



MARYSVILLE CITY COUNCIL MEETING MINUTES

OCTOBER 23, 1995

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor

Councilmembers:

Donna Pedersen, Mayor Pro Tem

John Myers

Ken Baxter

Donna Wright

Mike Leighan

Otto Herman

Shirley Bartholomew

Administrative Staff:

Dave Zabell, City Administrator

Steve Wilson, Finance Director

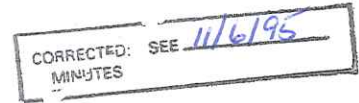
Gloria Hirashima, City Planner

Grant Weed, City Attorney

Ken Winckler, Public Works Director

Dale Thayer, WWTF Superintendent

Wanda Iverson, Recording Secretary



WORKSHOP: 6:00 to 6:50 p.m.

1. Review Remodel Plans; 4822 Grove St., Marysville.

RECONVENE/CALL TO ORDER/FLAG SALUTE: 7:00 p.m.

Mayor Weiser called the City Council Meeting to order and led us in the pledge of allegiance, at approximately 7:00 p.m.

ROLL CALL:

Finance Director Wilson called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilmember Bartholomew noted on page 3 of the 10/9/95 minutes, near the bottom of the page, the word "addition" should be "additional".

There being no further corrections, Councilmember Bartholomew moved and Councilmember Myers seconded to approve the minutes of the 10/9/95 meeting as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

CONSENT AGENDA:

2. Authorize Mayor to Sign the Amendment to P & P ProGuard Janitorial Contract.
3. Affirm the Hearing Examiner's Decision to Approve Rezone and Conditional Use Permit with Conditions; Lind/Lowen; PA 9506034.
4. Affirm Hearing Examiner's Decision to Approve Rezone & Variance Request; Carlotta & Grimm; PA 9506036.

Councilmember Myers moved and Councilmember Bartholomew seconded to approve Consent Agenda Items 2, 3 & 4. Passed unanimously.

1. Approval of the October 23, 1995 Claims in the Amount of \$288,254.88; Paid by Check Nos. 26338 through 26640 with Check Nos. 25831, 26031, 26039 and 26332 void.

There were questions about vouchers 26399, 26459 and 26500 and it was noted that Councilmember Leighan would be abstaining from voting on voucher #26529 and Councilmember Baxter would be abstaining from voting on voucher #26460.

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Councilmember Pedersen questioned voucher #26522 payable to Tracey & Assoc. and Finance Director Wilson stated he would hold this check, actually payable to Group Health for Tracey & Assoc. until it was checked out further.

There being no further questions, Councilmember Myers moved and Councilmember Pedersen seconded to approve Consent Agenda Item No. 1 with the exception of voucher #26522. Passed unanimously.

STAFF BUSINESS:

Finance Director stated he will be getting changes to the budget to Council; the preliminary budget is due 11/1/95.

City Administrator passed out several memos to Council including an AWC update, tentative agenda for Council retreat, Dept. of Corrections announcement of their counseling office at Grove & 43.

City Attorney Weed agreed to give a presentation later in the Council meeting tonight on land use regulatory reform measures.

City Planner Hirashima reported the Planning Commission closed the public hearings at the last meeting on the Comp Plan and should be making revisions tomorrow night. She stated there was a subarea meeting this last Wednesday, 60 people attended and gave input regarding transportation, land use and other issues.

MAYOR'S BUSINESS:

Mayor Weiser noted that he and Councilmember Pedersen will be conducting the annual City Administrator's evaluation and are looking for input from Council prior to next Tuesday afternoon.

CALL ON COUNCILMEMBERS:

Councilmember Herman thanked Ken and Mary regarding a constituent who called him with a problem. Councilmember Herman asked about R48 and the Smokey Point issues. (To be addressed later by City Attorney Weed.)

Councilmember Leighan talked about runoff problems in Bayview Ridge and thanked Paul Rochon for fast response with regard to this over the weekend. He said he would like to see a joint Council and Parks Dept. meeting on capital improvement projects, park districts, funding sources, etc. The third Monday of Nov. was suggested; time and date to be followed up on.

Councilmember Wright mentioned a candidate forum tomorrow night.

Councilmember Pedersen asked when the final Comp Plan would be coming back to Council and City Planner Hirashima said probably in about 2 weeks.

Councilmember Pedersen thanked Larry Larson and Larry Gessner regarding the sign at 51st & Grove. She announced a retirement luncheon for Carl Gibson from Everett Community College tomorrow.  
*City Council*

Councilmember Baxter confirmed there will be a Golf Committee meeting Thursday at 8 a.m.

Councilmember Myers thanked staff for prompt action with regard to a runoff problem in Parkside Manor. He noted Everett and Lynnwood publish their city council agendas in the newspaper and asked if that was feasible for Marysville to do. Brief discussion revealed it was not feasible when you only have a weekly newspaper and their deadline comes up before the agenda is even established.

CORRECTED: SEE 11/6/95  
MINUTES

Councilmember Bartholomew asked about Comp Plan hearings and City Planner Hirashima explained there will be a press release as to when these will be.

Councilmember Bartholomew asked about the adult entertainment ordinance and City Attorney Weed stated there will be another public hearing tomorrow night and one after that regarding the secondary effects.

CORRECTED: SEE 11/6/95  
MINUTES 5/13 "added"

Mayor Weiser addee that the committee will be holding public hearings regarding policing issues and will be making recommendations to the Planning Commission, then to City Council the beginning of next year.

Councilmember Bartholomew asked about expediting the ordinance. She noted there are two issues, i.e. land use and policing of adult entertainment facilities.

City Attorney Weed stated both issues will be brought before Council simultaneously and in the meantime there is a one year moratorium on prohibiting new establishments in Marysville.

Councilmember Bartholomew thanked the Marysville Globe for their series of articles on adult entertainment issues.

REVIEW OF BIDS:

**1. L.I.D. #65 Sanitary Sewers; 84th St. NE & 45th Av. NE.**

Public Works Director Winckler reviewed the agenda bill, noting 12 bids were received for the project.

Councilmember Baxter moved and Councilmember Bartholomew seconded to award the bid to Lazer Construction in the amount of \$159,366 plus sales tax. Passed unanimously.

**2. Emergency Generator Trailer Mount.**

Public Works Director Winckler reviewed the agenda bill.

Councilmember Baxter moved and Councilmember Bartholomew seconded to award the bid to Tangent Electric in the amount of \$75,950 as outlined by staff. Passed unanimously.

CURRENT BUSINESS:

**1. Utility Variance for Marysville First Assembly of God Church; 140th St. East of Fire Trail Rd.; UV 95-008.**

Public Works Director Winckler reviewed the agenda bill, noting property is within the CWSP.

City Attorney Weed explained the Growth Management Act promotes an Urban Growth Boundary in order to keep urban areas together and rural areas together with utilities not extended into rural areas, however schools have been exempted from this restriction; the county is having to reevaluate this, he noted. Marysville's CWSP does include this area but does not address the water issue, he added.

Councilmember Pedersen noted RUSA's intent was to allow the connection if the county does not object with utilities being extended outside Marysville's UGB.

Councilmember Bartholomew noted this is a state land use mandate.

Councilmember Pedersen moved for approval as long as the applicant gets approval from the county that allows the City of Marysville to serve outside our UGB; Councilmember Bartholomew seconded the motion and it passed unanimously.

Pastor Ken Squires, 6508 56th Dr. NE, addressed Council and said they really appreciated the approval and there has already been an interest in the congregation to help with clean up in the City to say thank you to Marysville.

Mayor Weiser noted Marysville has had its own Urban Grown Boundary since 1982 but now we are having to adhere to state mandates and recently mandated UGBs.

City Attorney Weed said he would like to see open communications between the City and County here.

Councilmember Baxter also noted the Tulalip Tribes is considered a sovereign nation and so most of the City rules don't apply.

City Attorney Weed explained that tonight's action will be documented by resolution which will be forwarded to the county.

## **2. Utility Variance for Tulalip Tribes Cultural Center & Museum.**

Public Works Director Winckler reviewed the agenda bill, noting staff is recommending approval of one sewer connection without water connection.

Councilmember Baxter asked if this connection was going to serve the temporary museum and cultural center or if it was just for the new one.

Danny Simpson, 13121 37th Avenue NE, Marysville 98271, addressed Council, stating they currently have an onsite septic system so the hookup would only be for the new building.

Councilmember Baxter moved and Councilmember Herman seconded to approve the utility variance, specific to that building and use.

Councilmember Leighan asked about establishing a commercial rate and Public Works Director Winckler said that is to be discussed further with the Tulalip Tribes.

Councilmember Baxter and Councilmember Herman agreed to make an amendment to the motion: That it be subject to the recommendation in the agenda bill, i.e., that service contract be drawn up to establish a commercial rate that would not require metering of wastewater discharge. The motion passed unanimously.

### NEW BUSINESS:

#### **1. Friends of the Library Request for Art Funds.**

City Administrator Zabell noted there are funds in the reserve fund for artwork at the new library.

John Beaman, representing the Art Committee of the Friends of the Library, addressed the Council and stated this request is beyond the \$15,000 which the Friends of the Library have raised. He said they had met with the artist, Georgia Gerber, Jim Ballew and other staff members. This is to be a significant bronze sculpture of a grandfather, grandson, book and dog, he said and he showed the recommended placement of the sculpture in front of the new library. He noted a lot of time and energy has gone into this and they hope the Council will consider the request. Also, the committee would like to have a stained glass divider in the children's section and there is a commitment from the artist in the

He stated a lot of appeals have been presented just to forestall development permits and this legislation will hopefully prevent this in the future. Also, there has been relaxation for allowing major industrial development that requires large parcels to be located within UGBs; where immediate source of natural resources is needed, they may also be located outside UGBs, eg. utilities.

He commented on shoreline appeals that would go through the Growth Management Appeals Board and Shoreline Appeals Board.

LEGAL MATTERS: None.

ADJOURNMENT INTO EXECUTIVE SESSION: 9:15 p.m.

1. **Real Estate.** (No action)
2. **Personnel.** (No action)
3. **Litigation.** (No action)

RECONVENED & ADJOURNED: 10:10 p.m.

Accepted this 6<sup>th</sup> day of November 1995.

David Weiser  
MAYOR

Mary D. Swanson  
CITY CLERK

Wanda A. Swanson  
RECORDING SECRETARY