

MARYSVILLE CITY COUNCIL MINUTES

00115

JULY 9, 1990

7:30 p.m.

Council Chambers

PRESENT: Rita Matheny, Mayor
Councilmembers:
Ken Baxter, Mayor Pro Tem
Dave McGee (excused)
Dave Weiser
Donna Pedersen
Donna Wright
Bob Lashua
Lee Cundiff
Administrative Staff:
Phil Dexter, Finance Director/City Clerk
Carolyn Sanden, City Administrator
Jim Allendoerfer, City Attorney
Mike Corcoran, City Planner
Dave Zabell, Publ Works Director
Jim Ballew, Parks & Recreation Supt.
Maude Barrett & Pat Olsen, Centennial Coordination
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:

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

MINUTES OF THE PREVIOUS MEETING:

Councilor Lashua noted on page 2 under New Business of the 7/2/90 minutes, in the last paragraph, that it is Snohomish County that is setting the pace not Marysville.

Councilor Lashua then moved that the minutes of the 7/2/90 meeting be approved as corrected, Councilor Pedersen seconded and the motion passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

John Painter, 5214 126th Pl. NE, addressed Council, stating he is interested in being considered for the open position on the Planning Commission.

Mayor Matheny thanked him for his interest, noting however that the majority of the Planning Commission must live within Marysville city limits. She asked if he would consider being on the Mayor's Advisory Committee and he said he would.

PRESENTATIONS: None.

PETITIONS & COMMUNICATIONS: None.

PUBLIC HEARINGS: None.

CONSENT AGENDA:

1. Approval of 6/30/90 Payroll Check No. 18867 to Check No. 19207 & 20401 with voided Check No. 18869 to Check No. 18885 - \$387,154.50
2. Approval of 7/9/90 Claims Check No. 20511 to Check No. 20645 with voided Check No. 20515 in the amount of \$273,082.94.

After questions and comments regarding Vouchers 20546, 20549, 20619 and 20571, Councilor Lashua moved and Councilor Cundiff seconded that the Consent Agenda Items 1 and 2 be approved for payment. Passed unanimously.

REVIEW BIDS: None.

CURRENT BUSINESS:

1. Library Feasibility Study.

CORRECTED: SEE 7/23/90
MINUTES

Robert Renford, Chairman of the Library Building Committee, addressed Council and introduced Mr. Lewis, architect, who was instrumental in preparing the architectural feasibility study for the Marysville Library.

Myron Lewis of Lewis Nelson Architects, Bellevue, addressed Council and outlined their written presentation concerning the four options: additions to the existing library on the same site, additional property acquisition adjacent to the existing site to accommodate expansion, or a whole new building on a whole new site. He noted that the approximate estimated need is for 23,000 sq. ft. and the current building is only 7,436 sq.ft. and that expansion of current facilities would only barely bring the building up to current needs, with the parking maintained as is. Expansion up to 18,000 sq. ft. would be the maximum possible at the present site, he said and acquiring additional property in the immediate vicinity is not feasible as it's already improved.

Mr. Lewis outlined the estimated costs for each option:

- A. (Remodel) - \$214,000
- B. \$1,666,000 or \$1,890,000
- C. \$2,302,000
- D. (New Bldg./Site) - \$2,509,000 construction costs.

Councilor Cundiff asked about the property across the street, now for sale and Mr. Lewis stated it could be possible to develop parking there, but then you would have a pedestrian crossing problem. A total of about 2 acres would be needed to develop the whole project, he added, or about 17,000 sq. ft. additional property adjacent to the present site. Discussion followed regarding the possible use of the adjacent property which belongs to the Marysville School District.

CORRECTED: SEE 7/23/90
MINUTES

Mr. Renford noted that the Library Building Committee is recommending option D because services are at a minimum right now.

Councilor Baxter said he felt another workshop meeting would be in order, Mayor Matheny agreed. Councilor Weiser said he would like more information regarding funding and the possibility of using the middle school property for parking, as well as services through the year 2010. Councilor Pedersen said she would like to see more financing information also before a workshop.

Councilor Baxter asked about the parking, noting that there is more than needed at present, and Mr. Lewis stated the requirement is one car space for every 200 sq. ft. of library space.

Councilor Pedersen said she would like to know some options for the current building and Councilor Weiser agreed, stating he would also like a breakdown of usage--where the patrons come from.

Mrs. Wolfe-Ivory addressed Council, stating the Marysville Library is going to be used as a regional resource and so there are going to be more and more people using it from other areas. Also, she noted, they are currently having problems with not enough room for books. She said the ratio is about 50/50 people from inside and outside the City and people outside the Marysville area pay up to 50¢ more to go toward library services. As far as funding, one option is for the City to annex to the Library District which would eliminate the City paying the Library under contract and in lieu of that, residents would pay a tax, she explained.

After further discussion, it was the consensus that City Council would have a workshop session on 7/23 at 6 p.m. prior to City Council regular meeting and that City Administrator Sanden would follow up with the Marysville School District regarding the use of the Marysville Middle School property for shared parking.

2. Proposed Garbage Rates.

Finance Director Dexter stated he had included Edmonds and Mill Creek in the revised rate comparison sheet and that the proposal is for Marysville to charge \$9.25 for one can, \$7.25 for a mini can, \$6.00 for each additional can (about half-way between Rubatino's \$9.25 high end and \$2.85 the low end in Lynnwood and Edmonds). As far as container rates go, he noted Waste Management Northwest's rates are far less than Marysville's or Rubatino's and the \$54.00 rate per 1 yard container is a compromise between Waste Mgmt. Northwest and Rubatino. He said with mandatory recycling coming into effect, it is hoped that the residential rates will cover the increased costs.

Councilor Weiser asked about the senior rate of \$4.50 vs. the regular rate of \$9.25 in Marysville and Finance Director Dexter stated he felt it would have very little impact because there are only about 115 seniors that qualify for this reduced rate. He said because they generate very little waste, there is even room to go a little lower on that rate.

Councilor Baxter asked about the definition of "compacted" and Finance Director Dexter explained it had to be a mechanical process such as a shredder, compressor, etc. and Marysville only has one customer using the compacted rate at this time. Most of the bales from the grocery stores are picked up by Northwest, he noted. He commented that on the additional can rate, you defeat the purpose of recycling incentives if you reduce the rate too much; that the public is prepared to recycle and Marysville needs to encourage it.

As far as Spring Clean Up, Public Works Director Zabell anticipated that this would be discontinued because yard waste would be disposed of every month.

Councilor Weiser asked if the proposed rate structure allows a buffer to purchase new equipment. Finance Director Dexter stated the higher rates proposed at last week's City Council meeting would have, but he is not positive about this week's figures allowing enough of a buffer. He pointed out that Marysville does not have any experience with recycling as yet and what impacts this has on rates. If recycling substantially reduces costs, then the revised rates would probably be OK, he said.

There was further discussion about recycling, the unpredictability of its effects on recycling costs in general or garbage rates. City Administrator Sanden pointed out that the City does have funds available to help with this transition and that proposals will be requested soon on recycling.

Councilor Cundiff suggested the possibility of farming out containers to Waste Management Northwest and a further discussion of the proposed rates ensued. Finance Director Dexter pointed out that Marysville is only capable of handling up to an 8 yard container and that there were two more small rate changes: rollouts beyond 20' - \$10.00 and cleaning of containers - \$25.00.

Councilor Wright moved to adopt the revised proposed garbage rates but there was no second. Councilor Baxter said he wished more discussion on the rates and Councilor Pedersen asked when the new tipping fees go into effect. Finance Director Dexter explained the tipping fees will be increased to \$62.65 per ton effective 8/1/90 but Marysville could make their ordinance effective 9/1/90 if necessary. He pointed out that each month of delay will cost the City \$20,000.

Councilor Baxter moved to continue this discussion/decision to the last week in July but there was no second to his motion.

Councilor Cundiff asked what effect/ratio the containers have on the whole picture and what would happen if they were farmed out at the lower rates.

Finance Director Dexter said it really isn't known because the total tonnage isn't known, but that he didn't think it would materially affect us other than cutting back in staff. He added that residential rates would cover residential costs, he was sure.

There was discussion about Northwest's lower rates, whether or not it would be more cost effective for Marysville to contract containers out to them, noting that the City has a mandatory garbage ordinance. There was also discussion regarding manpower needs, maintenance of the containers, rental fees, ownership of containers, the need to continue this hearing, water and sewer rates having an impact on residents.

Councilor Lashua moved to continue this hearing to the last meeting of July but there was no second to the motion. It was the consensus to get Finance Director Dexter to obtain more information from Waste Management Northwest regarding rates for servicing Marysville, with a meeting at City Hall tomorrow with Councilor Baxter in attendance at 4 p.m. There was more discussion about the rates having to be advertised and the necessity to finalize the rate structure as soon as possible so the process can occur in a timely manner.

Councilor Lashua moved to continue the meeting/hearing to 7/23/90 and Councilor Baxter seconded. After brief discussion, the motion passed with Councilors Pedersen and Cundiff against.

3. Okada Rezone; Planning Commission Recommendation.

City Planner Corcoran described the location and referenced the packets for information concerning site plan and proposed access to the north. He noted the proposal is for a warehouse/office building on 5.78 acres with improvements at the entrance on State Avenue.

There were questions regarding Fire Dept. approval, the access to the north and traffic circulation. City Planner Corcoran explained that the plan has gone through many changes due to staff requests.

Councilor Lashua noted there was reference to a caretaker's apartment and City Planner Corcoran stated the applicant will delay completion of that until after the sewer moratorium and they would have to come back in and apply for that.

Councilor Pedersen questioned a reference in the Planning Commission minutes of 5/22 (comments by Jim Egge) and Public Works Director Zabell explained that Mr. Egge was talking about a transfer of vested sewer hookups like Parkview Estates but the applicant would be allowed only one hookup in the subject project.

City Attorney Allendoerfer asked if this would be similar to a strip mall or multiple tenant situation and if so, it would technically be multiple hookups. Councilor Pedersen asked if it would be possible, for example, for a building to run 75 toilets off one hookup.

Public Works Director Zabell stated that apartment buildings are similar situations and have been treated as one hookup in the past but City Attorney Allendoerfer said his interpretation of one hookup means one tenant so the rezone is probably not going to let Mr. Okada keep the building.

Councilor Pedersen noted there had been a change in the configuration of the building and City Planner Corcoran stated originally it was U-shaped, open on the west side with no adequate traffic circulation.

Councilor Weiser commented on the Planning Commission discussion regarding level of service at 94th & State, comments about HB 2929

in the minutes and asked if that level service is accepted, would the City then be under obligation to be consistent with other intersections.

City Attorney Allendoerfer stated the City does need to maintain a consistent traffic mitigation policy, but different intersections can operate at different levels of service and for example, if we refused to accept an LOS D at 4th & I-5, the whole City would have to be cut off from the freeway. He noted the floating bridge has operated at an LOS D or E for years also. He concluded that HB 2929 does not really apply to LOS identification but rather to methods of mitigation.

Councilor Pedersen asked how many businesses are participating in improvement/the traffic signal/mitigation at 94th & State and Public Works Director Zabell responded that only 3 as yet, but voluntary contributions would be accepted from businesses on the west side of State.

City Attorney Allendoerfer asked about the list of permitted uses and City Planner Corcoran explained there was a concern for potential uses and trip generation, that the applicant has done this voluntarily and in addition has offered \$3,000 for traffic mitigation in order to obtain the rezone. He said the rezone conditions will run with the land.

City Attorney Allendoerfer noted Marysville's water and sewer ordinance states multiple tenants would require multiple hookups and that would be beyond our sewer moratorium limitation at this time.

Councilor Baxter said he felt a reevaluation of the water and sewer situation should be made and moved to call a public hearing for 8/6/90. Councilor Weiser seconded and the motion passed unanimously.

4. Request from Downtown Merchants to close Third St. from State to Columbia.

Carol Kapua, owner of Nature's Cache, 1702 3rd St., addressed City Council, representing the Downtown Merchants Assn. and explained that they wished permission to close Third St. for their annual Arts & Craft Fair which has in the past been more of a "sidewalk sale" but they wish this year to close off Third St.

Councilor Weiser pointed out that 4th St. will be closed also for repairs but Public Works Director Zabell stated he checked with the State today and they won't be immobilizing traffic on 4th St. until August 1st now. He added that the Third St. closure would probably have very little adverse impact because it would mostly only affect local traffic; there may be some problem with people trying to get to the mall, he said.

After brief discussion, Councilor Baxter moved that the request be approved to close Third St. (one block) for two days and Councilor Lashua seconded the motion. Passed unanimously.

NEW BUSINESS:

1. Real Estate Excise Tax, Ellen Thompson, Co-Chair, Partnership Committee.

Ellen Thompson of Arlington addressed Council and explained that she and Dennis English were here to explain the real estate excise tax bill, to explain the spending plan for monies collected and to get input from City Council. She said there is also an upcoming meeting at the end of the month at the County level to gain more input. She said the Partnership is represented by local communities and one of their main concerns is promotion and acquisition of parks and open space. She noted that the real estate excise

MARYSVILLE CITY COUNCIL MINUTES
JULY 9, 1990
Page 6

tax (REET) is proposed to be assessed at a rate of 1% which would be paid by every buyer of real estate; there is a ten year sunset clause as well as a maintenance provision for acquired parks and open space and this is a \$15,000,000 to \$20,000,000 potential revenue source.

She then described all the types of acquisitions that would be eligible for purchase with these funds: natural areas including greenbelts, buffers between business and residential areas, buying agency rights; environmentally sensitive areas including rivers and streams; maintenance of a land bank of open space for future use; acquisition of golf courses, picnic areas, historical sites, view sheds; trails, parks, waterfront areas, community gardens. She explained that the County would basically be steward of the funds but with local representation giving input and direction as to how the funds would be allocated throughout the County. She said she sees this as a tremendous funding opportunity on both the local and regional levels, with cooperation between cities being promoted and would be in addition to Conservation Futures money/funding. She noted there are 19 people on the advisory committee (all of whom have not been chosen as yet).

Councilor Lashua asked about her reference to regional water systems and if this referred to water shed acquisition/protection. Ms. Thompson said not necessarily, that it could include salmon or other fish spawning streams, also.

Councilor Weiser asked about the chairman of the advisory committee and Dennis English stated the chairman has not been chosen yet but there would be 14 member from the planning area cities represented and 5 from the County on the advisory committee. It was noted that Partnership For Tomorrow is a division of Snohomish County Tomorrow with Jim Ballew, Mike Corcoran and Councilor Lashua already representing Marysville at those meetings.

Councilor Wright commented on the county already having adopted an ag plan which preserves ag land and that with the REET, the tax actually translates into an 18% tax because it must be paid up front and she sees this as taking away from the quality of life, possibly, she said.

Ellen Thompson countered that the tax is a long term investment, paid by those who are going to be in need of the parks and open spaces--the real estate buyer.

Greg Wright of Marysville addressed the Council and pointed out that it is very difficult for someone just starting out with a new family and/or senior citizens to pay this tax in addition to all the other expenses of buying a home. His argument was that everyone is going to benefit from the parks and open space and therefore everyone should contribute/pay the tax because there are too many people who can't afford a house and this tax is going to make it harder.

Dennis English stated that the technical advisory committee has looked at this issue and came to the conclusion this is one of the few ways to finance/acquire open space because the FHA, for example, will not mortgage open space. He noted that the excise tax is a tax deduction and further, if real estate were not being purchased, then open space would not be needed. Certain real estate sales are exempt, he said, but the bottom line is to make it a fair tax, over the next ten years.

There was discussion about the county council having final say in the decision making process but they would honor the advisory committee suggestions, the Stewardship Fund for maintenance of land acquisitions and protection of open spaces, the fact that the whole program is project driven and more weight could be given to a project as opposed to the population ratio of a certain city.

JULY 9, 1990

Page 7

Ms. Thompson noted that the matter will be on the November ballot and the tax will be levied 30 days after voted in. It will also be on the ballot in King and Island Counties, she noted.

There were further comments about this being a complex issue and our taking "potluck" on allocations, depending on the technical advisory committee. Mayor Matheny stated she would like to see these funds go towards the purchase of the 300 acres in Marysville for another park. Parks & Recreation Supt. Ballew stated this is an excellent resource and that he feels projects will be weighted fairly. He added that this would not replace parks mitigation, that a mitigation policy needs to be yet established. He further pointed out that the development fee is for basic development and 2929 allows for maintenance and operation.

Mayor Matheny asked about the Mayor's Voluntary Fund and Parks & Recreation Supt. Ballew said that could still be used, that this does not replace the Mayor's Voluntary Fund.

Ms. Thompson pointed out that the REET is just a part of the whole picture and is mainly for acquisition of property.

Councilor Lashua stated this is another cost for a home buyer, but it's also a long range investment so the homeowner can enjoy parks and trails throughout the county. We are hearing more and more that people want preservation of open space, streams, parks, trails and this is our ideal opportunity, he said.

Councilor Cundiff asked about the 10 year sunset clause and Ms. Thompson explained that it recognizes the requirement under 2929 that a Comp Plan be developed by the fall of 1993 as well as a 6 year capital plan completed. She said they are proposing that every jurisdiction look at the REET as far as transition and impacts on growth management.

2. Snohomish Health District; Proposed Purchase of the Rucker Bldg.

Dr. Warren Hinds addressed Council, stating they have investigated the purchase of the Rucker Bldg. in order to serve Snohomish County better. Marysville is a part of the Snohomish County Health District and is represented by Ron Hinton, he noted.

Richard Mockler, Deputy Administrator of the Snohomish County Health District then addressed Council and referred to the information in the packets. He noted they have to move out of the present facilities and have thoroughly investigated what would be entailed in purchase of the Rucker Bldg., which is a very adequate facility and will meet their needs for years to come. He noted they would be paying slightly less than the appraised value of the building for which the county has agreed to put up \$1.00 per capita providing the Health District will come up with additional financing. They have calculated Marysville's proportionate share of the first year cost at 88¢ per capita, i.e. \$8,000 and \$6,000 for the second year, \$7,000 after that, based on population. He noted there would be some rental income to offset some of the costs as well as investments at 8%.

Councilor Pedersen asked about the rental income actually paying for the bonds and Mr. Mockler said that was a possibility. He added that they had compared renting of facilities vs. buying and had come to the conclusion it would be much more cost effective to buy. They already have 80% of the Rucker Bldg. rented out (one of the tenants is the IRS) and based on \$13.00 per sq. ft., he said they feel it will probably break even in 6 years. He said they had put up \$100,000 earnest money on the building and so far, the cities of Everett, Stanwood, Arlington, Lake Stevens, Monroe, and Lynnwood have all committed to their proportionate shares to purchase the building.

City Attorney Allendoerfer asked about satellite clinics and Mr. Mockler said they do have clinic based services, but basically it's very inefficient and they need a centralized operation. He added that they anticipate the majority of the growth in the satellite offices after 2010.

Councilor Pedersen asked about the parking and Mr. Mockler said there are 115-120 parking places.

Finance Director Dexter asked about the bond rate, noting there is a tax exemption if less than 10% of the building is rented out to the private sector. Mr. Mockler said they were aware of the options, that they would be meeting again with bond council and the figures in the packets are not final ones.

City Attorney Allendoerfer asked about sharing of ownership as well as sharing of liability and Mr. Mockler stated there would be no sharing of liability on the City of Marysville's part and that can be stipulated in the interlocal agreement which needs to be drawn up if Marysville agrees to help finance the building. He noted that shared ownership would give Marysville eligibility for the REET.

Councilor Lashua asked what "conceptual approval" means and Mr. Mockler stated it would mean \$8,000 coming due in October, 1990 from the City of Marysville.

City Attorney Allendoerfer noted that would mean a budget amendment in October and discussion followed regarding the REET, over-realization of excise tax, using these funds for this project, excess of sales tax existing now according to Finance Director Dexter.

Councilor Lashua moved to give conceptual approval. Councilor Baxter seconded and the motion passed unanimously.

3. Prosperity Limited Partnership Annexation.

City Planner Corcoran explained that the applicant has presented a 10% petition for annexation, they are outside the current RUSA boundary and Ordinance 1763 provides that no annexation will be received however there is no sewer hookup requested, he said. He noted that part of the annexation area will be inside the urban planning area as defined by 2929 and also commented that the Boundary Review Board may look more favorably on this annexation if the boundaries of this annexation are extended to the west and include Emerald Estates. He cited a couple recent cases that went before the BRB and their decisions, resident notification requirements/problems, etc.

Councilor Pedersen asked about water and City Planner Corcoran stated they are on Marysville water. Councilor Pedersen asked if you give Marysville water, if you have to give sewer also (if requested) and City Attorney Allendoerfer said that would only apply if you are within 200' of the utility and then you must connect.

John Crull of Construction & Development Services (CDS), from Seattle, and representing the applicant, addressed Council and referred to information in the packets regarding location of the proposed annexation, it being a logical extension of Marysville boundaries, identifying significant residential growth on the east side with two sides of the proposed annexation area already contiguous to the City of Marysville. He reiterated that no sewer is being requested as it can be developed with septic tanks and therefore feel the moratorium does not apply to this case. He admitted the area does lie outside RUSA at this time and said Marysville water is requested. He noted that it is doubtful construction would occur prior to the water system being expanded. If water can't be provided, he said the area could be served by wells. He noted that since the City is working on a Comp Plan, the proponent is not recommending zoning at this time. The annex-

ation area would be benefited by water and sewer but can be developed without it, he said in conclusion and added it is a logical extension of boundaries of Marysville, they feel.

Mayor Matheny asked about development into 1 acre parcels and Mr. Crull said it depends on the Comp Plan, that they have no recommendation at this time.

Councilor Lashua asked what the current zoning is and Mr. Crull stated it is mixed--there is some 2.3, 10 acres and rural zoning.

City Attorney Allendoerfer pointed out that one of the county recommendations is not to consider SA-1 or ag areas for annexation at this time.

Mr. Crull stated there are no prime ag designated lands in the proposed annexation area.

Mayor Matheny asked about the open space exemption for ag land and City Planner Corcoran confirmed this was still in effect.

Mr. Crull stated there is some grazing but no prime agricultural land, a very small area is 10 acre zoning on the eastern edge and part of that is wetlands, he said. He said the largest portion is 2.3 acre zoning.

Councilor Baxter asked about the area adjacent to Emerald Estates and Mr. Crull said the hillside area is ag and 2.3 zoning. He explained the extension of the boundary and City Planner Corcoran pointed out the proposed extension of 88th St. There was discussion of current city boundaries. Someone asked about ownership of the proposed annexation and Mr. Crull said out of 290 acres total, Prosperity Limited Partnership owns 88 acres, including the Rollins farm. He noted that with the water and sewer issues, the proponents have talked with other owners in the area.

Councilor Lashua pointed out that there are drainage problems in the area or at least have been in the past, that he would hope the BRB doesn't create the same situation as they did with the Griffore Annexation. He said he would suggest including Emerald Estates in this annexation before it goes to the Boundary Review Board, with a line extending from 84th.

City Planner Corcoran pointed out that the Jones-Belmark area was just turned down by the BRB and Mayor Matheny commented on the 88th St. interchange becoming more and more of a possibility every day now. Mr. Crull commented on some of the recent BRB decisions and the Arlington-Snohomish Trail was mentioned.

City Planner Corcoran said the sewer and water environmental impact statements are going to be put together in conjunction with the Comp Plan and that will affect this area. He said this may be an opportunity for the City to have more control for future land use, if it is annexed. He added that he doubted the BRB would approve the annexation at this time, however, but it is still a good time to submit it for annexation, to get the process started.

Councilor Cundiff moved to approve the 10% petition and to include Emerald Estates within the proposed annexation boundary. Councilor Baxter seconded.

City Attorney Allendoerfer suggested that it be decided who would do the footwork in approaching the residents of the proposed area.

City Planner Corcoran said it will not automatically be annexed by the BRB, that he suspects they will want further information and City Council will end up having a public hearing.

Mr. Crull stated that Prosperity Limited Partnership would be willing to contact Emerald Estates residents and would hope that Marysville would look closer at the ag 10 property because they don't think it is prime land, to be excluded by the BRB.

There was further discussion about the ag lands in the area and Mr. Crull said they would like to try and prove to the BRB and City Council that it is not prime land, that part of it is on the hill. Councilor Baxter said he believed part of it is a gravel pit.

The motion was reworded slightly:

Councilor Cundiff moved that the 10% petition be accepted subject to the condition of Emerald Estates authorizing circulation of a 60% petition, with the assumption of existing City indebtedness, with adoption of the current Comp Plan and land use plan designation and to include the Jones-Belmark area west of 67th. Councilor Baxter seconded and the motion passed with Councilor Pedersen against.

4. ULID Proposal, Waterline on 44th Dr. from 92nd to 94th St.

Public Works Director Zabell stated the applicant, Mike Ollis, is requesting a ULID be formed to extend the water main because he has been experiencing contamination problems with hand dug wells and septic systems. It would be about a \$30,000 project, he said and they are willing to sign a no-protest agreement.

Councilor Baxter moved that a ULID be approved, subject to a satisfactory plan for financing being worked out. Councilor Pedersen seconded.

Discussion followed regarding the possibility of the City advancing funds and being paid back on a promissory note, Public Works Director Zabell noting that the project can be engineered in-house. Finance Director Dexter said he is opposed to promissory notes without a lien, that it could be funded internally on a note or added to another LID.

The motion was reworded slightly:

Councilor Baxter moved to authorize the City to start work on the water line on Miller Way with two conditions:

1. establish a satisfactory financing method
2. receive a 60% annexation petition.

Councilor Pedersen seconded and the motion passed unanimously.

STAFF BUSINESS:

1. Centennial Report.

Pat Olsen and Maude Barrett addressed Council, explaining they have included a presentation in the packets. They reported they are currently putting together a citizens committee to help with ideas and events during the Centennial year, with a possibility of revenue generators. The first meeting is planned for 7/18/90 with a letter having been sent out to organizations inviting a representative to come to the meeting as well as asking for newspaper coverage. They outlined some of the ideas they are working on including working with the schools and Community Education, video taping of older citizens, logo and banner contest.

LEGAL MATTERS/ORDINANCES & RESOLUTIONS:

1. Ordinance Relating to Required Setbacks from Public Utility Lines.

City Attorney Allendoerfer explained that the change involves 10' from any City utility line so it wouldn't relate to gas, PUD, etc.

Councilor Lashua moved that Ordinance 1786 be approved/adopted and Councilor Weiser seconded the motion. Passed unanimously.

2. Ordinance Redefining Low-Income Senior Citizens & Low-Income Disabled Citizens who are Entitled to Utility Tax and Garbage Rate Discounts.

City Attorney Allendoerfer explained this ordinance would bring Marysville in line with the state rulings with new criteria for eligibility for low-income, handicapped, and seniors over 62 who have an income of less than \$14,000 per year.

Finance Director Dexter stated he guessed about 115 people qualify for the garbage rate discount and over 200 for the utility tax exemption.

Councilor Cundiff said he thinks there is a misunderstanding that senior citizens automatically get a lower rate for garbage and Finance Director Dexter said the City tries to send out notices at the beginning of each year. Mayor Matheny suggested putting a note about this in the newsletter.

Councilor Weiser moved and Councilor Pedersen seconded to adopt/approve Ordinance 1787. The motion passed unanimously.

3. Okada Rezone.

City Attorney Allendoerfer stated that Mr. Okada has asked that Council reconsider his rezone tonight, that it not be continued. He wishes to put up a mini storage warehouse with water only and no sewer connection and therefore remove the Ordinance 1763 issue at this time, he stated.

Darrell Okada, 411 Alverson Blvd., Everett, addressed Council and stated he is willing to settle for one connection and would like to proceed with the project as soon as possible. On the sewer moratorium issue, he stated they can wait for the Council's clarification on that and does not want that to hold up the project. He said if one tenant is all they can have, that's fine.

Councilor Baxter asked if there would be any other construction other than the mini warehouse and Mr. Okada stated no.

Councilor Wright moved to reconsider the previous Council action. Councilor Cundiff seconded and the motion passed unanimously.

After a brief discussion about the existing connection for the caretaker's house, binding site plan and the definition of one hookup, Councilor Wright moved to approve the rezone with one water and sewer connection and one tenant only, subject to Planning Commission's findings and conclusions but excluding references to the water and sewer hookup. The limitation of one tenant, one hookup to remain in effect until such time as Ordinance 1763 is amended to allow otherwise and the project would be subject to the binding site plan as previously stipulated, with the City Attorney directed to prepare an ordinance reflecting and embodying components of this motion. Councilor Weiser seconded the motion and it passed unanimously.

STAFF'S BUSINESS:

Park & Recreation Supt. Ballew reported that in January, 1990 a reclamation grant was applied for for Jennings Park pond and in response, on 7/25 52 Soviet and American kids are coming to visit and to do the work. They will stay two nights in the park and the local community will be feeding and entertaining them--the Tulalip Tribes, McDonald's, Alfy's, Albertson's, the Lions, the Soroptimists, Everett Mutual, the Everett Giants, Marysville School District. Also, PUD and GTE are donating materials for the reclamation project. He requested the USSR flag be flown in Comeford Park while the Soviets are here and it was the consensus of Council to do that. Also, there will be televised ceremonies in Comeford Park Thursday evening, 7/26 and City Council is all invited to be in attendance, he stated.

Park & Recreation Supt. Ballew then reported on a recent 4 day workshop he attended in Denver as part of a task force for recreation facilities. He said he has lots of slides from their visits to all the facilities and welcomed Council to view them. As far as setting up a local committee, he named several suggestions for committee members: Ward Sayles, Cyndy Whitcomb, Greg Kuehn, Bruce McKinnon, Mike West, Chuck Regan, Joyce from Grandview Village, Nancy Harvey, Tom Lamoureaux and Mayor Matheny asked Councilors Weiser and Lashua to attend the meetings, with Councilor Pedersen as an alternate. The committee is to meet twice a month for the next 3 months in order to make a presentation to Council in Sept.

CALL ON COUNCILMEMBERS:

CORRECTED: SEE 7/23/90
MINUTES

Councilor Baxter initiated discussion about the new water study map, which he presented. He said written comments are to be submitted by 7/17/90.

Public Works Director Zabell presented a proposed revision to the MMC - Water Use Restrictions and Councilor Baxter pointed out that we have used all of our allocation from PUD for this year already. He said he would be interested in the Public Works Dept. developing graphs depicting peaks and valleys of water usage because his concern at this point is a very critical water supply for fire protection. He said he would also like to see some good press relations and there was discussion about recent articles in the newspapers and letters to the editor.

There was discussion about pipeline crossings, declaration of a water emergency (how this is instituted), having to file environmental impact statements, hot weather will be causing shortages, possibility of a water moratorium, review of court hearing, sub-consultant helping with the environmental impact statements.

ADJOURNMENT: 12:20 a.m. 7/10/90

Accepted this 23rd day of July, 1990.

MAYOR

Phillip E. Dexter
CITY CLERK

Nanda A. Iverson
RECORDING SECRETARY