that with a private well there's no guarantee of the quality of the water and from a cost effective standpoint, it's rather prohibitive to spend \$6,000 in order to try and sell a shy acre. She added that this is a Catch 22 situation and asked where you would be able to call a piece of property "useless".

Councilor Roberts suggested the possibility of documentation of poor water quality along 45 Road as a means to getting the variance.

Public Works Director Zabell stated that there is the possibility of mapping out all the wells that have gone bad along 45 Road.

Both Councilors Baxter and Roberts indicated that they would like to see a letter from the private system supplying more information as to water quality, capacity of the system, whether the Pinneys property can be hooked up to it, etc.

Ms. Cunningham also pointed out that in some cases, a public water system's proximity to private wells can turn the wells bad and she stated that she would highly recommend City water for this property which was assumed would be a fairly easy matter to take care of, what with City water already right across the street.

Councilor Roberts reiterated that he didn't feel a general policy for anyone living on the 45 Rd. should be provided whereby they can automatically receive City water and that he didn't feel there is sufficient criteria in this case to prove a hardship or poor quality of water, to grant a variance.

Councilor Baxter agreed, pointing out the property is vacant and has no well.

Ms. Cunningham stated there is a proposal to build a 3 bedroom home.

Councilor Lashua stated he felt granting of the variance would set a precedent and that he would like to see further information, also. He moved that the decision whether or not to grant the variance be postponed until further information is received. Councilor Baxter seconded the motion and discussion followed.

Councilor Baxter noted that the area could be added within RUSA boundaries next year and City Administrator Garner pointed out that although Bob Kissinger's memo states that the property is outside RUSA, it is actually within the proposed RUSA boundaries. Councilor Roberts said that as he understands it, one side of the 45 Road is in and one side is out of RUSA boundaries.

City Attorney Allendoerfer reminded Council that the proposed RUSA boundaries are still very imaginary lines; that no public hearings have been held as yet and nothing has been decided and therefore any remarks concerning the proposed RUSA boundaries are inappropriate.

Councilor Roberts argued that there was a public hearing last year concerning the proposed RUSA boundaries and there was a very large map produced and displayed for the public to view, so the proposal is not entirely imaginary.

The motion passed unanimously to postpone the Pinney Variance decision.

2. Oakwood Traffic Control Problem (continued from 8/14/89).

Public Works Director Zabell stated that since the 8/14/89 meeting, a number of calls have been received at City Hall from citizens concerned about the channelization and/or lack of stop signs.

Jack Wilson, 8912 61st Dr. NE, addressed Council and stated that a stop sign was placed at 88th & 61st a couple weeks ago but this does not even slow traffic down. He said he is very concerned about the speed travelled in there, especially with the influx of children when school starts. He said they are requesting two additional stop signs and/or speed bumps. He explained that most of the speeders are teenagers from the subdivision in behind Oakwood and they are hoping that with a 3-way stop at 61st & 88th it will deter the speeding. He added that a lot of the traffic now used to use 60th and the neighbors have asked for help from the County Sheriff's office, just to be visible in the vicinity. He said also that there needs to be a crosswalk at 88th & 61st and Public Works Director Zabell showed him the crosswalks that are planned on the map.

There was discussion about sidewalks in Oakwood Estates, school bus routes, neighborhood collectors, safety problems, parking, traffic violations and Councilor Roberts mentioned the Neighborhood Watch Program as a possibility for the neighbors to watch and report traffic violations.

Councilor Hots suggested the police chief and Dave Zabell take a look at this problem and there was more discussion about the fact that this has been a problem for a couple years, whether or not speed bumps, stop signs, buttons would help.

Steve McCathet, 6106 88th NE, addressed the Council and asked point blank if there is a reason why they can't have another stop sign put in.

Public Works Director Zabell explained that a stop sign does not really control speed and furthermore, a stop sign has to be justified with traffic counts and that they would like to try some other things first.

Steve McCathet noted that they have seen many a near miss on the corner where he lives and has also had people drive right through his lawn. He concluded that they definitely need to have the speed cut down in there.

Public Works Director Zabell stated that he thought he could get counters out within the next few days and over the long weekend, check the speeds and get the police chief in on the situation.

Mr. McCathet stated that between 4-6 p.m. during the week is also a bad time.

Councilor Schank asked how far it is to the next intersection and Public Works Director Zabell responded that it is about 500'. Councilor Schank asked if it would be feasible to put a stop sign in at 62nd & 91st and Mr. McCathet stated that there is a stop sign at 67th & 91st but it's turned into a joke for the teenagers in the area; they try to see how fast they can go around the corners.

Warren Faulkner, 8193 61st Dr. NE, addressed the Council, stating there is a visibility problem as well as a measure of difficulty staying in your own lane going around the corners and if you are not familiar with the area, an accident is almost inevitable.

Glenn Nemmer, 8822 61st Dr. NE, addressed the Council, stating it is simply a matter of time before there is a serious and/or fatal accident in there and we need to do more than just study the situation.

Councilor Baxter moved that the City Engineer proceed with the program of checking speed, traffic counts, bringing information back to City Council and to recommend appropriate action 9/11/89. Councilor Roberts seconded and the motion passed unanimously.

3. Amendment to Frank Taylor Rezone Covenants & Agreement
(continued from 8/14/89).

City Planner Corcoran explained that at the last City Council meeting the applicant had requested an extension of the mobile home park overlay which expires 11/12/89. The extension would be for one year with a guarantee that he wouldn't build a mobile home part for at least six months while he negotiates for a change to multifamily zoning. He noted that there is a cap of 116 units at present.

Laura Brent, 2907½ Hewitt, Everett, addressed the Council, representing the applicant and owner and stated that it was her understanding that City Council was considering removing the mobile home park overlay with a consideration of density on multifamily. With the removal of the overlay, she said a time limit had been discussed.

Councilor Roberts stated that he remembered discussion about taking the project back to the Planning Commission with the burden of proof being that a site plan would be presented that met the approval of the Planning Commission. Councilor Roberts asked if they felt approval of a revised site plan would be done in 6 to 9 months and Ms. Brent said she felt that would be adequate.

Councilor Lashua asked, with the change to apartments, why the extension on the mobile home park is still being considered and Ms. Brent explained that there was a concern on the part of the applicant of vesting on the density. She added that there has also been a delay because of wetlands issue, otherwise the mobile home park would probably have been finished by now, but in the meantime it has come to light that apartments would be more appropriate in as far as meeting the needs of the community.

There were comments regarding the density of the property in that location and City Planner Corcoran noted that this is an extraordinary request; that the history of the property will be taken into account with any future requests; that it is precedent setting, but the area probably will develop multifamily. He noted that they could have up to 360 units on the 19 acres but they do not wish to have the maximum density.

Mayor Matheny asked about the wetlands determination and City Planner Corcoran said basically the area is pretty dry compared to a real wetlands area. He said it would be his recommendation to send the request back to the Planning Commission.

City Attorney Allendoerfer noted that 94 mobile units and 24 duplex units have been approved which is approximately the same as if it

were developed/zoned single family. He noted they are willing to drop the mobile home park overlay to be guaranteed at least 118 units.

Councilor Roberts stated he felt it would be the obligation of the applicant to present a site plan that is appropriate, aesthetic and they could lose their 118 unit density if a satisfactory site plan is not approved by the Planning Commission.

Ms. Brent stated they understood and agreed and would be starting "from scratch" so to speak, with regard to presenting a site plan, landscaping, and would be coming in with another rezone application presentation.

Councilor Baxter moved that the rezone contract extension be denied but to approve the removal of the mobile home park overlay, establishing a minimum guaranteed density of 118 for up to nine months from 8/28/89, on the condition that any development will be subject to a binding site plan hereafter approved or rezone to be hereafter approved. After nine months, it would revert to RR 7200 if there has been no approval to RMM. Councilor Weiser seconded and the motion passed unanimously.

4. Village Motor Inn Parking Requirement.

(Councilor Roberts stepped down.)

City Planner Corcoran explained that the applicant's on-site parking was deficient and City Council had requested that he provide information as to what was researched in the way of parking alternatives. He stated that the applicant has met with CT & DOT.

Ray Thorsen, 4432 Meridian, Marysville, addressed the Council and stated he has owned the Village Restaurant for 13 years and would like to open a 45 unit motel adjacent to the restaurant. The total parking requirement would then be 95 spaces, with only 82 being able to fit into the space available after the motel is completed, he explained. He presented a plan whereby 18 additional on-site parking places could be provided:

- Village Inc. would assist in developing the CT park and ride lot on Ash
- Village Inc. would provide beautification in the vicinity
- With vacation of Ash between 2nd & 3rd on-site parking could be provided
- Village Inc. would contribute \$10,000 toward the park and ride lot
- Village Inc. would maintain the park and ride lot on a weekly basis which will provide mutual benefit as well as a good gateway appearance for Marysville.

Councilor Lashua asked about the vacation of Ash and Mr. Thorsen stated that it would be partly for CT, partly for the Village and this has been discussed with a representative of DOT.

There was discussion as to the ownership of the property and City Planner Corcoran stated that everything west of the right of way fence is state highway. Councilor Baxter said that as he understands it, the State wasn't sure how long a park and ride lot could stay in that location. There was discussion about negotiating with the State and how long the process is.

Mr. Thorsen explained that all the parking on Ash would be available during the day probably for CT and it would be used by the motel and/or restaurant at other times. There was further discussion about how much property the State owns and whether parking is angle or parallel on the surrounding streets.

Charles Presrud of Community Transit then addressed the Council, stated that they had spoken with the proponents and feel there are real advantages for Community Transit and DOT to look into the plan further. He said what is in question is the use of the State right of way and so approval would have to be contingent on use of the right of way. He said they would recommend a turnaround for C.T. but no bus service on 2nd.

Councilor Hots asked how difficult it will be to obtain approval for use of the right of way and Mr. Presrud responded that there has been an agreement in principal with regard to the vacation of Ash and the State does seem willing to go along with the plan but there could be any number of delays when you are dealing with a State agency.

There was discussion regarding use of the parking by two different clienteles and City Attorney Allendoerfer stated that can be allowed if the two uses have different peak hours. Mr. Presrud stated that a case could be made for two different peak hours.

Councilor Lashua pointed out that there could be a conflict with motel patrons and CT patrons and Mr. Presrud agreed, stating it's possible for the two patrons to be the same, i.e. both a motel and a bus patron. He added that there is a tremendous need for park and ride lots and this is an excellent opportunity for CT to obtain a lot under favorable terms.

Councilor Lashua moved to allow Ray Thorsen to file a petition for vacation of Ash with a resolution to be adopted at the 9/5/89 City Council meeting setting a public hearing date for the vacation; an ordinance to be passed 9/25/89. Councilor Baxter seconded.

Councilor Lashua noted that Mr. Thorsen's plan is approved in principal but he should bring in an appraisal of Ash Street for Council to consider and as long as he has a grading permit, it is OK for him to start construction on the motel.

The motion was passed unanimously.

5. Planning Commission Recommendation - Gene Robertson Rezone.

Councilor Weiser disclosed that he is a friend of Gene Robertson's but has not discussed this rezone with him and does not feel as though he has made any prejudgement. There were no challenges.

City Planner Corcoran reported that the Planning Commission recommended approval of this rezone from RR 7200 to RMM with a binding site plan, to allow construction of a four-plex, west of the intersection of 47th Av. NE & 73rd St. NE. The property/zoning would support 18 du/ac however the applicant is only requesting 15.7 du/acre and there are a number of fourplexes and sixplexes in the vicinity, he noted and the area is in transition.

Councilor Roberts asked if the applicant was asked for parks mitigation and City Planner Corcoran conceded that was a good question however the subject property is not in the immediate area of any parks although it is possible that the project will have effect on parks to a certain degree.

Councilor Roberts stated he felt single family and multifamily should be asked to mitigate on a consistent basis and City Planner Corcoran pointed out that a precedent has been set for \$200/lot.

City Attorney Allendoerfer reminded Council that there is no ordinance as yet; that an ordinance can be drafted as long as it is tied to a need that requires mitigation, in conjunction with statistics from Jim Ballew; it can't look like a tax, he stated. He added that park donations have been received in the past but there is no parks dedication ordinance.

Councilor Roberts said he realized it's a voluntary contribution

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but that he would like to know if it is being consistently asked of all applicants, because he had not seen any reference to this in the Planning Commission minutes.

There was further discussion about the need for mitigation, the need for an ordinance first, whether a negative answer from the applicant regarding a voluntary contribution would prejudice the Council's decision and Councilor Roberts concluded that perhaps the Parks Dept. should be given a directive to work on the ordinance.

City Attorney Allendoerfer pointed out that a lot of donations have been received in cash and land on a voluntary basis, without an ordinance but Councilor Roberts argued that the donations are traded for bonuses in density or other concessions to the applicant and he said he would like to see something on the books as far as a fee; we need to charge a fee for those that can't give up property.

Councilor Cundiff moved that the rezone be approved from RR 7200 to RMM with the hopes that Mr. Robertson will make a donation. Councilor Baxter seconded and the motion passed unanimously.

Mayor Matheny asked the City Attorney to look into drawing up an ordinance in conjunction with Jim Ballew.

6. Utility Variance - Crystal Tree Village.

Public Works Director Zabell stated the applicant wishes to put in another 144 units in the mobile home park and is asking for a utility variance however they do not meet criteria. Councilor Baxter noted that this request has been denied before.

Bob Lawler, owner of Crystal Tree Village, handed out plans and maps to the Councilmembers and there was discussion regarding LID #10, recovery contracts, etc.

Mr. Lawler stated they were in another LID before they came into LID #10. He said it has now come to their attention that Mr. Olson and the City of Marysville had a utility agreement and Mr. Olson stubbed out branches for water and sewer as per the commitment; there was no LID at the time, Mr. Lawler stated. He added that the original plan was for over 300 units on 40 acres; 11/5/71 is the date of the agreement for 40 acres and they are asking for water and sewer and that was the agreement with Sun Dial Estates and the City of Marysville, he said.

Councilor Roberts stated he didn't see how many units are to be served by the City in the plan.

Mr. Lawler explained that the original drawing that Mr. Olson prepared was for 350 units and there was no unit limitation put on it; the original intent was for 350 units on the drawings and the City of Marysville has only supplied water to 22 acres so far.

There was discussion regarding the legal description for the full 40 acres, with the proponent submitting that the lack of mention of the number of units would mean "unlimited", discussion about recovery contracts, Councilor Roberts contending that the lack of mention of number of units does not define service; RUSA boundaries, failing wells, health emergencies, criteria under which water and sewer is granted, commitment to Sun Dial Estates, allowable flow for sewer.

City Attorney Allendoerfer stated that between 1985 & 1986, ULID #10 superseded the flow limits set forth and now he is presenting an additional 18 acres for which he would like to buy into sewer service. Mr. Lawler stated that he would like to buy water and sewer service which is morally obligated by the City.

Councilor Hots moved for postponement for more information until

9/25/89. Councilor Schank seconded and there was more discussion regarding the age of the problem, the total acreage, Mr. Lawler having a purchase option on the property, time frame on the RUSA boundary decision and the need for the whole matter to be researched more. The motion passed unanimously.

NEW BUSINESS:

1. Reimbursement for Oversizing the Water Main for Meadowvale.

Public Works Director Zabell referred to the packets and explained this is to tie in to a previous extension and the cost difference would be \$7,057.06.

Councilor Baxter moved and Councilor Schank seconded that the City pay the oversizing costs of \$7,057.06. Passed unanimously.

2. Amend Lot Coverage Ratio Within Mobile Home Parks.

City Planner Corcoran stated that the City has been requested to allow a greater lot coverage than is presently provided by code. The Planning Commission did recommend approval of an ordinance with the definition of lot coverage as per the draft ordinance handed out by the city attorney this evening, he said, where patios, decks, sidewalks would be excluded from the calculation as long as they are part of the landscaping that addresses the aesthetics and eliminates a solid concrete appearance. He said a lot of discussion at the Planning Commission meeting centered around impervious surfaces, 10% vs. 20% open space requirement and he referenced the document in the packets entitled "Regulating Manufactured Housing" which he noted the Planning Commission also had access to in their meeting.

Councilor Roberts asked if this amendment was specifically for Mr. Fraser and City Planner Corcoran said that they tried to treat the request as objectively as possible.

Councilor Roberts said he agreed the ordinance may be out of date but if you are going to change the lot coverage section, he felt the whole ordinance should be looked at.

Councilor Weiser asked how the 45% lot coverage was developed or what criteria it was based on and City Attorney Allendoerfer said it was drawn up in 1982, based on a publication from the State of Washington wherein they indicated lot coverage from 30 to 50% with the provision that more could be granted with adequate open space being provided elsewhere and he noted that the Planning Commission has recommended 60% lot coverage be allowed.

Councilor Weiser questioned whether the change in lot coverage was based on any findings of fact and City Planner Corcoran said yes, in 1982 impervious surfaces had not been calculated and that's a more measurable and easier way to administer the code.

Councilor Roberts asked about requiring a site plan and City Planner Corcoran stated that siting mobile homes is difficult because they vary in size.

Councilor Baxter asked if anyone checked a mobile home park with 60% lot coverage and City Planner Corcoran said it is his understanding that there have been no mobile home parks built under the present ordinance.

Councilor Baxter said he believed the one on 80th was built under it and Councilor Roberts said he believed there are some in Everett with 60% lot coverage. City Planner Corcoran stated the Planning Commission recommendation is based on Everett's code.

Councilor Lashua noted that a lot of people move into mobile home parks in order to escape the maintenance and yard work and he felt there may be merit to the change to 60% lot coverage.

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Bernie Sigler, 626 128th St. SE, Everett, addressed the Council, stating that the mobile home park code was adopted by Council and in implementing it, they have realized that carport awnings, for example, were not included/addressed in the 45% lot coverage. He stated that Cedarcrest Vista was modeled after Fairway Estates in Everett and the same dimensions were used for standard of the industry 28' mobile homes, but the lot coverage in Everett is 60%. He agreed that people are not interested in more lawn to mow and they feel that these types of developments provide a stop gap for an area left out of the Marysville code. He referred to the same "Regulating Manufactured Housing" document in the packets and said he found it interesting that 13 out of 20 jurisdictions did not even have a lot coverage minimum or maximum requirement and of the 7 that did, the lot coverage was anywhere from 40 to 70%, so it is a pretty broad range.

Councilor Roberts expressed his concern again about the focus being placed on this section of the code and Mr. Sigler stated that he has provided adequate space for each lot but the code does not specify what is included in the 45%.

Councilor Roberts said he understood Mr. Sigler would be revising his site plan to meet the 45% requirement. He said he remembered a lot of neighborhood opposition and now it looks like the City is changing the ordinance specifically for this development.

Mr. Sigler explained that they had left the City Council meeting in good faith, confident that they could meet code and Councilor Schank asked if a minimum square footage per lot wasn't approved. Mr. Sigler said no, it was a maximum coverage per acre that was approved and if only 45% lot coverage is allowed, to include the mobile home, carport, awnings, patios, etc., that will reduce the number of lots to 66 which works out to 4.43 units per acre which is less than RR 7200 density! He concluded that it looks like nobody has tested out the numbers of the 45% requirement, example for carport awnings.

There was discussion regarding what is considered "fixed" and therefore would have to be included in the lot coverage calculation, hard surfaces vs. roof coverage and Councilor Roberts again questioned the intent/motivation of tonight's request to increase allowable lot coverage.

City Attorney Allendoerfer noted that Ordinance #1696 was passed approving Mr. Sigler's project under a binding site plan to be brought back with pedestrian walkways, 45% lot coverage to be complied with and the public believed that would happen. The public hearing tonight was advertised last week, he added.

Councilor Roberts submitted that the public may not have attached this amendment of lot coverage with Mr. Sigler's or any other specific project.

Councilor Baxter stated that one thing that was not discussed at the Council meeting was how many units would be affected and now it seems that there's a difference of 20 units and Councilor Roberts noted that he remembered making it very clear that there was a problem with lot coverage.

Bob Lawler, owner of Crystal Tree Village Mobile Home Park, stated that whenever he has run into this city code, it's just considered for the mobile home itself and that Mr. Sigler's plan would comply with the 45% lot coverage requirement.

There was a discussion about the size of mobile homes and how they have gotten larger over the years. Councilor Roberts reiterated that this is a significant change to the ordinance and that he feels the whole ordinance needs to be reviewed.

Wendell Johnson of Entrano Engineering, Everett, addressed Council

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and stated that this process has involved the most time he has ever put in on a project. What's happened, he said, is that Mr. Sigler has paid Entranco to investigate Marysville's mobile home park ordinance and what they are trying to say is that the code does not work as far as the lot coverage goes--the rest of the code works. Fairway Estates is a nice park as are several others in the area--they are about 60% lot coverage, he noted, but 45% is impossible unless you go with single wides or single family dwellings. He said the public saw 86 units, reduced from 88 units and they are not changing the number of units here at all.

Councilor Schank asked if the present ordinance includes driveways, canopies, in lot coverage and City Attorney Allendoerfer stated no, just structures, including accessory buildings, canopies, extensions of the mobile home.

Councilor Schank stated that Fairway Estates is a very nice park, neat, clean, and he felt some of them would probably exceed 60% lot coverage.

Councilor Roberts said he doesn't have a major problem with 60% but Everett has a different ordinance and that he felt the entire Marysville code should be reviewed.

Councilor Hots stated he agreed with Councilor Baxter--that people thought there were going to be 86 units and there has been no change in that.

Mr. Sigler stated that they have been working on this for a year now and he would be very disappointed if Council postpones this matter again while the mobile home park code is being reviewed. He added that it is a needed facility and he asked that Council approve the change at this time. He restated that this is the only area of the code that they have a problem with.

Councilor Baxter asked if all the mobile homes/manufactured houses will be 28' wide and Mr. Sigler said yes, with a lot frontage of 55'.

There was more discussion regarding calculation of lot coverage, review of the whole ordinance vs. this section of the ordinance, setting precedents.

Councilor Cundiff moved to approve the lot coverage amendment, as per the Planning Commission recommendation of 60%. Councilor Schank seconded and a roll call vote was called for:

Councilor Cundiff - in favor
 Councilor Lashua - in favor
 Councilor Hots - in favor
 Councilor Roberts - against
 Councilor Baxter - in favor
 Councilor Weiser - against
 Councilor Schank - in favor

The motion passed 5-2 in favor and Ordinance #1713 was adopted.

Councilor Schank then moved to adopt Ordinance #1714 regarding annexation and rezone of the Fraser property. Councilor Hots seconded and the motion passed with Councilors Weiser and Roberts opposing.

Councilor Baxter said that he would like to see the Planning Commission review the whole mobile home park ordinance and it was the consensus that they should be directed to do so.

Councilor Roberts said he felt the PRD ordinance should have priority.

3. City/Chamber Contract for Tourism/Visitors Information Services.

Tom Lamoureux, Executive Director of the Greater Marysville Chamber

of Commerce addressed Council and introduced two board members-- Gene Luppold and Thomas Grady. He stated that the Board of Directors of the Chamber has asked him to take a look at entering into a professional services relationship with the City with regard to tourism promotion, management services, marketing services, coordination of tourism events, providing brochures and relocation packets. He talked about the need for good information/brochures to hand out to the public and noted that the Pacific Northwest is being touted as being the number one place to live and the Chamber of Commerce is receiving a lot of requests and expressed interest in this area.

Councilor Cundiff asked about the legality of a contract such as this where a City pays the Chamber and City Attorney Allendoerfer stated that there is no problem with the contract with the exception of "hosting dignitaries" but promoting tourism and visitor information is OK.

Councilor Weiser asked about the coalition of chambers that is being talked about and Mr. Lamoureux stated that the Smokey Point Chamber requested a possible consolidation and a task force was formed to look into the possibility of Stanwood, Arlington, Lake Stevens, Smokey Point and Marysville joining forces but nothing concrete has been done as yet.

Mayor Matheny asked about other cities that enter into contracts such as this with their chambers and Mr. Lamoureux indicated that it is quite common for larger cities to do this but he did not check with any cities that are smaller than Marysville.

There was discussion and it was the consensus that there is a definite need for a handout-type brochure to be printed as soon as possible. City Attorney Allendoerfer also asked if it was reasonable to make the contract a one year contract versus two and Mr. Lamoureux said yes, they are flexible and noted that the contract consisted of \$10,800 for management services and \$7,200 for promotional services per year.

There was discussion regarding the need to wait until the new budget has been reviewed but City Administrator Garner pointed out the need of a brochure right now as the Chamber has none left in stock. He volunteered to check with Phil as to available funds and there was discussion about the cost for a reprint of "Enjoying Life at it's Best."

It was the consensus that Mr. Lamoureux/Garner would present more information in two weeks regarding printing costs and available funds. There was more discussion regarding the budget process.

LEGAL MATTERS/ORDINANCES & RESOLUTIONS:

1. Correction to Resolution #1375 setting a public hearing 9/5/89 for Vacation of 10th St.

City Attorney Allendoerfer explained that 20 days advance notice must be given and the public hearing needs to be set for 10/2/89 at 8 p.m.

Councilor Lashua moved and Councilor Hots seconded that the public hearing be set for 10/2/89 at 8 p.m. Passed. Councilor Roberts did not vote.

2. Ordinance Requiring Utility Approvals Prior to Recording Final Plats.

After a short discussion regarding bonding, Councilor Lashua moved and Councilor Baxter seconded that Ordinance #1715 be adopted. Passed unanimously.

3. Ordinance Amending Uniform Controlled Substances Act.

City Attorney Allendoerfer explained that this corrects a typo in

the section regarding drug paraphernalia in the RCW number.

Councilor Cundiff moved and Councilor Hots seconded that Ordinance #1716 be adopted. Passed unanimously.

4. Ordinance Requiring Business Licenses for Nonresident Contractors who do work within the City.

City Attorney Allendoerfer explained that a question was raised about out of town contractors and this now requires out of town contractors who work within Marysville to be licensed.

There was brief discussion regarding tow truck operators, the Green River Ordinance and "squatters" in the mall.

Councilor Lashua moved and Councilor Cundiff seconded that Ordinance #1717 be adopted. Passed unanimously.

5. Ordinance Requiring Chain Stores to only buy one Business License.

City Attorney Allendoerfer explained that this is for chain stores that have more than one outlet in Marysville, such as Dairy Queen.

Councilor Hots moved and Councilor Schank seconded that Ordinance #1718 be adopted. Passed unanimously.

6. Ordinance Increasing Plumbing Fees.

City Planner Corcoran explained that the current fee does not even come close to paying for the inspections and other manpower needs.

7. Ordinance Relating to the Time Limit for Retention of Property by Pawnbrokers.

Councilor Hots moved and Councilor Schank seconded to adopt Ordinance #1720. Passed unanimously.

8. Ordinance Increasing Planning Dept. Budget by \$15,000.

After much discussion about the storm drainage fee tax fund, budget overages, mid year updates, it was decided to postpone making a decision on the Parks Dept. budget increase but approve the Planning Dept. request for \$15,000.

Councilor Cundiff moved and Councilor Hots seconded that Ordinance #1721 be adopted increasing the Planning Dept. Budget (professional services) by \$15,000. Passed unanimously.

9. Ordinance Increasing Parks Dept. Budget by \$40,000.

After more discussion regarding the General Fund, the Parks Dept. budget vs. the Street Dept., asking Dave Zabell to make a presentation at the next meeting regarding money coming out of the Street Dept., the Growth Management Fund, the Parks Dept. building having to go to bid, Councilor Schank moved to postpone the decision on this for two weeks and Councilor Roberts seconded. The motion passed unanimously.

10. Three assignments of easements back to PUD & GTE - Bert Rainier had inadvertently assigned to the City.

City Attorney Allendoerfer explained that the 7' easements had been inadvertently assigned to the City and they should be utility easements.

Councilor Weiser moved and Councilor Cundiff seconded that the Mayor be authorized to sign the assignments as stated. Passed.

11. Call Collect Only Jail/Inmate Phone - 2 yr. contract w/AIPS.

City Attorney Allendoerfer explained that the contract would allow a 10% rebate to the City from all calls made and the county also has a similar contract w/AIPS.

Councilor Lashua moved and Councilor Schank seconded that the Mayor be authorized to sign the two year contract. Passed unanimously.

12. Lawsuit against Mann & Mills regarding nonpayment of Garbage Bill for \$62.00.

City Attorney Allendoerfer explained that the bill has been outstanding since 1/89, that they have been sent two letters with no reply.

Councilor Cundiff moved and Councilor Lashua seconded that the Mayor be authorized to sign the lawsuit. Passed unanimously.

CALL ON COUNCILMEMBERS:

Councilor Cundiff explained that he and his wife have finally been able to arrange an extended vacation around the U.S.A. and requested a 10 weeks leave of absence from Council meetings until 12/18/89.

Councilor Hots moved and Councilor Baxter seconded that the leave of absence be granted. Passed unanimously.

Councilor Lashua asked about the status of the 5th St. R/R crossing and City Attorney Allendoerfer said he is still looking into the rider and original paperwork on the project.

Councilor Lashua gave a report on the recent PSCOG meeting he and the Mayor attended and noted that they have changed to a slightly different format, called the Puget Sound Regional Council which will be focusing mainly on traffic problems.

Councilor Baxter commented on the nice article in the Globe on Jim Allendoerfer and his statement regarding Marysville's water supply.

Councilor Weiser expressed a concern about parking on Columbia in the rear of the Post Office and/or Citizens/Frontier Bank. There was discussion about congestion in the post office parking lots.

Councilor Schank said he had seen a notice posted regarding a liquor license that had been applied for at 67th & 76th and there was a discussion of who has applied. He said he also noticed that the Board of Adjustment did not have enough for a quorum at their last meeting, that Art Paulsen has resigned due to poor health. He commented on the letter from Greg Williams and said there was going to be a meeting Wednesday regarding a reply to PUD.

City Planner Corcoran presented a draft of the Public Opinion Poll for the Comprehensive Plan Update.

Mayor Matheny appointed Councilors Lashua, Weiser and Roberts to serve on the committee to review City Administrator applications.

ADJOURNMENT: 12:00 a.m.

Accepted this 5th day of September, 1989.

Rita Matheny
Mayor

Phillip E. Dexter
City Clerk

Manda A. Iverson
Recording Secretary