

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

AUGUST 12, 1996

00204

CALL TO ORDER:

7:00 p.m.

ROLL CALL:

All Present

CORRECTED: SEE 8/26/96 MINUTES

MINUTES OF PREVIOUS MEETINGS:

8/5/96 Approved

AUDIENCE PARTICIPATION:

None

CONSENT AGENDA:

Approved:

1. Approval of 8/12/96 Claims in the amount of \$1,680,518.36; paid by check nos. 29959 and 30149 through 30396 with check nos. 29984 and 30125 void.
2. Authorize Mayor to Sign Local Agency Agreement Supplement No.1 with WSDOT for State Av/88th St. NE Intersection HOV Project.

STAFF'S BUSINESS:

1. Athletic Field Survey To be done inhouse

MAYOR'S BUSINESS:

CALL ON COUNCILMEMBERS:

PUBLIC HEARINGS:

1. 8th St. Vacation; PA9512060; OSO Partnership (O'Connor, Seaver, Oehler) Approved
2. 9th St. Vacation; PA9605030; OSO Partnership (O'Connor, Seaver, Oehler) Approved

REVIEW BIDS:

None

CURRENT BUSINESS:

None

NEW BUSINESS:

1. Home Monitoring Program (Home Detention) Approved (60 Day Trial)
2. Keath Annexation; PA9606033; Notice of Intent to Commence Annexation Continued for 90 days
3. City of Marysville 6 Year TIP Public Hearing Set for 9/9/96

ORDINANCES & RESOLUTIONS:

1. Resolution Denying without prej. Util. Var. for James W. Cole & Raymond T. Dedonker for property located south of 172nd St. NE & east of Smokey Pt. Blvd., Arlington Res. 1814 Approved

LEGAL MATTERS:

None

ADJOURNMENT:

9:10 p.m.

EXECUTIVE SESSION:

9:15 p.m.

1. Real Estate.
2. Litigation.

No Action
No Action

RECONVENED & ADJOURNED:

10:15 p.m.

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MARYSVILLE CITY COUNCIL MINUTES

AUGUST 12, 1996

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
Donna Wright, Mayor Pro Tem
John Myers
Ken Baxter
Donna Pedersen
Mike Leighan
Otto Herman (7:30 p.m.)
Shirley Bartholomew
Administrative Staff:
Dave Zabell, City Administrator
Janet Berg, Asst. to Finance Director
Grant Weed, City Attorney
Dick Andrews, Public Works Consultant
Gloria Hirashima, City Planner
Bob Dyer, Marysville Police Chief
Sgt. Jarl Gunderson, Marysville Police Dept.
Jim Ballew, Parks & Recreation Director
Wanda Iverson, Recording Secretary

CALL TO ORDER:

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

ROLL CALL:

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

MINUTES OF PREVIOUS MEETINGS:

Councilmember Pedersen referred to the 8/5/96 minutes, page 1 under Minutes of the Previous Meetings, wherein it was noted that Councilmember Baxter seconded the motion but then in the subsequent paragraph, Councilmember Myers actually seconded the motion. On page 2, in the second sentence, she asked that the word "warning" be changed to "noting."

There being no further corrections, Councilmember Wright moved and Councilmember Bartholomew seconded to approve the 8/5/96 minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

CONSENT AGENDA:

1. Approval of 8/12/96 Claims in the amount of \$1,680,518.36; paid by check nos. 29959 and 30149 through 30396 with check nos. 29984 and 30125 void.
2. Authorize Mayor to Sign Local Agency Agreement Supplement No.1 with WSDOT for State Av/88th St. NE Intersection HOV Project.

It was noted that check number 30282 has been removed for further documentation.

Councilmember Leighan noted he would not be voting on voucher #30387 and Councilmember Baxter said he would not be voting on voucher #30307.

Councilmember Pedersen moved and Councilmember Bartholomew seconded to approve Consent Agenda Items 1 & 2 with the above exceptions. Passed unanimously.

STAFF BUSINESS:

Parks & Recreation Director Ballew distributed handouts concerning the Strawberry Fields Survey and Cedarcrest Restaurant. It was decided to wait until Councilmember Herman arrived before discussing the survey.

Parks & Recreation Director Ballew reviewed the high renovation expense for the restaurant and explained that it would probably be more cost effective to demolish the restaurant. He noted snack services could be put in the pro shop to fill some of the need for food services.

There was a very lengthy discussion regarding making the decision about grading, alternatives to demolishing the restaurant, a new building could be relocated closer to the pro shop, the pro is willing to operate snack shop/tent, objective to just get information to Council tonight and not having to make a decision right away, previous discussions about removal of the restaurant, asbestos study/report has not been done yet, two weeks would give enough time to get estimates from contractors for demolishing and the asbestos report.

Councilmember Myers moved and Councilmember Pedersen seconded to continue this discussion and make a decision about renovation vs demolition of the restaurant 8/26/96, once further information is available. Passed 5-1 with Councilmember Baxter against and Councilmember Herman not having arrived as yet.

MAYOR'S BUSINESS:

Mayor Weiser explained that Don Shaw has loaned his golf carts out but when he gets them back, he can take the Council on golf course tours, if they wish.

Mayor Weiser reported he talked with Larry Gilmore, Marysville Soccer President, and they are having their monthly coaches meeting this Thursday at the School District Service Center if any Councilmember wishes to attend. They will be discussing the sports complex and other items pertinent to the soccer league.

There was some discussion and City Attorney Weed gave an outline of what would constitute an open meeting. It was recommended that the Mayor, City Administrator and maybe only 2 Councilmembers attend and Mayor Weiser said he would talk further to Larry Gilmore about this.

STAFF BUSINESS:

Athletic Field Survey

With Councilmember Herman's arrival, Parks & Recreation Director Ballew reviewed information regarding telephone and mail surveys. It was noted in order to receive a net of 400 responses, 1200 inquiries would have to be made, either by telephone or mail, with at least 4 questions per survey. He reviewed costs involved and said in order to keep the costs down, mailing and/or telephoning could be done by staff and/or the Parks Board.

The issue of bias was brought up and City Attorney Weed noted that as long as staff and/or the Parks Board doesn't indicate people should support or oppose the issues, the survey could be done inhouse versus by an outside firm.

It was the consensus to do the survey inhouse, with Parks & Recreation Director Ballew to get in touch with the County Auditor's office in order to acquire mailing labels for registered voters who are likely to respond. Parks & Recreation Director Ballew also reported on the Parks Board meeting regarding Conservation Futures funding and property acquisition.

CALL ON COUNCILMEMBERS:

Councilmember Herman said he would really like to see the hanging basket over the Council's drop box at City Hall relocated.

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Councilmember Leighan asked about utility work being done and Consultant Andrews said he would check on that.

Councilmember Wright reported she will be in Chicago from Aug. 23 to 26 and may not be back in time for the Aug. 26th Council meeting.

Councilmember Pedersen reported she will not be able to attend this Thursday's RUSA meeting. She asked about the Mixed Use Code and when it will come before Council. City Planner Hirashima said it will come before Council Aug. 26th.

Councilmember Pedersen reported the lines need to be redone on 4th and Consultant Andrews said they are working on that.

Councilmember Baxter said he would like to see the full time mayor issue reviewed. Discussion followed and it was decided to form a committee, made up of Councilmembers Donna Wright (Chair), Ken Baxter and Otto Herman to review this subject prior to budget time and to look at the impacts with a full time mayor on the position of City Administrator, possibly having a Council President, reviewing changing dynamics and how people relate, making sure it all stays in balance.

PUBLIC HEARINGS:

1. **Eighth St. Vacation; PA9512060; OSO Partnership (O'Connor, Seaver, Oehler).**
2. **Ninth St. Vacation; PA9605030; OSO Partnership (O'Connor, Seaver, Oehler).**

City Attorney Weed swore in those wishing to testify and City Planner Hirashima reviewed the agenda bills. She read the 5 criteria which needed to be met in order to grant the street vacations. She noted the Planning and Public Works staff recommend granting of both requests.

There was brief discussion about road alignment and access.

Jim Seaver, 7007 58th Dr. NE, addressed Council. He said with regard to access on 9th, if the property owners to the east wanted vacation there would be no access; present access is on 8th and 9th. There is one owner (Soper) on Lots 22, 23 & 24 on the north side of 9th, he explained. Also, if Council denied the request, they would still take access off 9th, he said.

There being no one further wishing to give public testimony, this portion of the public hearing was closed at 8:22 p.m.

Councilmember Myers then moved and Councilmember Bartholomew seconded to grant the 8th St. Vacation, to include staff recommendations with regard to compensation. Passed unanimously.

Councilmember Herman moved and Councilmember Bartholomew seconded to grant the 9th St. Vacation, to include staff recommendations with regard to compensation. Passed unanimously.

NEW BUSINESS:

1. **Home Monitoring Program (Home Detention).**

Marysville Police Chief Dyer and Sgt. Gunderson addressed this issue, reporting the Marysville jail is at an average of 81% capacity now and is often full. It was noted state law allows home monitoring and this has been researched; the police dept. is asking for approval of a 60 day trial on home monitoring with BI Corporation out of Colorado. It was explained there would be no cost to the City for the 60 days; it normally costs \$50 a day to house a prisoner vs \$15 a day under the home detention program and the prisoner would pay the \$15 per day.

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There was some concern and discussion on the part of Council regarding lag time in reporting, liability on the part of the City in the event the prisoner commits another crime while on this program.

It was explained prisoners eligible for the home monitoring program would not be violent offenders, they would be people who had been charged with offenses such as possession of a controlled substance and forgery of prescriptions; the program is monitored for drug use.

City Attorney Weed explained state legislation has approved this type of home monitoring and this would be for crimes that are not high risk and would have a very low liability risk for the City. He added that the judge would consider whether the person is employed, needs to care for family, not a repeat offender, someone who may qualify for this program. Sgt. Gunderson added that they only plan to give this a trial for probably one or two prisoners over the next 60 days, he estimated.

Chief Dyer reiterated that this program needs to be considered as an alternative to putting prisoners in jail in order to have capacity for higher risk offenders; right now they are taking emergency bookings only and there is a very long waiting list of people waiting to serve time in jail. The home monitoring/detention program is a viable alternative to low risk offenders serving time in jail.

Councilmember Bartholomew moved and Councilmember Myers seconded to give this program a 60 day trial, with the City Attorney reviewing the contract in the meantime with regard to the hold harmless clause, etc.

City Attorney Weed talked about serving time vs paying a fine and how this program may or may not be appropriate. He said he could review the Snohomish County contract/language.

Councilmember Bartholomew added as part of the motion to have the City Attorney review the Snohomish County contract and Councilmember Myers seconded. The motion passed unanimously.

2. Keath Annexation; PA9606033; Notice of Intent to Commence Annexation.

City Planner Hirashima stated the proponent has requested that this be continued for 60 or 90 days; they will contact the City again when they are ready.

Councilmember Leighan moved and Councilmember Myers seconded to continue this matter for 90 days. Passed unanimously.

City Planner Hirashima reported at this point that the county recently invoked jurisdiction on the Barr Annexation because of no interlocal agreement in place with the county and she said she is working on a packet of information with regard to road improvements Marysville has made, eg.; funding will be considered with regard to an interlocal agreement but Marysville is not in total agreement with regard to traffic mitigation requirements, she said.

There was further discussion and it was decided to have City Planner Hirashima present a draft of an interlocal agreement so that there will be one on file to refer to with future annexations that the county requires this of.

3. City of Marysville Six-Year Transportation Improvement Program (TIP).

Consultant Dick Andrews, owner of RGA Construction Management Services, 401 4th St., Mukilteo, referred to information in the packets. He and Lisa Richards, engineering intern employed by the City of Marysville, reviewed various projects where funding is in place, is in process or has not been secured as yet.

After brief questions and discussion, Councilmember Bartholomew moved and Councilmember Leighan seconded to set a public hearing date for 9/9/96 as recommended by staff. Passed unanimously.

ORDINANCES & RESOLUTIONS:

1. Resolution Denying Without Prejudice Utility Variance for James W. Cole and Raymond T. Dedonker for property located south of 172nd St. NE & east of Smokey Pt. Blvd., Arlington.

Councilmember Baxter moved and Councilmember Bartholomew seconded to approve Resolution 1814. Passed unanimously.

ADJOURNMENT INTO EXECUTIVE SESSION: 9:10 p.m.

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| 1. Real Estate. | No Action. |
| 2. Litigation. | No Action. |

RECONVENED & ADJOURNED: 10:15 p.m.

Accepted this 26th day of August, 1996.

David Waters
MAYOR

Mary D. Swerson
CITY CLERK

Standa A. Swerson
RECORDING SECRETARY