

MARYSVILLE CITY COUNCIL MINUTES

00030

MAY 7, 1990

7:30 p.m.

Council Chambers

PRESENT: Rita Matheny, Mayor  
Councilmembers:  
Ken Baxter, Mayor Pro Tem  
Dave McGee  
Dave Weiser  
Donna Pedersen  
Donna Wright  
Bob Lashua  
Lee Cundiff  
Administrative Staff:  
Carolyn Sanden, City Administrator  
Phil Dexter, Finance Director  
Bob Dyer, Marysville Police Chief  
Dave Zabell, Public Works Director  
Jim Allendoerfer, City Attorney  
Jim Ballew, Parks & Recreation Supt.  
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:

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

MINUTES OF THE PREVIOUS MEETING:

Councilor Pedersen asked that the 4/23/90 minutes, on page 1 at the bottom of the page, show that the Firstmark Annexation is made up of RR 9600 and RR 12,500 zoning. She also noted that on page 9 there is reference to Councilor Wright who was absent from the meeting and asked that this be changed to Councilor Weiser.

Councilor Baxter moved and Councilor McGee seconded to approve the 4/23/90 minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION:

1. Citizen Comments on Parade Route.

Tom Lamoureux, Executive Director of the Greater Marysville Chamber of Commerce, addressed Council and read into the record the letter contained in the packets, summarizing this morning's special meeting of their Board of Directors with respect to changing the parade route back to its traditional course. He noted the Board of Directors unanimously voted in favor of asking City Council to reconsider their decision because of historical planning and precedence of the parade route, in concurrence with approval of D.O.T. to block 4th St. and re-route traffic and requesting that a Task Force be set up in July to plan for next year's Strawberry Festival, including parade route alternatives. The task force would complete its work no later than December 1 of each year and instruct Maryfest Inc. in order that the permitting process can begin by January 1st of the following year.

Councilor Pedersen asked if the Chamber of Commerce has any liability insurance to cover special events such as this and Mr. Lamoureux stated the Chamber of Commerce does not but he was not aware if any other groups have coverage.

Linda Painter, 5214 126th NE, Marysville, addressed Council and read a statement stating she is in agreement with Councilor Baxter's comments at the previous Council meeting with regard to opposing the change of a time honored tradition--that of the parade going down 3rd St. She said she felt changing the parade route is in conflict with the City's traditions. She suggested signage on the freeway such as other cities do during their festivals and pleaded with the Council not to leave out the merchants.

Debi Wark, co-owner of Boca Bay in the Marysville Mall, addressed the Council and said they were surprised to learn of the change in parade route, leaving out the merchants on 3rd St. and in the Mall. She told of being from Spokane where she participated in the huge Blooms Day Race each year with 50,000 participants during their Lilac Festival each year and she can remember their being no accidents attributable to the festivities or rerouting of traffic. She conceded that Marysville is growing, as is the Strawberry Festival each year, and she volunteered to work on the Task Force that would decide on the parade route for next year. She urged the Council to reconsider including the downtown merchants and Mall merchants this year.

Sylvia Hendrickson addressed the Council, stating she owns two businesses in the Marysville Mall. She noted that the Strawberry Festival is synonymous with Marysville and the parade and festival have always been centered around downtown and people need to know that the downtown merchants are still there.

Darilee Bednar, 5329 130th Pl. NE, Marysville, owner of the 3rd St. Bookstore, addressed the Council and stated she feels honored to have the parade in front of her store--that she provides chairs, food and bathrooms for the people watching the parade. She said they give personal attention to these people and that's what it's all about--this is Marysville--it's a personal thing, even if there is no business in her store all day long! It's only once a year and she asked that the Council reconsider the parade route.

Darlene Scott, 408 39th St. NW, Marysville, addressed the Council representing Carr's Hardware who have been downtown for 35 years. She noted that her husband's father was one of the original founders of the parade/festival and that they feel offended that they would be excluded from the parade and from being part of Maryfest with the new parade route as proposed. She concluded that the parade unifies us all in Marysville.

Glen Covey of Stanwood, owner of Glen's Barber Shop on 3rd St., addressed the Council, stating he has been a downtown business owner for 6 years. He said he has always felt that the festival is synonymous with Marysville and also asked that the Council reconsider the parade route.

Cheryl Hogle, 10714 Birch Dr. NW, Marysville, president of Maryfest this year, addressed Council and thanked the many supporters of the festival. She said she had met with City staff and Chief Dyer regarding the change in parade route and does realize the rationale for the proposed route.

Councilor Pedersen asked her about liability insurance coverage and Ms. Hogle stated Maryfest has a \$1,000,000 policy with the City named as an additional named insured.

Councilor Weiser asked about the possibility of Maryfest providing financial assistance/budgeting for extra off duty police officers and Ms. Hogle stated Maryfest was hit extensively when they had the fire but that additional funds were a possibility if it would mean keeping the parade route on 3rd St.

Cheryl Deckard, 1632 9th St., Marysville, Parade Director, addressed Council and also thanked the merchants and Chamber of Commerce for their support. She noted that every motorized and/or equestrian unit in the parade is required to carry \$300,000 worth of liability insurance naming the City and Maryfest as additional insureds. She noted that there had only been one very small claim in all the years of having the parade in downtown Marysville.

Councilor Weiser asked about additional officers/traffic control and Ms. Deckard explained that they have commitments from 16 Seafair parade marshals, a lot of volunteers from the community, booster clubs, etc. for this year's parade already and if necessary, it would be possible to provide some sort of additional police officers for traffic control. She noted this year's

parade is over 130 entries (the average has been 130-145) and the parade is scheduled to run until 1:00 p.m. She admitted, however, that there is always that "unknown" element that could crop up which can cause unforeseen delays and/or problems, even though they think they have taken care of every last detail.

Councilor Weiser asked if the Seafair parade marshals would be escorting dignitaries or working on traffic control and Ms. Deckard emphatically stated they would be working the streets, along the route and the staging area. She noted they have been helping out Maryfest for the last four years.

Kyle Blevins, 1618 5th St., employee of Cascade Music, addressed the Council and said he feels quite offended about the parade route avoiding the downtown businesses where it has always gone before. He noted that a lot of his neighbors indicated they would just leave town because they don't feel involved in the parade. He said they also offer parade watchers restrooms, chairs, etc. and that the parade represents small town charm and that should be retained as in past years.

Dan Gaede, 7142 76th St. NE, Marysville and president of the Downtown Merchants Assn., addressed Council, stating he is also a business owner and he sees the whole problem as a gross failure to communicate between the City and the merchants/business owners because no one knew anything about the parade route change until after it had been decided. He stated the people in the area feel offended that they were not included in the process and in fact, some feel outraged and he knows of and represents 70 Downtown Merchants who are violently opposed to the change in parade route.

Councilor Weiser asked if the Downtown Merchants would have any budget for traffic control and Mr. Gaede said not at this time but with some notice and if people had been informed in advance of the need, they could have come up with the money, no problem.

Mary Kirkland, 13004 Hilltop Rd., Arlington and owner of Hilton's Pharmacy, addressed Council, stating that Hilton Pharmacy has been in existence on 3rd St. for 70 years and that this is a real emotional issue, consequently. She cited the tradition of the festival and parade and that a lot of people have their "roots" on 3rd St. She commented that they donate time and money to the festival each year and she pleaded with Council to change the route back. She said she also would volunteer to work on the task force for next year's parade.

Gus Schairer, Seattle, owner of Davis Stationery, addressed the Council and reiterated that it's an emotional issue for many. He said he is also concerned with the traffic control and insurance issues and referred to the letter in the packets from the Downtown Merchants with regard to attempts by the City to make pedestrian crossings safer might actually increase the City's liability by giving these pedestrians a false sense of security. He added that he understood the police budget includes extra personnel each year at festival time. In conclusion, he noted that downtown is where the whole thing started (the City was born) and that they feel strongly that the parade route should be changed back to the way it has been in years past.

Police Chief Dyer addressed Council and stated that public safety must be the number one concern and that he had originally gone to the City Administrator about this problem and that she did not make any hasty decisions to change the parade route as someone had suggested. He admitted that extra personnel is scheduled at festival time, but they are paid at the overtime rate for traffic control, and MPD does not receive any help from other jurisdictions. He noted that with the additional activities, noise and significant number of cars to be rerouted (2400 cars per hour on 4th St.), traffic control can be very demanding, especially when trying to reroute vehicles down residential streets that are not suited to handle large volumes of traffic. He said he realizes

this is a tradition in Marysville and the parade route and traffic difficulties were discussed last year also. He noted that the town and the festival has grown and last year it took 3 officers to redirect traffic up Cedar. He said more signage would be used this year in an attempt to alleviate some of the problems but there is a very high volume of traffic coming off the freeway and they were merely trying to protect the City and take the advice of the DOT in changing the parade route. He noted also that the parade rarely concludes by 1:00 p.m. anymore.

Councilor McGee asked how many police officers are required to help with the parade and Chief Dyer stated 25 including reserves.

Councilor Weiser pointed out that 528 being blocked is a serious problem and Chief Dyer agreed, stating that last year was the worst; that there are backups during normal times but during the week long festival, it's very difficult.

Councilor Weiser asked about the 2400 cars per hour figure and Public Works Director Zabell stated that is the normal Saturday volume between 9 & 3:00 p.m., not during Maryfest.

Councilor Weiser asked about the number of vehicles that turn left onto Cedar and Public Works Director Zabell stated there is very little opportunity for them to turn during peak hours and that number was not checked; it would have to be counted manually.

Councilor Weiser asked what time 528 was blocked off last year and Police Chief Dyer stated 10:00 a.m. Councilor Weiser suggested the possibility of not blocking it off that early and Police Chief Dyer stated the traffic volumes really build up and he knows how bad it can get because he helped out at 4th & Cedar last year.

Councilor Cundiff pointed out that 528 is going to be closed down for construction here soon and he asked what the difference is in providing safety at that time as opposed to parade time.

Chief Dyer stated that the necessity of road repair is of high priority, moreso than a parade, and that the contractors would be responsible for diversion of traffic during construction, with proper signage, etc.

Public Works Director Zabell pointed out that State St. will also be open during construction of 528 and it won't be during the parade, which complicates the situation.

Councilor Cundiff stated that as far as thinking strictly of safety, Marysville should be able to provide it for two hours during the parade. Chief Dyer agreed but stated that it is very difficult with the City streets being overburdened and that last year's situation was exceptionally bad. He noted that there comes a time when it's the "limit" and maybe Marysville just hasn't reached that point yet, even though he feels it's very close.

Councilor Baxter pointed out that there are alternatives and Chief Dyer pointed out that MPD is having to draw police officers off the parade route to handle traffic which compromises safety somewhat. Speaking strictly to the safety issue, he said it is his best advice to change the parade route as proposed but either way, he is not taking this issue personally; it's the City Council that must make the final decision.

Councilor Baxter asked about a traffic count from last year and Chief Dyer explained that one was not done. Public Works Director Zabell noted that 2400 cars per hour on 4th St. is just a typical Saturday, not a Maryfest Saturday.

Councilor Baxter pointed out that without substantiating traffic counts from last year, it's difficult to make a decision about the parade route. He added that he felt there are alternatives that need to be looked at.

Ed Berry of the Washington State Patrol, addressed the Council, stating that he is district manager for five counties and lived in Marysville up until 1977 and is very familiar with Maryfest. He pointed out the safety hazard with people exiting into Marysville and immediately encountering gridlock on 4th St., whether turning east or west and that there will also be a problem with traffic crossing 4th. He pointed out also that on the freeway, there is a safety hazard when people driving 55 mph have to suddenly slow down or stop because of a backup. He noted there were two accidents last year they feel were as a direct result of the traffic backup problem.

Councilor Cundiff pointed out that in the near future, 4th St. is to be shut down for repair and he asked how we can provide safety for that but we can't provide it for one day for a parade.

Mr. Berry stated that DOT does have signing during construction and rarely do they shut down a complete highway north and south during construction.

Councilor Cundiff said that with adequate signs and manpower, we should be able to provide the same amount of safety during the parade, also.

Mr. Berry stated that the concern is with the great number of people/traffic generated during the festival, moreso probably than during construction.

Councilor Weiser asked if any traffic counts had been taken with regard to the amount of traffic generated by Boom City and Biringer Farm's Pig Out celebrations and Mr. Berry said no, they did not have any figures.

Ron Andersen, 1816 Rockefeller, Everett and a Maryfest Director, addressed Council with their insurance policy in hand and showed it to the City Attorney.

Councilor Pedersen pointed out that she had a concern with regard to the letter from the Washington Cities Authority regarding the hazardous condition that existed last year.

City Administrator Sanden explained that the City is covered by liability insurance and would only be found negligent if they do nothing to mitigate known safety conditions/hazards. She said as far as a construction project vs. the parade, extra precautions are taken but construction holds more weight than a parade with regard to priority/need. She noted also that Boom City and the Pig Out did not require closure of a street and therefore is a poor comparison with the parade situation. She said that the City needs to make every effort we can to mitigate any impacts as far as highway and street closures and the parade blocks a major highway, allowing the potential of a catastrophic accident on the freeway, which must be considered.

Councilor Pedersen said she saw going back to the old parade route as a potential for the City being found negligent--knowing that safety hazards exist and asked what a reasonable mitigation would be.

City Administrator Sanden stated that would be up to the courts to decide if an actual case came about; that the court would look at the City's actions and/or mitigation attempts in deciding whether or not we are/were negligent.

Councilor Pedersen asked about the City being covered under the Washington Cities Authority liability policy and/or Maryfest's coverage.

City Attorney Allendoerfer stated the WCA insurance coverage would include/cover the City adequately, however the Maryfest policy basically only covers participants in the parade. Ron

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Andersen said he would follow up with the insurance agent in Spokane as far as including the City of Marysville as an additional named insured.

Councilor Cundiff asked if the City has jurisdiction on I-5 and City Attorney Allendoerfer stated no, that's DOT's jurisdiction and we would also be blocking people who want to go to the west side.

Councilor Weiser asked about a lawsuit that occurred last year and City Attorney Allendoerfer stated that was an unrelated incident but does prove that accidents can occur as a result of poor traffic flow on 4th. It was not during parade time, but concerned the Arco Station on 4th St. immediately after you exit the freeway.

City Administrator Sanden pointed out that there were two accidents on the freeway DOT/WSP feels directly attributable to the parade/Maryfest activities, however no claims were filed against the City in these cases.

Cheryl Hogle then addressed the Council again and said she had just found out from Commander Berry that the accidents actually occurred on 6/7/89 and the parade was on 6/17/89, so they weren't related to the parade. She added that Chief Dyer did come to a Strawberry Festival meeting in May to talk about the change in parade route but that really is much too late to start changing plans for the festival/parade in June. She highly recommended and concurred with the idea of a task force meeting right after this year's festivities for planning the following year.

Sylvia Hendrickson of the Marysville Mall (two businesses) addressed the Council again and explained that if traffic is diverted, there is going to be a real hazard for pedestrians, especially after the parade, trying to get back to their cars and she felt this would cause a worse problem than ever with the proposed change in parade route.

Darilee Bednar addressed the Council again and noted that last year cars were towed away and the street hadn't even been posted.

Public Works Director Zabell pointed out that 2100-2400 cars per hour use 4th St. on a regular Saturday, not on a parade day. Historically, the City provides signing and officers for the parade and safety is the number one concern, he said. He said the Downtown Merchants have valid concerns but traffic is a huge problem before and after the parade and diversion is very difficult with about 4,000 cars per hour being diverted onto 1st, 2nd and other streets not meant to handle that volume. He added that once you are off 528, it's difficult to get back onto 528 because of having to go through residential detours; that both parade routes have problems--parking, pedestrian traffic, diversion, public safety.

Mya Oosterwyk of the Dutch Bakery on 3rd St. addressed the Council and stated their business has been there since 1921 and they have seen the parade on 3rd St. since 1933. With the proposed change in parade route, she noted there will be no foot traffic and no parking allowed, so they will lose both ways with the new parade route. She noted that all cities go through this type of inconvenience during festival time and Boom City is actually a bigger problem, she feels. She urged Council to reconsider having the parade back on 3rd St.

Gus Schairer addressed the Council again, this time as a member of the Board of Directors of the Downtown Merchants Assn. He said that as far as the numbers quoted by Dave Zabell--4000 cars per hour off the freeway and currently (every day) 3200/hour-- he noted we have a half mile long backup on a normal day at about 3:45 every day whether we have a parade or not, already and blocking 4th will exacerbate the problem, yes, but pedestrian traffic is going to try and cross 4th St. which will be a worse hazard with children involved, for example, and he said he didn't see how the City's liability is lessened in any way by rerouting the

parade. He noted it would be just using the truck route, normally not used on a Saturday, anyway and that as far as a long term solution, he suggested a 1st St. diversion but as proposed, the new parade route will actually increase the City's liability, in his opinion, he said.

Tom Grady, 6379 49th Dr. NE, Marysville and manager of Albertson's addressed Council and stated they have about 2000 to 4000 customers a day at the Marysville store. He said he previously managed the Federal Way store where they had about 50,000 customers per day. He is currently president of the Marysville Chamber of Commerce and a Downtown Merchant Assn. member. He said he thinks the police dept. has done an excellent job in the past and in view of the short time frame, changing back to the old parade route may be a way of "mending fences" for now. He noted that everyone is probably going to park in the Marysville Mall parking lot anyway, with the parade going down 5th or 3rd and he said he feels the potential danger could be greater with the changed route.

It was determined that no one else wished to address Council and Mayor Matheny closed the meeting to public input.

Councilor McGee said he had a concern regarding the accidents on I-5 and asked if Marysville would be covered under such a circumstance. City Attorney Allendoerfer answered in the affirmative but stated he believed the City has a \$10,000 deductible under the WCA policy.

Councilor Lashua stated he felt both sides had good arguments but that his concern is for civic liability and he cited bridge closures and gridlock in the Seattle area and on I-5 and 405 all the time as regular occurrences. He pointed out also that most of the traffic is going to be in Marysville before the parade starts and he concluded that he felt the City Council should reconsider their decision to reroute the parade.

Councilor Baxter said he feels City staff has done a good job in researching, providing necessary personnel, having to make unpopular decisions. He pointed out that there have been no accidents in the last two years, that there are no trucks on the truck route on Saturdays, that signage will help matters significantly, that there will be a construction closure of 4th for repairs (proving it is possible to do), the majority of people are in favor of the old route, it is a lot of work and inconvenient but that's the nature of festivals and in conclusion, he said he doesn't feel there is sufficient reason to change the parade route from the old one.

Councilor Cundiff pointed out that he made the original motion to change the parade route but he now feels adequate information has been presented tonight to change it back and that there probably will be a safety problem either way. He said he is ready to change his vote to the old parade route.

Councilor Weiser suggested Maryfest make contributions such as providing police officer assistance all week long, limiting the time of the parade and number of entrants to make sure 4th St. can be reopened as close to 1 p.m. as possible.

Councilor Pedersen said she knows tradition is extremely important but that she heard Maryfest say they understand the problem and are willing to work out a solution. She said she would support leaving it as is this year, as long as we are not sticking our necks out on the public safety/insurance/negligence issue.

Public Works Director Zabell stated a highway closure permit needs to be obtained in order to prevent negligence.

Cheryl Deckard stated that they have notified DOT and the permit will be issued contingent on City Council's decision tonight. Public Works Director Zabell stated he has talked with them also and if the City approves the closure of the street, the DOT will process the permit.

Mayor Matheny commented that sometime this evening she would like to see the task force committee set up, with a chairperson named.

Councilor Weiser moved to reconsider the motion to limit the parade to 5th St. Councilor Lashua seconded and the motion passed unanimously.

Councilor Cundiff moved to change the parade route back to the original one -- to 3rd St., with a recommendation that a committee be set up as soon as possible for review/planning of next year's parade and this year's route contingent upon approval of DOT allowing closure of SR 528. Councilor Baxter seconded and the motion passed unanimously.

PRESENTATIONS: None.

PETITIONS & COMMUNICATIONS:

1. National Employee Health & Fitness Day - 5/16/90.

Mayor Matheny read and signed the Proclamation.

PUBLIC HEARINGS: None.

CONSENT AGENDA:

1. Council Authorize Formal Acceptance of ULID No. 14.
2. Approval of Claims Check Nos. 19530 through 19769 and voided Check Nos. 19540, 19545 through 19612, 19651 and 19741 in the amount of \$778,460.20.
3. Approval of April, 1990 Payroll Check Nos. 18274 through 18558 and Voided Check Nos. 18360, 18361 & 18528 in the amount of \$358,059.45.

Councilor Cundiff moved and Councilor Wright seconded to approve Consent Agenda Items 1, 2 & 3. Passed. (Councilor Weiser did not vote on Item #2.)

REVIEW BIDS:

1. Southeast Downtown Drainage System, Phase II.

Public Works Director Zabell stated eight bids were received, ranging from a low bid of \$396,374 from Wilder Construction of Bellingham to a high bid of \$645,642.95. The engineer's estimate was \$531,180 and staff recommends Wilder Construction be approved for the bid.

Councilor Baxter moved and Councilor Pedersen seconded that Wilder Construction be selected for the bid, in the amount of \$396,374. The motion passed unanimously.

Carol Kapua addressed Council and asked about the routing of the construction. (She is the owner of Nature's Cache, 1702 3rd St.) Public Works Zabell explained the routing and confirmed that it would be going through her alley.

CURRENT BUSINESS: None.

NEW BUSINESS: None.

LEGAL MATTERS/ORDINANCES & RESOLUTIONS:

1. Resolution Stating Intention to Annex the Firstmark Corporation Property into the City.

Councilor Baxter moved that Resolution #1423 be approved/adopted and Councilor Weiser seconded. Passed unanimously.

2. Resolution Approving the Installation of Stop Signs in the Easterly Portion of the City. Councilor Weiser moved and Councilor Cundiff seconded to adopt Resolution #1424. Passed unanimously.



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3. Resolution Granting a Variance to the Sewer Moratorium for the Plat of Crystal Heights.

Councilor Cundiff moved and Councilor Baxter seconded to adopt Resolution #1425 granting a variance to the sewer moratorium for the Plat of Crystal Heights. A roll call vote was called:

Councilor Cundiff - in favor  
Councilor Lashua - in favor  
Councilor Wright - in favor  
Councilor Pedersen - in favor  
Councilor Baxter - in favor  
Councilor Weister - against  
Councilor McGee - against

The motion passed 5-2.

4. Contract with the City of Marysville and the Stillaguamish Senior Center regarding Elderscreen.

City Attorney Allendoerfer explained that this was a budgeted item for \$2500 to help fund the Elderscreen medical program at the senior center.

Councilor Cundiff moved and Councilor Weiser seconded to authorize the Mayor to sign the contract. Passed unanimously.

5. Recovery Contract - R. H. Hasen - 10" Sewer Line.

City Attorney Allendoerfer explained the location and noted that this is for 775' of sewer line, valued at \$32,000, which has been approved by the Dept. of Public Works.

Councilor Lashua moved and Councilor Weiser seconded that Recovery Contract #152 be approved. Passed unanimously.

6. Towne Centre Mall.

City Attorney Allendoerfer explained that the Towne Centre Mall owes the City \$246,000 plus interest, which was due 4/30/90 and there has been no payment or communication from them. In fact, the City's letter was returned because of an expired forwarding.

Finance Director Dexter stated the letter has been re-sent to them to their new address (5/2/90).

City Attorney Allendoerfer outlined the foreclosure action option and noted that the City also holds personal guarantees that can be followed up, as well as a general mortgage from the Chubb Holmes Corp.

There was discussion regarding their reputation as far as communications and payments, their recent efforts in helping the Moose Club to relocate, their history of delinquency. Finance Director Dexter noted that the City has the right to collect a higher rate of interest on a delinquent account. There were comments regarding the inadvisability of the City owning the Towne Centre Mall, judging by other cities' experiences in these matters.

CALL ON COUNCILMEMBERS:

Councilor Cundiff reported that he has been attending Stillaguamish Senior Center board/advisory meetings as a representative from the Marysville City Council.

Councilor Lashua reported he has been attending Snohomish County Tomorrow meetings with Mike Corcoran. He asked about the widening of Grove St. from 67th to 71st and if that will be paid for by annexations.

Public Works Director Zabell stated the City is collecting \$290 per lot under a TIP for this project.

Councilor Lashua asked about the connecting street between Munson Creek and Bayview Ridge and Public Works Director Zabell stated it would be part of the Plat of Salmon Run, coming before Council soon.

Councilor Lashua commented on an article in the newspaper regarding Pete Newland speaking to the Rotary. He also mentioned a letter to Ken Baxter from the City of Arlington regarding RUSA boundaries.

City Administrator Sanden stated the City's feeling is there are so many problems with the agreement with Arlington as it stands that it will have to probably be reworded and City Attorney Allendoerfer and Finance Director Dexter are following this matter up. She noted that Arlington's letter addresses both water and sewer and we need to solve our own water and sewer problems first. She stated Thom Myers (mayor of Arlington) has been contacted and is cognizant of the problem.

There was discussion regarding whether there have been some major steps backwards with regard to the RUSA boundaries between Marysville and Arlington.

In conclusion, Councilor Lashua stated that Marysville should seriously consider altering the building code to allow high rises in downtown; that this is being talked about in the Snohomish County Tomorrow meetings and he felt Marysville ought to take the lead in this respect.

City Administrator Sanden said it's a land use issue and at present we have a 35' height limit because of the fire department's concerns. Councilor Lashua stated he would like to see City Council take the steps to approve a higher limit -- put an ordinance in place or whatever -- because it will take about 3 years to enact a zoning change such as this.

There was discussion about three story buildings in Marysville, inclusion of height limitations in the Comp Plan, discussion at Planning Commission meetings. City Attorney Allendoerfer stated the zoning amendment to change the height limitation would have to start with the Planning Commission but the City Council should direct the Planning Commission to do so.

Councilor Pedersen stated she was also in support of increasing the height limitation. She asked City Administrator Sanden about business cards and copies of HB 2929.

City Administrator Sanden said she would follow up on these items and also noted that there is a growth management seminar coming up sponsored by a law firm. The all day fee is \$40 and would be a very worthwhile educational process, she felt.

Councilor Baxter reported that the golf course parking lot is proceeding well and he asked about the wrecking yard next to Councilor Cundiff. Councilor Cundiff stated the City Administrator is on top of that situation.

Mayor Matheny brought up the subject of pitbulls in Marysville and City Attorney Allendoerfer stated we have a standard vicious dog ordinance, vicious meaning "having a known propensity to bite" and that he could follow up with Noah Davidson regarding pitbulls.

Mayor Matheny announced that the Quil Ceda Wood Carvers had approached her with regard to doing a project for the City's Centennial and have asked if the City would pay for materials. The consensus was that the cost should not exceed \$250 to \$500 for the project materials.

ADJOURNMENT INTO EXECUTIVE SESSION: 9:40 p.m.

00041

1. Pending Litigation.
2. Real Estate.

RECONVENE & ADJOURN: Approx. 10:55 p.m.

Accepted this 14 day of May, 1990.

Reta Matheny  
MAYOR

Phillip E. Dexter  
CITY CLERK

Wanda A. Iverson  
RECORDING SECRETARY