

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

NOVEMBER 13, 1995

00017

CALL TO ORDER:

7:00 p.m.

ROLL CALL:

Councilmember Wright
excused

MINUTES OF PREVIOUS MEETINGS:

11/6/95 Approved

AUDIENCE PARTICIPATION:

None

CONSENT AGENDA:

Approved:

1. Approval of 10/95 Payroll in the Amount of \$530,032.59; paid with Check Nos. 18787 through 19106 with Check No. 18850 Void.
2. Approval of 11/13/95 Claims in the amount of \$1,555,066.26; paid with Check Nos. 26541 thru 26792 with Check Nos. 25999, 26283, 26295, 26382, and 26527 Void.
3. Affirm the Hearing Examiner's Decision to Approve a Conditional Use Permit Request to Convert an Existing Single Family Residence into a Professional Office in a Residential Zone; RKB Assoc.; PA 9508044.
4. Authorize Placement of a 15 Minute Parking Zone in Front of the Advanced Learning Center; 1413 Eighth Street.
(Items 5 & 6 moved to New Business, Items 2 & 3.)

STAFF'S BUSINESS:

MAYOR'S BUSINESS:

CALL ON COUNCILMEMBERS:

PETITIONS & COMMUNICATIONS:

1. New Fire Protection Classification - Chief Corn

CURRENT BUSINESS:

1. Presentation of Cedarcrest Golf Course Master Plan
No Action - to be cont'd.

NEW BUSINESS:

1. Authorization of Inspector Positions Approved
2. Authorize Mayor to Sign Supplemental Agreement #3; Reid Middleton; Grove St./67th-71st; City Project R-9409 Approved
3. Authorize Mayor to Sign Contract w/ Lewis Architects. Approved

ORDINANCES & RESOLUTIONS:

1. Ord. 2049 Approved Changing Control of Franchisee.
2. Ord. 2050 Approved Affirming Hrg.Examiner Decision & Rezoning Tim O'Rourke Property.
3. Ord. 2051 Approved Affirming Hrg.Examiner Decision & Rezoning Lind & Lowen Property.
4. Ord. 2052 Approved Affirming Hrg.Examiner Decision & Rezoning Durkin & Grimm Property.
5. Ord. 2053 Approved Repealing Ord. 2003 relating to Condemnation of Property.
6. Res. 1762 Approved Granting CUP & Variance - N. Kim Pham, subj to conditions
7. Res. 1763 Approved Granting Util.Var. for Tulalip Tribes of Wash. property bet. 19th Av. & 27th Av. NE, Marysville.
8. Res. 1764 Approved Granting Util.Var. for Terra Firma Devel.Co for property at 156th St. NE & Twin Lakes Av., Arlington
9. Res. 1765 Approved Granting Util.Var. for Msvl. First Assembly of God Church, north of 140th & west of I-5.
10. Res. 1766 Approved Granting Util.Var. for Snavely, 14208 23rd Av. NE, Arlington.

LEGAL MATTERS:

Currier Recovery Contracts continued to 11/27/95

ADJOURNMENT INTO EXECUTIVE SESSION:

9:57 p.m.
(No Action)
(No Action)

1. Litigation
2. Real Estate

RECONVENED & ADJOURNED:

10:50 p.m.

MARYSVILLE CITY COUNCIL MEETING

00008

NOVEMBER 13, 1995

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor

Councilmembers:

Donna Pedersen, Mayor Pro Tem

John Myers

Ken Baxter

Donna Wright (excused)

Mike Leighan

Otto Herman

Shirley Bartholomew

Administrative Staff:

Dave Zabell, City Administrator

Steve Wilson, Finance Director

Grant Weed, City Attorney

Gloria Hirashima, City Planner

Jim Ballew, Parks & Recreation Director

Ken Winckler, Public Works Director

Greg Corn, MFD Chief

Doug Buell, Community Information Officer

Wanda Iverson, Recording Secretary

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CALL TO ORDER:

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

ROLL CALL:

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

MINUTES OF PREVIOUS MEETINGS:

Councilmember Pedersen noted in the 11/6/95 Council Meeting Minutes on page 3 at the very top, it was decided the I-164 Task Force should meet the day after the elections, not the entire Council. On page 4 in the last paragraph, under #1, surplus property, wording should be added: "The motion as amended was adopted unanimously."

There being no further corrections, Councilmember Myers moved and Councilmember Herman seconded to approve the 11/6/95 minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION: None.

CONSENT AGENDA:

1. Approval of 10/95 Payroll in the Amount of \$530,032.59; paid with Check Nos. 18787 through 19106 with Check No. 18850 Void.
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3. Affirm the Hearing Examiner's Decision to Approve a Conditional Use Permit Request to Convert an Existing Single Family Residence into a Professional Office in a Residential Zone; RKB Assoc.; PA 9508044.
4. Authorize Placement of a 15 Minute Parking Zone in Front of the Advanced Learning Center; 1413 Eighth Street.

(Items 5 & 6 moved to New Business, Items 2 & 3.)

Councilmember Bartholomew moved and Councilmember Myers seconded to approve Consent Agenda Items 1 through 4. Passed unanimously.

STAFF BUSINESS:

City Administrator Zabell referred to a memo from the Parks & Rec. Director concerning the Thanksgiving Holiday.

City Attorney Weed gave a report on the R-48/I-164 Task Force meeting 11/8, stating the consensus was that ~~this is not the end~~

because of the uncertainty of

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of property rights being taken, and so there will probably be more bills proposed. He said he did follow up with the City of Everett Attorney; they will stay active through the AWC on issues raised by R-48 and if a new bill is proposed the idea is for a jurisdiction to be the proponent rather than a reactionary. He also commented on EHB-1724.

City Planner Hirashima reported the Planning Commission is beginning the Small Farms Draft Ordinance process tomorrow and will review the draft Mixed Use and Landscaping Code next.

Public Works Director Winckler reported on Change Order #1 on the Reservoir with regard to concrete specs (4000 psi) and also a change in the deadline.

He reported there will be an EWUC meeting Tue. 11/14 at 1 p.m. in the Everett Public Works Meeting Room, also a Traffic Safety Committee meeting Thu. 11/16 at 10:30 a.m. at the Msvl. Public Works Building. He also reported the annual review for snow and ice routes/program has been completed and all equipment is in working order.

Public Works Director Winckler reported the second of two public meetings will be held Wed. at 9:30 for restaurant owners regarding the pretreatment ordinance. Also, notification has gone out to Sunnyside area residents regarding requirement for garbage collection by the City. He said there were 650 sites but this has increased to 950 sites and a number of people do not want their garbage collected, although they have been notified of the City policy that requires them to participate. The City is also working on scheduling garbage and recycling pickup so that it is on the same day.

Burlington Norther reports all signs have been placed at crossings and the 88th St. gates completed. Councilmember Bartholomew noted there is not enough room between the tracks and intersection at 4th & Delta and Public Works Director Winckler said he would be following up with Burlington Northern on that as well as the fact that the signs have been up but do not seem to be working.

Mayor Weiser said he would also be following up with the MPD Special Emphasis Patrol and there was discussion about blocking intersections, fines vs warnings.

MAYOR'S BUSINESS:

Mayor Weiser reported he checked into the cost of publishing City Council agendas in the local newspapers and for the most part, they would have to be published so far in advance that they would be almost generic agendas; \$85-90 a week for the Globe, for the Herald it would have to be in by Friday for Monday's paper at \$219 a week. So the total for both papers would be about \$1200/month.

Mayor Weiser announced who he had appointed to the Streetscape Committee: Jodi Hyatt (rep. of Downtown Merchants Assn.), Jan Jubie, Ken Woods, Matt Gordon, Betty Hughes, Mike Papa, Margaret Natterstad, Mike Elmore, Jim Barbarinas (consultant), plus staff.

CALL ON COUNCILMEMBERS:

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Councilmember Myers asked about blacktopping at 67th & Grove and when it will be finished and Public Works Director Winckler stated it depends on the weather for the second lift.

Councilmember Herman asked when the small farms ordinance will come to Council and City Planner Hirashima estimated probably January.

Councilmember Leighan commented on his recent attendance at the BSA Eagle Scout program and asked that the Council recognize in the minutes Matthew Kee Dierck's receiving his Eagle Scout Badge.

00116

Matthew is the son of Asst. Fire Chief Dave Dierck.

PETITIONS & COMMUNICATIONS:

1. New Fire Protection Classification - Greg Corn.

Chief Corn referred to the Survey & Rating letter in the packets and announced that Marysville has been rerated from a "5" to a "4" which represents an improvement in the rating. He said he checked with an insurance company today and it depends on the protection classes, rate banding with other structures in the area, but with regard to the average residence or commercial structure, there probably will be no difference except for the condos across from the Coke plant which might receive a 6% reduction but it does put Marysville in a classification closer to a "3" which will make a difference in fire rates, he said. He noted some of the factors that are considered for reduction of rating classification are water capabilities and fire flow, manpower, training, equipment, fire prevention capability. The effective date of the change is 2/96 and this will be automatically updated in all insurance rating books. He noted some surrounding jurisdictions' classifications: Arlington - 5, Lake Goodwin - 7, Seattle - 2 (best in State), Everett - 3, Lynnwood may be a Class 3, Fire Dist. 12 went from Class 6 to Class 4.

CURRENT BUSINESS:

1. Presentation of Cedarcrest Golf Course Master Plan.

Parks & Recreation Director Ballew introduced John Steidel who has remodelled 42 courses in the U.S.

Mr. Steidel handed out a 50 page booklet outlining in detail his proposal for creating a brand new Cedarcrest Golf Course. He noted he has worked on and off at Cedarcrest for the last 18 years and is very familiar with its good points and bad. His master plan stresses drainage, irrigation, creating an easier flowing course, a safer course and what to do while 67th is being widened. He said a soil test was done which showed there is clay in the valleys and lots of sand on the ridges, accounting for patchy greens because of poor drainage/irrigation and there is a thatch building up which holds water and does not allow it to drain well.

He noted that widening of 67th is going to take 15' of the golf course and because of the major renovations/remodelling he is proposing, when 67th is being widened, would be the perfect opportunity to close at least half the golf course and go ahead with the remodelling. He talked about the advantages and disadvantages of closing the whole course down at once vs half at a time, poor turf quality, keeping the golf course competitive, increasing the course to 6000 yards, building the greens to PGA specifications, improving the tees so there are tournament, ladies and men's placements, sand traps, the potential for more green fee rounds with a better course and that the time to act is very soon.

He referred to the Master Plan Proposal, page 31, which talks about what City staff can do while the course is shut down, how best to accomplish the total plan over as short a period as possible with as little revenue as possible lost and being able to regain that revenue, with a slight green fee increase, as quickly as possible. He also talked about water sources, well sites, improving the cart paths, architectural costs, total cost of the package being in the neighborhood of \$3 million.

Other issues that came up were what to do with the restaurant, parking, landscaping, recycling natural water, replanting of cedars, fencing, trails and paths, improving the cart paths so aid cars can maneuver on them. The total cost of the project with restaurant renovation would be \$4 million.

Figures were reviewed for revenues, losses and funding sources.

There was discussion about raising the greens fees as well as charging an admission fee/tax, totaling \$17.50 per round. There was discussion about existing and possible future maintenance of equipment, goal of not buying any large equipment until the year 2000, use of admission tax, personnel, maintenance, tree falling, enough for full time staff to be busy (3) plus Mike Robinson plus Don Shaw plus project manager. Parks & Recreation Director Ballew talked about a planned wildlife enhancement program and asked Council to study the plan and recommend how to proceed. He noted that they need to put out to bid by April for the construction season. He also asked Council to review the survey and financial alternatives, LTGO or councilmatic bonds backed by the General Fund with interim needs to finance construction, impact to long term projects. He said the decision needs to be made about keeping the course versus getting out of the golf course business and there was more discussion about increasing the greens fees.

Councilmember Bartholomew said she favors complete closure but also noted Lake Cassidy opening will impact the Council's decision here.

NEW BUSINESS:

1. Authorization of Inspector Positions.

Public Works Director Winckler reviewed the agenda bill, explaining funding is available for all three positions.

After considerable discussion, Councilmember Baxter moved and Councilmember Herman seconded to authorize/approve the (3) Inspector Positions contingent on obtaining WSDOT formal approval. Passed unanimously.

2. Authorize Mayor to Sign Supplemental Agreement #3; Reid Middleton; Grove St./67th to 71st; City Project R-9409.

Councilmember Baxter explained his concern about change in design, drainage, Woge's plan to landscape having to be changed, ULID 7.

Public Works Director Winckler explained there was a neighborhood meeting and the design was probably changed as the project went along and normally there is not that much difference between the original and final plan but in this case it is more significant. The additional money needed is for crossing the creek, widening the roadway, replacing culvert and substantial changes in the original design, he said.

After brief discussion, Councilmember Herman moved and Councilmember Bartholomew seconded to authorize the Mayor to sign the supplemental agreement with mileage the same as the original contract. Passed unanimously.

3. Authorize Mayor to Sign Contract Amendment for Lewis Architects.

There was considerable discussion regarding mileage rate, Uniform Power System, roof systems, increased scope of work, electrical and design work, funding sources, changes to original proposal: roof, copy room, restrooms, meeting rooms, walls.

Councilmember Myers moved and Councilmember Bartholomew seconded to authorize the Mayor to sign the contract amendment for Lewis Architects for \$7500. Passed unanimously.

ORDINANCES & RESOLUTIONS:

1. Ordinance Approving Change of Control of Franchisee.

Councilmember Myers moved and Councilmember Bartholomew seconded to approve/adopt Ordinance 2049. Passed unanimously.

City Attorney Weed asked that it be made part of the record that Viacom has indicated they are in agreement with the wording of this ordinance.

- 2. Ordinance Affirming the Decision of the Hearing Examiner and Rezoning Property Owned by Tim O'Rourke, Amending the Official Zoning Map Previously Adopted in Ord. 772.**

Councilmember Leighan moved and Councilmember Bartholomew seconded to approve/adopt Ordinance 2050. Passed 5-0 as Councilmember Pedersen did not vote.

- 3. Ordinance Affirming the Decision of the Hearing Examiner and Rezoning Property Owned by Jeff Lind and Anita Lowen, Amending the Official Zoning Map Previously Adopted in Ord. 772.**

Councilmember Bartholomew moved and Councilmember Myers seconded to approve/adopt Ordinance 2051. Passed unanimously.

- 4. Ordinance Affirming the Decision of the Hearing Examiner and Rezoning Property Owned by Carlotta Durkin & Mark Grimm, Amending the Official Zoning Map Previously Adopted in Ord. 772.**

Councilmember Leighan moved and Councilmember Bartholomew seconded to approve/adopt Ordinance 2052. Passed unanimously.

- 5. Ordinance Repealing Ord. 2003 relating to the Condemnation of Certain Property.**

Councilmember Bartholomew moved and Councilmember Herman seconded to approve/adopt Ordinance 2053. Passed unanimously.

- 6. Resolution Granting a Conditional Use Permit and Variance for Property Owned by N. Kim Pham, subject to conditions.**

Councilmember Myers moved and Councilmember Bartholomew seconded to approve/adopt Resolution 1762. Passed unanimously.

- 7. Resolution Granting Utility Variance for Tulalip Tribes of Washington for Property located between 19th Av. & 27th Av. NE Marysville**

Councilmember Bartholomew moved and Councilmember Myers seconded to approve/adopt Resolution 1763. Passed 5-1 with Councilmember Leighan against.

- 8. Resolution Granting a Utility Variance for Terra Firma Development Co. Ltd. for property located at 156th St. NE & Twin Lakes Av., Arlington.**

Councilmember Leighan moved and Councilmember Myers seconded to approve/adopt Resolution 1764. Passed unanimously.

- 9. Resolution Granting Utility Variance for Marysville First Assembly of God Church for property located north of 140th St. and west of I-5.**

Councilmember Bartholomew moved and Councilmember Leighan seconded to approve/adopt Resolution 1765 with two changes: That the intent is that the applicant pay for the boring under I-5 and that the legal description of the property be changed to "North of 140th St. (also known as Firetrail Rd.) and west of I-5." The motion passed unanimously.

- 10. Resolution Granting Utility Variance for Douglas Snavely for property located at 14208 23rd Av. NE, Arlington.**

Councilmember Baxter moved and Councilmember Myers seconded to adopt/approve Resolution 1766. Passed unanimously.

LEGAL MATTERS:

It was decided to continue the two Currier Recovery Contracts until further information is received regarding square footage versus lineal feet of frontage.

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

1. **Litigation.** (No Action)
2. **Real Estate.** (No Action)

RECONVENED & ADJOURNED: 10:50 p.m.

Accepted this 27th day of November, 1995.

David Weiss

MAYOR

Mary A. Swenson

CITY CLERK

Standa A. Swenson

RECORDING SECRETARY