

MARYSVILLE CITY COUNCIL

06274

NOVEMBER 13, 1989

7:30 p.m.

Public Safety Center

PRESENT: Rita Matheny, Mayor (excused)  
Ken Baxter, Mayor ProTem  
Councilmembers:  
Mel Schank  
Dave Weiser  
Bill Roberts  
Larry Hots  
Bob Lashua  
Lee Cundiff (excused)  
Administrative Staff:  
John Garner, City Administrator  
Phil Dexter, Finance Director  
Jim Allendoerfer, City Attorney  
Dave Zabell, Public Works Director  
Mike Corcoran, City Planner  
Doug Ronning, Fire Chief  
Bob Dyer, Police Chief  
Gloria Hirashima, Associate Planner  
Wanda Iverson, Recording Secretary

CALL TO ORDER:

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

ROLL CALL:

Finance Director/City Clerk Dexter called the roll with all members present/absent as indicated above.

MINUTES OF THE PREVIOUS MEETING:

Councilor Lashua moved and Councilor Schank seconded that the minutes of the 11/6/89 City Council meeting be approved as written. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Mayor ProTem Baxter welcomed Venne Beauchamp and his Boy Scout Troop #80 in the audience.

Doug Frizzell, 5207 47th Av. NE, addressed the Council and explained that he has had his place up for sale and had a buyer interested but the Fire Dept. has told them they had to put in a fire hydrant 300' from the property to protect the proposed garage. He said the buyers have filed a recision now.

Fire Chief Ronning stated he was not totally familiar with the situation however fire hydrants are required every 300' in commercial zones.

Mr. Frizzell said the nearest fire hydrant right now is in the Brashler Industrial Park and they have been operating out of there all this time without a fire hydrant; it's been used as a residence but is zoned industrial.

Councilor Roberts offered that the requirement has probably now been precipitated because the use is/was to change to industrial/commercial and therefore the need to upgrade the fire hydrants.

Chief Ronning agreed that's what it appears to be from the information given this evening.

Mr. Frizzell complained that the property next door to him hasn't had to install a fire hydrant and they have a real fire hazard, in his opinion.

Councilor Lashua said his guess is that the neighbor hasn't been forced to put in a hydrant because he hasn't applied for a building permit.

Mr. Frizzell noted that this is 7-9 months into the deal and now they need to put in a fire hydrant; in addition, they only have a 2" main in there.

Mayor ProTem Baxter suggested Mr. Frizzell check with the Fire Chief and the Building Inspector further on this matter.

Maria Parrish, 4808 Grove St., addressed the Council and explained she lives next to the Library and a couple months ago her son was rear ended because he slowed down to look for an address. She represents a group that would like to undertake a project of painting addresses on the curbs along the streets of Marysville; there would be no charge for this but people could donate to United Way.

City Planner Corcoran said normally, that would be an outstanding idea but right now the City is in the process of changing a number of addresses to coincide/cooperate with the E-911 effort and there are major changes that still have to be instituted which would have to be done first.

Mayor ProTem Baxter suggested Ms. Parrish stop by City Hall and talk further with Gloria Hirashima, Associate Planner.

PRESENTATION:

CORRECTED: SEE 11-27-89  
MINUTES

Mayor ProTem Baxter presented Councilor Baxter with a beautiful plaque from the City for Councilor Baxter's six year's of service on the City Council, tonight being his last Council Meeting. Councilor Roberts expressed his appreciation for the plaque and for the experience of working with City Council.

PETITIONS & COMMUNICATIONS: None.

PUBLIC HEARINGS:

1. Variance Regarding Street Width - Crystal Terrace (continued from 11/6/89 meeting).

Public Works Director Zabell explained that at last City Council meeting, he had been instructed to come back with a compromise/alternatives and he presented a drawing prepared by Group Four showing four options. He stated the applicant wished to address Council regarding their preferred proposal, the 32' width with parking on only one side of the street.

David Nimens of Metco, 19502 56th Av. W., Lynnwood, addressed the Council and explained the four options drawn up by Group Four and said in all four alternatives, they are assuming an 8' width for parking. He said in the proposal for parking on one side with two pavement widths of 12' lanes, 11' is the standard for neighborhood collectors. He noted that emergency vehicles are presently getting through on current 8' lanes and so 12' they feel would be adequate. He said they met with staff and discussed the 36' compromise but would like City Council to consider the 32' width as they feel the trade off would justify the prohibition of parking on one side of the stree with adequate parking and traffic lane width provided.

Councilor Weiser asked if they are also doing engineering for Crystal Heights and Mr. Nimens said he was not sure.

Public Works Director Zabell noted that there are some 9½' widths of traffic lanes in Marysville, down between 1st and 4th Sts. Discussion followed regarding speed limits, advantages and disadvantages of various widths of traffic and parking lanes.

Councilor Schank noted that a 36' wide roadway already is a compromise and Councilor Hots agreed, adding that safety has to be considered. Councilor Weiser stated he has a concern about granting a variance to anything less than 38' which is City code.

Councilor Lashua stated he felt 36' would provide enough travel and parking room. There was further discussion.

Maria Parrish, 4808 Grove, addressed Council again and said she used to live up on Whiskey Ridge for 20 years and the speed limit was 35 mph and people go 50 mph. She said she suspects people will probably speed on 58th and there is a lot of ice in that area every winter and also when 528 gets congested, 58th may be used as a short cut, she noted.

Councilor Schank moved that the variance be granted for a 36' total roadway width, to include 2 parking lanes and 2 traffic lanes as per the fourth drawing in the exhibit presented. Councilor Hots seconded the motion and it passed with Councilor Weiser opposing.

## 2. TIP 89-2.

City Attorney Allendoerfer explained that this is for the proposed assessment to pay for signalization at two intersections on 528: at 67th & 47th. The assessment would include every residence in Marysville on a pro rata share basis and for new houses the fee would be \$90 per peak hour trip generated at 47th & 528 and \$112 per peak hour trip generated at 67th & 528. He noted that this has been advertised in both the Globe and Herald as it will affect those outside of the City as well and the State has also been notified. The City will be participating in the amount of \$150,000 toward a total of \$270,000 traffic improvement projected to be completed by 12/93 however, that is up to the "warranting" process at 67th, he said.

There was no public input, either for or against, at this point.

Councilor Roberts clarified that this would be for development and new houses on existing lots as well as anyone applying for a building permit. He asked if it would apply to plats previously approved, within the benefit area and City Attorney Allendoerfer said it would be retroactive to about 8-9 plats.

Councilor Roberts confirmed that it would also apply to previously approved short plats and explained he just wanted to make sure everyone is aware of the effect of the TIP.

City Attorney Allendoerfer added that there are some plats that haven't been built on yet and it would be assessed on them, even if they haven't been notified; any "development" approval will be assessed that will result in new traffic, even a parking lot if it would generate new traffic.

Councilor Roberts said with short plats that escape Title 26B in the county, he would suggest the City signing an interlocal agreement with the County. City Attorney Allendoerfer agreed that would be the best way to handle it. Councilor Roberts asked what type of collection the City would have with the County and City Attorney Allendoerfer said we could put a clause in if a hearing examiner is involved but other than that, we have no way of enforcing the fee and will have to talk to the county about collection of fees.

Public Works Director Zabell further explained that he had calculated that if a 10 lot subdivision used 47th & 528 for all peak hour trips, there would be a one time charge of \$720; \$896 for 67th & 528 for the same example subdivision. He noted that there would be no difference between charging commercial and residential property; it's based on peak hour traffic. Discussion followed regarding how figures were developed, traffic studies, how a lot of times it's cheaper for the developer to pay the fee than have another traffic study done.

Venne Beauchamp, 4821 Quilceda, addressed the Council and asked how it is determined if a project is being built in the north of town how much they would use 47th & 528, for example.

Councilor Roberts explained there have been trip analyses done by engineers and it's based on how far you are from the intersection, also.

Mr. Beauchamp said he felt the calculation should be kept "simple" and not spread over the whole town.

Councilor Lashua asked if a major development in the north end would affect the two intersections in question and Public Works Director Zabell explained that the calculation is based on the number of peak trips and distribution in accordance with a model and the probability is that the further away from the intersection, the less of a fee that would be charged.

Mayor ProTem Baxter also pointed out there is an appeal method allowed for in the TIP 89-2 ordinance wording.

Councilor Roberts moved that Ordinance #1735 for TIP 89-2 be approved and Councilor Weiser seconded. Passed unanimously.

### 3. Preliminary Plat of Kellogg Meadows Division III.

City Planner Corcoran reviewed the circumstances regarding advertisement, easements requested, history, location and recommended approval with conditions:

1. The applicant will agree to participate, on a proportionate share basis, for the development's traffic impacts at SR 528/47th Av. NE & SR 528/67th Av. NE and the I-5/4th St. ramps. (Funding formulas will be completed by the City and made available to the applicant.)
2. A drainage plan must be reviewed and approved by the Dept. of Public Works prior to site development.
3. All building foundation and footings shall be designed to prevent structural damage due to the high shrink-swell potential of the soils on the subject property and approved by a registered civil engineer.
4. The applicant will agree to participate on a proportionate share basis, for the development's impacts to the City's Park and Recreation system. Mitigation fee offers which have been accepted by the City prior to the funding levels being established are \$200.00/lot.
5. The 10 foot utility easement extending along the north line of the subdivision shall be widened to 20 feet to allow access for maintenance equipment.

It was explained that an underground easement as well as a 7' power easement is included in the request.

Councilor Roberts noted that these should be granted as a standard for all subdivisions that come through and City Attorney Allendoerfer agreed and noted that the code needs to be changed. Discussion followed about easement between Lots 101, 102, 103 and about Tract E being included in the site development.

Ian Millikan, 1059D State, Attorney for the Tudors, addressed the Council and noted that Council appears to be leaning in the direction of approval, that the Tudors are hoping that is the case and are in favor of staff recommendations 1 through 5. Their only objection, he said, is that under #5 the widening of the utility easement should only be from 10' to 15' not 10' to 20'.

Councilor Roberts agreed, noting that the Planning Commission had recommended 15'. Public Works Director Zabell concurred, stating

that 15' was also his recommendation.

Councilor Roberts asked about Lot 101 lot size, noting that with a 20' easement plus a 10' setback, that could restrict the size of the structure and Public Works Director Zabell agreed, stating the building width is restricted to 55'. Councilor Roberts asked if the easement can be included in the lot size and Public Works Director Zabell said yes.

Donna Musgrove, 7124 65th Av. NE, addressed Council and stated she is a current homeowner in Kellogg Meadows and is having problems with drainage, sidewalks, etc. and said they don't feel the Tudors should be allowed to develop any more.

As far as the sidewalk repair, Public Works Director Zabell noted Division II is still under maintenance bond but Division I is not.

Councilor Hots asked about the drainage problem in Division II and Public Works Director Zabell said the bond will take care of that also. He added that there is a "low" spot between the two divisions caused by the grading and this can be corrected.

Ms. Musgrove said there is also a problem with water under the houses.

Public Works Director Zabell explained the City is now requiring the developer to hook up with storm drainage to alleviate that problem.

Donald Stemple, 7221 64th St. NE, addressed the Council and said there is 11" of water standing on his lot and asked who would reimburse him for water removal. He noted there is such poor drainage in that area, existing drains are blocked plus there is a lot of hard pan. He said he checked on the plans and there is only one drain and the footing drains do not alleviate the problem and he said he thinks the City needs to look into that.

Discussion followed regarding the possibility of plugged catch basins, positive drains for foundations and down spouts, Public Works Dept. to approve plans prior to building, cooperation of all concerned in order to solve the drainage problems.

Councilor Roberts stated he feels that grading is critical and that a comprehensive neighborhood drainage plan should be submitted for site approval to help prevent low areas, the plan to be used by the building inspector. City Planner Corcoran agreed, stating this an excellent idea.

John Floy, 7230 65th St. NE, addressed Council and stated he also has a water problem and that he does not understand how permits were issued knowing that whole development is sitting on clay.

Councilor Roberts said he recommended that the zoning ordinance be changed to include underground easements so each plat doesn't have to come in with a variance request for the easement. He noted this is the only municipality he knows of that doesn't do that.

Councilor Roberts moved that the Preliminary Plat of Kellogg Meadows Division III be approved with two changes: add to #2--requirement of a comprehensive neighborhood drainage plan and change 20' in staff recommendation #5 to 15' for the utility easement.

There was more discussion regarding bonding, repairs and enforcement, liability for defective sidewalks, abutting property owners versus City, Division I problems.

An unidentified man, who gave his address as 7206 65th St. NE, addressed Council from the audience, stating that the sidewalks (in Division I) were cracked when he moved in and he has a problem with up to 2½' of water on his property and he can't sell now. He said he has spent a fortune on getting the water out and putting

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in top soil so plants can grow; that he moved here to live in his retirement and that the City should not have allowed any building on clay. He noted that he can see nothing but more problems with a new division coming in and in Seattle where he worked in construction, they never would have approved this type of construction. He said there was supposed to be a French drain put in there but he doesn't know where it is; all the houses out there have 3' of water under them and there's no place for the water to go. He said he didn't know whose responsibility the whole thing is and wondered what happened to the original soil samples that would have shown that the soil does not drain well.

Councilor Roberts noted that that was not a requirement of the other two divisions, unfortunately, but is a requirement of Div. III now, to provide soil samples.

The unidentified man said he would sell his house if he could at this point. Public Works Director Zabell stated all the people in the audience (he thought) are from Division I. He added that he understood Burl Tudor has put some plastic pipe in for drainage and there's a 30" diameter storm drainage pipe along the road as well, now.

City Attorney Allendoerfer noted that this is really an issue between the residents and the builders and Mr. Millikan suggested that perhaps Mr. Tudor could talk with the residents on a private basis, after tonight's hearing.

The unidentified man (very angry at this point) said the builders came in from Alaska, went bankrupt and then flew the coop. This precipitated a very angry, disjointed discussion in the audience.

Councilor Schank asked if these would be FHA and conventional loans and Mr. Millikan said yes.

The unidentified man asked how a person applies against the bond in Division II to get sidewalks fixed and City Attorney Allendoerfer suggested he talk with Public Works Director Zabell. Councilor Hots asked about the bond term on Division III and City Attorney Allendoerfer said the code state one year from the date the City accepts the streets and sidewalks. There was more discussion about the cracked sidewalks, repairing, bonds, etc.

Councilor Roberts moved to approve Division III of Kellogg Meadows with the two changes/additions to staff conditions, after apologizing that City Council is not the legal body responsible for Divisions I and II. To be added to #2 as part of the motion, is the condition that the applicant submit a comprehensive neighborhood drainage plan and the applicant would have to demonstrate positive lot drainage prior to any site development. Also, to change the width of the easement under #5 to 15'. He added that Tract E would be incorporated in with Lot 32 of Division II.

As part of the motion, City Planner Corcoran suggested adding #6 - positive drain system as a contingency to site application and #7 - recommendation of a \$200/lot donation for parks mitigation.

Councilor Schank seconded the motion and it passed unanimously.

Councilor Hots suggested that Public Works Director Zabell assess damages to Division I and II and Public Works Director Zabell stated they have that under control.

4. Flood Hazard Variances:
  - A. Allen Creek Associates.
  - B. Debra Feely & Doug Frizzell.
  - C. James Seaver.
  - D. All Points Marine, Inc.

Councilors Roberts and Lashua stated that they had a conflict of

interest with "A. Allen Creek Associates" but it was noted there would not be a quorum if both stepped down and Mayor ProTem Baxter asked if there were any objections from the audience with the two Councilors remaining. There were no objections.

City Planner Corcoran explained that the four variance requests are in the 100 year floodplain and if granted, would jeopardize the City's status in the National Flood Insurance Program. He noted that FEMA requires filling to 10' above sea level and dry floodproofing (see packets). Allen Creek Associates is asking for a variance of 5' because they have had their property surveyed and find their elevation is 4' at this time and have also given reasons of incompatibility and cost for the variance request, he said.

Councilor Roberts noted that he is having a hard time with understanding what FEMA is insuring if they are requiring people to build up to 10'.

City Attorney Allendoerfer explained FEMA is requiring 6' of fill and/or building a building that is dry floodproofed. He noted the City code could be amended to allow wet floodproofing, i.e. a building that allows flood waters to flow through it without damaging contents or building and the fourth option would be a variance with the understanding there would be no new building below flood level however this would be risking the entire City's flood insurance program, he explained, and FEMA recommends variances only for hardship cases and/or wet floodproofing. He noted they gave an example of a use that could endure wet floodproofing as an airplane hanger, otherwise FEMA would consider a variance as a "reckless" move on the part of the City. He noted that Mr. Mulligan has asked for an indefinite continuance so that he might pursue another option at a later time.

Jim Mulligan, 7992 56th Dr. NE, representing Allen Creek Associates, addressed the Council and stated they want to build a 20,000 sq.ft. warehouse building in Brashler Industrial Park next to existing buildings that are not built in accordance to the FEMA standards but he explained that if they built their warehouse up 5', it would endanger existing buildings. He also noted that FEMA's example of an airplane hanger was a poor example for Brashler Industrial Park, without the necessary accompanying runway. He said he feels FEMA is "blackmailing" the City by not continuing the insurance if the variance is issued. He noted it is a Catch 22 situation with the cost of dry floodproofing so they would like the variance request continued.

Doug Frizzell, 5207 47th Av. NE, addressed the Council and said the 100 year flood plain has been in existence for many years but have never really had a flood down there, there is a good dyking system and flood gate system and existing buildings have never been affected, he said. He added that a 7' level would be a satisfactory compromise rather than the 10' level FEMA is recommending. He noted if one building goes up higher, then the rest of the buildings will experience problems with drain water. He said if the dyke breaks, even buildings at 10' would be flooded anyway but he has been in there 22 years with no problems. Dry floodproofing would defeat any efforts to maintain a competitive rent/cost for the buildings and FEMA is not doing anyone any favors, he said. He added that he would be willing to wait or to compromise with an elevation of 7' because that would be more compatible with the other existing buildings.

Bill Angleshaug, D.A. Duryee, addressed the Council and said he specializes in commercial property and has done a study of the Brashler Industrial Park. He said as far as the FEMA requirements, this would not be cost effective at all for development and said he would like to work with the City Planner, City Attorney and the land owners in developing an argument to present FEMA at this point. He added that he has spoken with a gentleman at FEMA and would like to explore more options. He noted that Mr. Frizzell made a good point with regard to even bothering to build up the

area at all because if the dyking failed, flooding would devastate the buildings even if they were up to the level required by FEMA. He said he would also like to hear FEMA's opinion as far as a certifiable dyke that would cause that area to be taken out of the flood plain. He added that he thinks it important that something be done in terms of holding this industrial property.

Jim Seavers (another one of the applicants) also said he wished to wait and see what could be done.

Councilor Schank moved to delay the decision and do more research as per Mr. Angleshaug's plan.

Councilor Lashua asked if a court decision could override FEMA and City Attorney Allendoerfer said he didn't think so and they would suspend the City's insurance for a one year probationary period. He said the variance will not help because flood insurance premiums will go up to about \$10,000 an addition to owning unmortgagable property. Councilor Lashua asked about the size of lot next to Mulligan's and Mr. Mulligan said it is 53,000 sq.ft. Councilor Lashua seconded Councilor Schank's motion and it passed unanimously.

City Attorney Allendoerfer asked for approval of an Ordinance including FEMA's definition of "lowest floor". Councilor Schank moved that Ordinance #1736 be accepted/approved and Councilor Hots seconded. The motion passed unanimously.

CONSENT AGENDA:

1. 11/13/89 Claims in the amount of \$295,193.61.
2. Reimbursement for Oversizing the Water Main for Cedarcrest South in the amount of \$3,082.27.
3. Reimbursement for Oversizing the Water Main for Verde Valley Estates in the amount of \$2,089.33.

Councilor Schank moved that Items 1, 2 and 3 be approved. Councilor Hots seconded and the motion passed unanimously.

REVIEW OF BIDS:

1. ULID #12.

Public Works Director Zabell explained 7 bids were received for the sewer at 80th & 67th, ranging from \$277,303 to \$434,989. The low bidder was All Seasons Construction of Redmond who is also the transition school contractor at this time.

Councilor Schank moved that All Seasons be awarded the bid. Councilor Hots seconded and the motion passed unanimously.

2. Forklift.

After reviewing the information in the packets, Councilor Weiser moved to reject all bids as per staff recommendation, to be sent out for rebid. Councilor Schank seconded and discussion followed regarding changing specs, new vs. used equipment estimates, reducing specs, obtaining a signature on the low bid which was submitted unsigned, warranty period of one year desirable, the possibility of buying a reconditioned forklift, noting that the City's need is for a very rare piece of equipment, the reasons for having a pneumatic forklift. The motion passed unanimously.

CURRENT BUSINESS:

1. Jones/Belmark Annexation.

(Councilor Roberts stepped down.)

City Planner Corcoran referred to the packets and noted that the property is located north of 88th, west of 67th and east of the Plat of Oakwood Estates. He said the annexation would be to square off City boundaries and is inside RUSA.



City Attorney Allendoerfer asked about the development potential and City Planner Corcoran stated there are a few houses (single family) existing on large parcels and that the area will probably be redeveloped.

Discussion followed regarding creation of an island, the right of way along 88th already being in the City, present use of the property, location of the new school, access, easements, ULID 12 easement, the fact that there is greater than 60% sufficiency of petition.

Nancy Emory, 6323 88th St. NE, addressed the Council and stated they would be in the proposed annexation which they oppose because of the problem the City has with services at this time. She said Jim Jones built a home and a garage and then sold it and has been harrasing everyone to annex. She said the Biringer development has already devastated the area and they are not in favor of this annexation.

George Wilcox, 1522 3rd St. (business address) addressed Council and noted that the property within the proposed annexation is 12,500 zoning at present and said if the City wants to square off boundaries, they should also include Emerald Estates.

There was a brief discussion regarding contiguous properties.

Tom Powroznik, 4091 Rhodora Hts., Lake Stevens, representing Belmark, addressed Council and stated Belmark represents property owners who wish to be annexed and agreed that the area which doesn't want to be annexed would be left an island. There followed discussion regarding schools, Boundary Review Board thinking regarding annexations.

Councilor Lashua moved to establish boundaries as indicated on the map in yellow (Lots 1-041, 1-040, 1-042, 1-005, 1-017). Councilor Hots seconded and the motion passed with Councilor Weiser opposing.

NEW BUSINESS:

**1. Budget Presentations.**

**A. Introduction.**

Finance Director Dexter gave an introduction presentation and demonstrated by way of graphs the process, capital improvements, maintenance costs, department cross over budgets, debt service, interfund transfers. He noted that the 1990 Preliminary Budget is down \$670,426 from the City's 1989 budget as amended to date. He showed some comparisons and examples of discretionary revenue and non-discretionary revenue, capital outlay, personal services levels, comparison of expenditures, previous years budgets, anticipated revenues, taxes, state allocated revenues, per capita in light of population growth, a demonstration that without increased taxes the City is spending more than per capita revenue, proposed increased utility tax to 6%. He pointed out a couple minor changes to be made to Section 4 and also that a Training section has been added this year.

CORRECTED: SEE 11-27-89  
 MINUTES

**B. Municipal Court.**

Sue Jensen addressed the Council and stated they accept their budget as presented in the amount of \$181,940 which includes the lease/purchase of a computer.

Councilor Weiser noted the lease would be over five years.

**C. Police Department.**

Chief Dyer noted that the budget includes provisions for a trash compactor, surveillance cameras, wall repairs. It was noted that they requested six officers because of the growth in the City but because of schooling delays, they can only get two until 1991. He stressed the importance of the DARE program and how they want to keep the momentum going on that program.

Councilor Hots asked Chief Dyer to expand on a remark regarding Part I crimes being on the rise and Chief Dyer explained Marysville has had an increase in bank robberies, assaults, more crimes with no more staff than we had in 1983 to handle them. He added that we will not have our full compliment of custody officers until 1990 which underlines a lot of public safety issues at this point.

Mayor ProTem Baxter asked about jail services revenue and Chief Dyer explained it is very difficult to predict with federal prisoners; the average is about 3 federal prisoners in a month and he noted that they find the longer the prisoners stay the more problems come up with that respective prisoner.

There was discussion about schooling of officers, need for replacement radios, equipment, cars, prisoner jail van.

City Administrator Garner stated that two more officers will be reporting for duty on 11/22/89.

**D. Fire Department/Public Safety Building.**

Chief Ronning reported that due to growth, there has been an increase in alarms and other needs and a subsequent manpower need so three additional firefighters were requested for next year. However, due to budget restrictions, only one has been approved for 7/90. He noted that they also requested a new vehicle to replace the Torino however that request was cut. He itemized other items included in the budget: radios, breathing apparatus, cylinders, washer/dryer, smoke ejector, cellular phone, pagers and added that \$400,000 to \$450,000 is needed for a new fire truck to replace the pumper and the new type of equipment would allow fire fighting in the newer type buildings. The City also needs to look at an upcoming need of \$325,000 for land for a new fire station in order to maintain a five minute response time as outlined in the recent committee presentation to Council. He said they need at least three additional firefighters per year, more EMS services, transportation, and they are not receiving enough money from the levies to make the transportation program at all profitable.

As far as the Public Safety Facility, Chief Ronning noted this is the first year for this budget whereas in the past, three departments have shared in the costs and the 1990 Preliminary Budget includes "decor" items such as awnings, planters, in addition to a postage machine which will eliminate trips back and forth to City Hall every day. He said they had to cut the budget in the area of painting, grounds work and the bell tower.

City Administrator Garner noted that revenues will be reviewed again in the spring with a possibility of items that have been cut being put back in.

**E. Planning/Building Dept.**

City Planner Corcoran noted his budget includes a building inspector as a regular employee, defers building permit clerk position until 7/1/90, copy machine, cash register, file cabinets, computer upgrade, software. He said he has a concern that the department will be busy and with the extra revenues, would like the building permit clerk item to be funded earlier than July. The annexation

drive, survey, Iverson Communications, comprehensive plan review, mapping, community plan reviews, are included in professional services, he noted. It was asked if allowance had been made for a hearing examiner's fees and City Administrator Garner stated that has not been included as yet and it would probably fall under professional services, also.

**F. City Council.**

City Administrator Garner noted increases from \$200 to \$400/mo. for meetings, travel has decreased to an estimate of \$13,500 from \$28,440. He noted that a new mic system is being put in which is a City Council/Public Safety Building expense.

**G. Executive.**

City Administrator Garner explained that \$74,000 has been requested for a "centennial person" for Marysville through 1991. This would be a temporary position he noted and also explained the increase in the retirement system budget, part time high school student budget, etc.

**H. Legal.**

City Attorney Allendoerfer explained how his associates also worked for the City (in a sense) plus he noted witness fees have now been added into his budget (\$3,700). He said the work being done on the pipeline project has not been included in his 1990 budget, that's under a special budget.

**I. Finance.**

Finance Director Dexter stated the major additions are a City Clerk to start 7/1/90, Business License Coordinator 1/1/90, a pay grade increase from Grade VIII to XI, group health insurance, professional services (audit fees), operating supplies, a 30% increase in insurance. He noted the copier budget has been reduced and he itemized capital outlay including a FAX machine for which advantages were discussed.

With regard to the Growth Management Fund, Councilor Roberts noted that it has been accumulating out of real estate sales taxes and he said he understands the fund has about \$300,000 in it right now with another \$75,000 anticipated. He said the RCW is fairly explicit--parks and traffic can benefit from this and 80% of the public's concern is in those two areas so he said he felt City Council should consider using that fund for those needs and that this would be an ideal time to allow those funds to respond to the needs in those areas.

City Administrator Garner pointed out that funds could also be used for a new and/or remodeled City Hall in addition to borrowing street funds.

**LEGAL MATTERS/ORDINANCES & RESOLUTIONS:**

**1. Ordinance Relating to a Utility Tax on Telephone Services, Sale of Gases, and Sale of Electricity.**

City Attorney Allendoerfer explained that utility taxes would be increased to 6% as outlined by the Finance Director and City Administrator Garner stated that in order to meet the level of service referred to tonight, the budget was based on this increase.

There was discussion about property taxes vs. utility taxes in Marysville.

Councilor Schank asked if the seniors would still receive a rebate and Finance Director Dexter said yes, if they earn less than \$14,000 per year.

Councilor Hots asked how much revenue the 6% utility tax represents and Finance Director Dexter said \$137,000, however a B&O tax could be instituted instead of the increased utility tax.

Mayor ProTem Baxter said he did find it unusual that the budget committee assumed this would be passed but City Administrator Garner explained that this was covered in the Mayor's Message at the beginning of the budget.

Finance Director Dexter added there were a lot of cuts and if the \$137,000 allowance is not approved, City Council will have to come up with another \$137,000 in cuts.

Councilor Hots commented that as far as alternatives, the budget committee felt this was the best way to go, with two police officers and one firefighter.

City Attorney Allendoerfer explained the utility tax can only be increased to the maximum of 6%.

Councilor Roberts said he assumed that if the budget is adjusted downward, the tax can be adjusted downward also and City Attorney Allendoerfer responded in the affirmative.

Councilor Lashua said the approval of the preliminary budget is usually the same as the final budget and raising taxes, though not all that palatable, is a necessary thing to do.

Councilor Roberts pointed out there would be an additional seven people on staff next year.

Discussion followed and it was noted the final budget would be presented at a public hearing probably 12/4/89. Councilor Lashua stated he would like to consider this ordinance (the utility tax increase) after the rest of the Preliminary Budget has been presented. There was consensus with that opinion.

**2. Ordinance Relating to Crime of Custodial Interference.**

Councilor Lashua moved and Councilor Schank seconded to adopt Ordinance #1737. Passed unanimously.

**3. Ordinance Relating to Admissions Taxes.**

Councilor Schank moved and Councilor Weiser seconded to adopt Ordinance #1738. Passed unanimously.

**4. Resolution Relating to Snohomish to Arlington Trail Coalition.**

City Attorney Allendoerfer noted that a reference has been included concerning underground regional pipeline and right of way.

Councilor Hots moved and Councilor Weiser seconded to adopt Resolution #1389. Passed unanimously.

Councilor Lashua suggested keeping Councilor Roberts on the water committee meetings with the county, the critical water supply meetings, etc. and Mayor ProTem Baxter concurred. There was brief discussion regarding advisory capacity, Councilor Roberts to be paid as a consultant similar to Ian Millikan's serving as an interim hearing examiner.

Councilor Lashua moved to retain Bill Roberts as a consultant in continuing negotiations with Everett and PUD, on the same pay

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scale as City Council presently works. Councilor Schank seconded and the motion passed unanimously.

CALL ON COUNCILMEMBERS/STAFF:

Mayor ProTem Baxter noted that a week ago he saw trucks with full loads backing over curbs on the 64th St. construction job and asked that it be checked into. Brief discussion followed.

ADJOURNMENT INTO EXECUTIVE SESSION: 12:45 a.m. 11/14/89

1. Real Estate.
2. Litigation.

RECONVENE AND ADJOURN: approx. 1:45 a.m. 11/14/89

Accepted this 27 day of November, 1989.

Rita Matheny  
Mayor

Phillip E. Dexter  
City Clerk

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Recording Secretary