

MARYSVILLE CITY COUNCIL MINUTES

February 11, 1991

7:30 p.m.

Council Chambers

Present: Rita Matheny, Mayor
Councilmembers:
 Ken Baxter, Mayor Pro Tem
 Dave McGee
 Dave Weiser
 Donna Pedersen
 Donna Wright
 Lee Cundiff
 Bob Lashua
Administrative Staff:
 Carolyn Sanden, City Administrator
 Mike Corcoran, City Planner
 Phil Dexter, Finance Director
 Grant Weed, City Attorney
 Jim Ballew, Parks & Recreation Supt.
 Wanda Iverson, Recording Secretary

CORRECTED: SEE 2/25/91
MINUTESCALL TO ORDER:

Mayor Matheny called the meeting to order at 7:30 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 PREVIOUS MEETING:

Councilor Pedersen noted that on page 4, in the third paragraph from the bottom in the 2/4/91 minutes, the retreat date should be 4/12 & 4/13. On page 5 in the third paragraph, she noted that "Dada" should be spelled "Dawda".

Councilor Pedersen then moved that the minutes of the 2/4/91 meeting be approved as corrected. Seconded by Councilor McGee and passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Frank Big, representing Boeing/Paine Field addressed Council with regard to the proposed expansion of facilities in order to build the new 777. He explained that there presently are 23,000 employees at the Paine Field Boeing facility and they plan to hire another 10,000 employees with the expansion. He said they have also applied for permission to expand to 6.1 million square feet under roof and Mr. Big handed out the publication "Boeing Briefly" outlining the proposed expansion. He clarified that there would be no additional land expansion but additional buildings to be placed on the present site. He stated the City of Everett is preparing an EIS with about 13 different reports being done, and the draft EIS is expected to be completed by March 15. Any comments should be directed to Paul Roberts of the City Planning Dept. It was also noted that a traffic study will be done as far south as I-90, north to Skagit County, for example, to determine impacts. He went into quite a bit of detail about the new and expanded buildings to be built as well as engineered wetlands to be constricted and rebuilt streams that will support salmon and trout again. He added that the Final Assembly building will be the biggest building in the world--it is where the 777 will be built as well as 747s and 767s--over 100 acres under one roof. There will also be two more paint hangars built so 20 planes a month can be assembled and painted, he said and added that United Airlines has already ordered the first 777, to be delivered in 5/95, with preliminary engineering already started as well as the lining up of engine parts, etc. It was also mentioned that 1000 employees signed up for bus passes recently to alleviate car traffic and parking problems; this is another new program that Boeing has started.

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Councilor McGee summarized this expansion as basically doubling the size of the facility and doubling production with an increase of 10,000 employees.

Mr. Big said that was an accurate summary and added that the future looks pretty rosy for the Pacific Northwest in spite of the war.

Mayor Matheny mentioned the traffic impact to Exit 199 on I-5.

Reid Shockey, 2924 Colby, Everett, addressed Council representing Rich Warbus, owner of Quil Ceda Auto Wrecking. Mr. Shockey stated that his client has really been run through the "meat grinder" by the county for the last few months and is interested in annexing into Marysville. Mr. Warbus undertook to get petitions, he said, however there is a concern about defining the boundary and Mr. Warbus is quite anxious to annex. It was noted that he would like to construct a new building and tear down an old one which he can't do until such time as he has annexed. Mr. Shockey stated that they would like a definite decision on the boundaries and are trying to move this matter forward.

Mayor Matheny asked about the 116th area wanting to annex and Mr. Shockey stated that Mr. Hylback and Mr. Warbus were circulating petitions and Mr. Shockey thought there to be a 60% sufficiency of petition.

Mayor Matheny stated there is a trailer park on 116th that wants to annex and Councilor Pedersen said she thought Council had established boundaries already.

Mayor Matheny pointed out the problems with financing of the culvert at 100th & Smokey Pt. Blvd.

Mr. Shockey said he understood there was some agreement on the MRIP and the interlocal agreements between the City and the County, with participation of the State and property owners.

City Planner Corcoran said the Council did establish an annexation boundary which was expanded from what the proponents had proposed. He said there are two people carrying petitions around--one in the residential area and one going around to businesses, but the petitions have not been returned as yet and he added that he offered to hold neighborhood meetings if requested.

Councilor Baxter mentioned the fact that this matter has been going on for over three years. The wrecking yard asked for a building permit and now has to go around with an annexation petition and then was asked to go out and get more, he noted. He said Mr. Warbus wants to come into the City and it's really taking too long for someone who wants to come into the City--the process seems too cumbersome.

Mayor Matheny offered to come up with the names of people who are interested in annexing from 116th.

Councilor Baxter pointed out that that is one of the reasons for the delay--because City Council wanted a bigger area annexed.

City Planner Corcoran said he believed they are very close to 60% at this point.

Councilor Baxter noted that people lose their desire after 3 years!

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Mayor Matheny asked City Planner Corcoran to check with the County Engineering Dept. regarding the culvert to see how much money will be needed.

Councilor Weiser said he felt it up to City Council to square off boundaries and accept or reject the applicant's proposal.

Mr. Shockey pointed out that Mr. Warbus had a 100% petition which he felt were logical boundaries, then the boundaries were expanded with a 60% sufficiency of petition. He said they would like a closure on this issue as far as boundaries, final recommendation, when Mr. Warbus might be able to finalize. He added that the petitions were submitted about five months ago.

City Planner Corcoran said he could report back at next meeting, with a public hearing to be set at that time.

City Administrator Sanden pointed out that once you have submitted everything, with the final petitions, no more signatures can be deleted or added.

Councilor Pedersen said she knows there are more interested parties and Mr. Shockey reminded Council the Boundary Review Board may expand the boundaries, too.

The consensus was that City Planner Corcoran would bring the issue back at next meeting and a decision would be made from there.

PRESENTATIONS:

1. Strawberry Festival Candidates.

Cheryl Deckard presented the 10 Maryfest Royalty Candidates: Meisje Zigler, Jennifer Van Daveer, Amber Rock, Tosha Pitts, Sonja McElroy, Tamsie Ludbgerg, Brenda Gregurich, Monica Finsen, Tiffany David and Kim Bates who presented 1991 Strawberry Festival pins to the City Council and staff. Ms. Deckard extended an invitation for everyone to attend the March 23 pageant in the MPHS auditorium.

PETITIONS & COMMUNICATIONS: None.

PUBLIC HEARINGS: None.

CONSENT AGENDA:

1. 1/31/91 Payroll Checks in the amount of \$385,838.27
2. 2/11/91 Claims Checks in the amount of \$261,860.93

Councilor Lashua asked about a pump rental for \$59,000 and Finance Director Dexter explained it was to do with the signals on State and was partially financed by a \$200,000 Exxon grant. Councilor Lashua also asked about a voucher to Sue Jensen and one for 25 pairs of boots. The issue of allowances for clothing, rain gear, gloves and safety boots was discussed at some length.

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Councilor Pedersen then questioned vouchers for the Fire Chief's car, a phone for the jail. Finance Director Dexter noted that the Fire and Police cars were budgeted for and he could check into the phone for the jail further.

Councilor Lashua asked if it would be cost effective at this time for the City to go on a P.O. system and/or have a purchasing agent. Councilor Pedersen remarked that she felt there could be a substantial savings in the purchase of office supplies.

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Mayor Matheny asked if this couldn't be an agenda item for the Council Retreat and City Administrator Sanden noted that Mary has been looking into central purchasing.

Councilor Wright asked about recycling ads and City Administrator Sanden said they have been running in the local newspapers.

Councilor Weiser moved and Councilor McGee seconded to approve Consent Agenda Items 1 & 2. Passed unanimously.

REVIEW BIDS:

1. Planning Department Vehicle.

City Planner Corcoran referred to the agenda bill, noting that staff recommends acceptance of Brooks Biddle's bid for \$10,381.79 for a compact pickup to be used for the building inspector.

Councilor Cundiff moved and Councilor Lashua seconded to approve the Brooks Biddle bid as recommended by staff. Passed unanimously.

CURRENT BUSINESS:

1. Drug Buy Fund.

Finance Director Dexter explained that in 1983 the City established a Drug Buy Fund and during a recent audit, it was requested that this be revised, with two separate funds being set up. He added that the wording of the proposed ordinance has been redesigned to afford more accountability than in the past, also.

Councilor Weiser asked if this was the first time the auditor brought this to the attention of the City and Finance Director Dexter said yes.

Councilor Cundiff moved and Councilor McGee seconded to adopt/approve Ordinance 130 amending Chapter 3.94 MMC. Passed unanimously.

Councilor McGee moved and Councilor Weiser seconded to approve/adopt Ordinance 1831 establishing a second imprest fund as Chapter 3.95 MMC. Passed unanimously.

Councilor Lashua asked about the use of the wording "governing body" and City Administrator Sanden explained that is generic wording.

NEW BUSINESS: None.

LEGAL MATTERS:

1. Sleasman ULID.

City Administrator Sanden explained that staff would like authority to proceed with the ULID assessment; they would bring the resolution back to the next City Council meeting with a public hearing to be set. The petition for the ULID has been signed by 80% of the property owners, representing 94% of the valuation, she said.

Councilor Baxter moved and Councilor Weiser seconded to direct staff to draft a resolution for the Sleasman ULID for next meeting. Passed unanimously.

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ORDINANCES & RESOLUTIONS:

1. Resolution Granting a Variance to the Sewer Moratorium for the Shawn Hoban Property at 4518 76th St. NE.

Councilor Lashua moved and Councilor Pedersen seconded to approve/adopt Resolution #1464. Passed unanimously.

2. Resolution Denying, Without Prejudice, a Variance to the Sewer Moratorium for the Penny McIntosh Property.

Councilor Pedersen moved and Councilor McGee seconded to approve/adopt Resolution #1465. Passed unanimously.

3. Resolution Regarding Block Grant Funding.

City Administrator Sanden explained that the resolution prioritizes block grant proposals and she said she would recommend that the handicap access door for City Hall be either removed from the list of priorities or else moved to number 5, as the majority of this project is budgeted.

There was discussion about the different projects and their priority and City Administrator Sanden noted that it's typical to get three projects funded. As far as the review process, she explained that a technical review committee made up of representation from different cities, county, health department, social services, review the application and then it goes to an elective (mayors) level.

Parks & Recreation Supt. Ballew said he felt seriously that the handicap door could be 4th and the Beach project 5th in priority, based on the criteria of the grant.

Councilor Cundiff moved to adopt/approve Resolution #1466 and Councilor Baxter seconded, with #2, 3, 4 & 5 moved up and #1 put in the 5th priority position. Passed unanimously.

4. Resolution proclaiming joint support for the preservation of Farmers Home Administration low-income senior citizen housing.

City Administrator Sanden explained that once an owner has offered to repay FHMA, there's a 30 day period to assert the need for the low income housing and if it's not needed, it's removed from subsidized housing but if it is needed, the FHMA can put in additional incentives so that it will be retained as low income housing.

There was discussion about the fate of the Pilchuck I Apartments on Grove St., the need to do something prior to February 15th, including wording in the resolution making it more clear where the incentives are to come from, the possibility of attaching an addendum to make it clear it's the FHMA who would give the incentives.

Councilor Baxter pointed out that he remembers this project coming in for approval and it would not have received approval if it had not been guaranteed low income senior housing, complete with less traffic, parking and noise and now it's possible to turn it into regular rentals without permission of anyone in the neighborhood.

City Administrator Sanden said this is a common complaint in a lot of cities.

Councilor Baxter said he is a neighbor to this unit and it was originally approved because of the occupancy; no one ever thought it was going to change.

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Councilor Lashua noted that Ebey Arms was resolved but Councilor Baxter argued that he knew of a young single man who just rented out a unit in Ebey Arms.

Councilor Pedersen said it's a very difficult decision because you don't want to be in the position of telling an owner who they can rent to, but at the same time, we desperately need places like this for the elderly to live.

There was more discussion and a suggestion that the City write a letter to the Farmers Home Administration along with the resolution, referring to the original code for subsidized low income housing.

City Attorney Weed mentioned this is happening also in Snohomish and individual apartment owners have written letters and the City of Snohomish is sending these letters in to the Farmers Home Administration also.

Mayor Matheny explained she had attended a meeting today regarding this issue and noted there was a very high degree of concern that these seniors may not have a place to live that they can afford.

Councilor Baxter agreed that most people that live in the Pilchuck I Apartments need the subsidization.

Councilor Lashua moved and Councilor McGee seconded to approve/adopt Resolution #1467 with additional wording "through the encouragement of the offering of incentives by the lender". Passed unanimously.

Councilor Cundiff suggested including a cover letter regarding the zoning/original public hearing process, along with the petition from the neighbors.

There was more discussion as to when the original public hearing would have been--sometime between 1965 and 1968 it was thought and it was agreed that staff would look into this further.

5. Marysville School District Waterline Recovery Contract.

Finance Director Dexter explained the recovery contract would be at \$27.27 per lineal foot of frontage for a 12" waterline for the transition school, totalling \$78,892.11. Staff recommends approval, he noted.

Mayor Matheny asked about the trees to be replaced around the golf course and Parks & Recreation Supt. Ballew reported that 100 6' Douglas firs have been ordered.

After brief discussion about the likelihood of this recovery, Councilor Cundiff moved and Councilor Lashua seconded that Recovery Contract #155 be approved. The motion passed 4-3 with Councilors McGee, Weiser and Baxter against.

REVIEW BIDS:

2. Parks Maintenance Building.

Parks & Recreation Supt. Ballew reported that bids for a 24' x 60' structure were sent out, \$16,800 has been budgeted, four proposals were received and the low bid came in at \$17,500. This would be for a turnkey building, with the Parks Dept. finishing the interior of the building as time permits. He noted that the proposals included a warranty with 65 days to complete and he said staff would like a contract drawn up to begin with the new building and demolish the old one.

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There were comments about the structure being 30 gauge steel, the prevailing wage clause, finishing of the structure, demolition permit to be obtained, \$12.00 per square foot being the cost based on the bid.

Councilor Baxter moved and Councilor Lashua seconded to approve as per staff recommendations with a contract to be drawn up. Passed unanimously.

STAFF'S BUSINESS:

City Administrator Sanden discussed upcoming trip to Olympia and the prohibition on utility liens issue. It was the consensus that Councilmembers would write letters expressing their views regarding SB 5298, addressed to Bob McCaslin, Chairman of the Senate Governmental Operations Committee. City Administrator Sanden, Mayor Matheny and Councilor Wright will be attending the session.

CALL ON COUNCILMEMBERS:

Councilor McGee asked about recycling information and City Administrator Sanden stated that it has been advertised.

Councilor Pedersen asked about the "R" rated videos at the library issue and City Administrator Sanden explained they are not classified as pornographic and so she said she was not sure what can be done about this matter.

City Attorney Weed said it was his understanding that the library could be asked to provide a separate room, require an age limit, but the Sno-Isle Regional Library board has considered this issue previously and nothing was really done to prevent minors from checking out the "R" rated videos.

City Administrator Sanden added that the library has apparently already gone through the legal exercise previously over this issue and she suggested having them come to make a presentation to City Council.

Councilor Cundiff stated he feels it City Council's responsibility to control this and said he has a name of a group of attorneys who specialize in this. City Attorney Weed said he would be interested in talking with the other attorneys.

Councilor Pedersen pointed out that movie houses have an age limit of 16 but Councilor Weiser argued that is a voluntary limitation, up to the discretion of each movie house as to whether or not they wish to conform to the various categories of rating movies. He added that there is a library freedom of speech code of ethics, also.

It was agreed that City Attorney Weed would follow up on this issue.

Councilor Lashua reported on a Snohomish County Railroad Commemorative Project meeting he attended today regarding the 110th anniversary of the Northern Pacific in this area in 1993. Marysville will be asked to contribute and the County has already put up \$5,000 in seed money, he said. He added there might be the possibility of grant money.

He then reported that there was an accident in the Norumtown Church parking lot Sunday where a handicapped person got into the car and the driver of the vehicle then backed into two people. Several emergency vehicles responded, including two policemen, one of which was very abusive, he said.

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City Attorney Weed said if there is a complaint, there would most probably be an internal investigation. He said further, that he has a meeting with Chief Dyer first thing in the morning and can bring this up at that time.

Councilor Lashua noted that the incident was observed by many people and last year we spent \$5,000 to have a PR person come up and talk to the staff (he questioned whether this money was well spent).

Councilor Cundiff said he was aware of the emergency vehicles responding to the accident; although he did not see the abusive action himself, others reported it to him.

City Attorney Weed said it's very important with a complaint to have an investigation of the employee.

Councilor Lashua summarized that the police force just alienated about 200 parishioners because of this incident.

Councilor Baxter reported that we do have a final draft on the water supply contract with the City of Everett and that he feels a lot of progress has been made.

Mayor Matheny asked about the wording on the second pipeline and City Administrator Sanden said there will be a second pipeline but the contract does not state who the owner of the second pipeline would be. Councilor Baxter said it would be based on consumption. He also reported the joint fire contract is progressing cautiously and slowly; they are down to the serious issues now with most of the minor issues agreed upon, he said.

City Attorney Weed added that some of the issues that still need to be resolved are how employee groups will be handled, insurance, dispatch issues and annexation.

Councilor Baxter urged that the antenna tower on top of City Hall not be disturbed if we are not going to be working on the roof because removing it may cause roof damage.

City Administrator Sanden said estimates for roof repair and/or patching are being obtained and various options will be evaluated.

ADJOURNMENT INTO EXECUTIVE SESSION: 9:57 p.m.

1. Pending Litigation.
2. Real Estate.

RECONVENE & ADJOURN: Approximately 11 p.m.

Accepted this 25th day of February, 1991.

Pete Matheny
 MAYOR

Phillip E. Dexter
 CITY CLERK

Wanda A. Iverson
 RECORDING SECRETARY