

00425

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING MARCH 3, 1997

CORRECTED: SEE 3/10/97  
MINUTES

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

MINUTES OF PREVIOUS MEETING: 2/24/97 Approved

AUDIENCE PARTICIPATION: Phyllis McKenzie

CONSENT AGENDA:

- 1. Authorize Mayor to Sign Final Plat Mylar for Serenity Park; PA 9111049. Approved

STAFF'S BUSINESS:

MAYOR'S BUSINESS:

CALL ON COUNCILMEMBERS:

PETITIONS & COMMUNICATIONS: None

PRESENTATIONS: None

PUBLIC HEARINGS: None

REVIEW BIDS: None

CURRENT BUSINESS: None

NEW BUSINESS:

- 1. Independent Contractor Agreement; Crime Prevention; Loree Parker Approved

ORDINANCES & RESOLUTIONS: None

LEGAL MATTERS: None

ADJOURNMENT: 8:30 p.m.

EXECUTIVE SESSION: 8:40 to 9:05 p.m.

- 1. Litigation (No Action)
- 2. Real Estate Action - See Minutes

RECONVENED: 9:06 p.m.

ADJOURNMENT: 9:07 p.m.

MARYSVILLE CITY COUNCIL MINUTES

MARCH 3, 1997

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor  
Councilmembers:  
Donna Wright, Mayor Pro Tem  
John Myers  
Ken Baxter  
Donna Pedersen (excused)  
Mike Leighan  
Otto Herman  
Shirley Bartholomew  
Administrative Staff:  
Dave Zabell, City Administrator  
Steve Wilson, Finance Director  
Gloria Hirashima, City Planner  
Grant Weed, City Attorney  
Dennis Peterson, Marysville Police Dept.  
Wanda Iverson, Recording Secretary

CALL TO ORDER/FLAG SALUTE:

Mayor Weiser called the City Council meeting to order and led the flag salute at approx. 7:00 p.m.

ROLL CALL:

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

MINUTES OF THE PREVIOUS MEETINGS:

Councilmember Myers noted in the minutes of the 2/24/97 meeting, on page 4 in the third paragraph from the bottom, about halfway through the paragraph, after the word "most", the following should be added: "of the surveys returned, business and teen combined,".

There being no further corrections, Councilmember Myers moved and Councilmember Bartholomew seconded to approve the minutes of the 2/24/97 meeting as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Phyllis McKenzie, 1528 172nd, Lakewood, addressed Council. She stated she owns a piece of property on 5th St., with an alley in the back and signs were put up "No Parking in the Alley." She pointed out that her tenants have no place else to park but in the alley; they have paid \$240 in fines and tickets and the compliance officer has been extremely rude, according to her tenants. Also, it seems he first told them they could park there and now their van has been towed away and they have been told they can't leave their vehicle for 24 hours on the street. She pointed out that the City doesn't have enough parking on 5th St.; people stick out into the alley. She said she has parked in the alley since 1982 and doesn't remember signs being put up; the alley is actually the front door to her rental house. She reiterated that her renters have absolutely no place to park and they are good renters.

Mayor Weiser noted that it has been against the law to park in the alleys since 1985 in Marysville.

Mrs. McKenzie questioned whether such restrictions should apply to people who live in the house, as long as they leave room for the garbage truck.

Councilmember Bartholomew stated that a couple weeks ago she observed that the garbage truck had problems getting into the alley.

Mrs. McKenzie said she thinks her tenants should have somewhere to park 24 hours and be able to take the bus, something that is being encouraged by everyone to eliminate traffic congestion.

Councilmember Bartholomew noted there is a committee looking at the issue of resident parking; residential parking permits with decals identifying the respective residents and there is a meeting scheduled with the issue coming before Council next Monday.

Councilmember Baxter asked about the fines and towing fees and City Administrator Zabell stated that the issue is now in the hands of the judge.

Councilmember Baxter noted the City has been looking at the parking situation where there is limited parking for sometime and he said he is wondering why the tickets were written while the City and committee is looking at the ordinance. He added there are specific problems in this area of town with narrow alleys, etc.; there are 3 or 4 old sections and he said he doesn't think tickets should have been written and cars towed.

Mrs. McKenzie agreed, stating she is especially concerned about reports about the compliance officer's attitude.

Councilmember Myers stated that the City needs to enforce the ordinance and if the ordinance needs to be changed, so be it but his concern is emergency vehicle access.

Councilmember Herman said he would like more information; maybe there is a legitimate problem and in the meantime he would suggest they need to park in accordance with the present code.

Mrs. McKenzie pointed out that that is a very congested area and she did tell the renters it was legal to park in the alley. She said the property she owns is at 1609 and 1609-1/2 5th St. She said she is willing to work with the City but these are good renters and they are thinking about moving because of the parking problem now.

Councilmember Baxter noted that in his experience, when there is an emergency, the fire trucks have always been able to get through the alleys even with cars parked down there and he said he doesn't think the tickets should be issued while the City/committee is looking at the ordinance.

Mayor Weiser noted the tickets have been written for at least a year and it is against the law; people have been complaining also when no tickets are written.

Councilmember Baxter expressed concern with writing tickets if there's a problem.

Councilmember Myers noted this is the first complaint he has heard about the compliance officer and the law is there.

Mrs. McKenzie concluded that she would just like to find a solution.

CONSENT AGENDA:

1. Authorize Mayor to Sign Final Plat Mylar for Serenity Park; PA 9111049.

Councilmember Leighan asked about the length of time between the short plat application and final plat mylar and City Planner said they can have 5 years with a one year extension.

Councilmember Leighan asked about the open tracts being dedicated to the City and City Planner Hirashima said she believed the only tract to be dedicated to the City was #107, on the recommendation of the Parks & Recreation Director; the remainder of the tracts would remain under private ownership of the homeowners' association.

There was discussion about there being a retention vault under Tract #107, where money is going to come from for maintaining storm water retention systems, what happens when the homeowners' association disappears, easements for Tracts 107 & 103 which will be dedicated to the City, buildable vs unbuildable.

Councilmember Leighan moved and Councilmember Bartholomew seconded to authorize the Mayor to sign the final plat mylar for Serenity Park as recommended. Passed 5-1 with Councilmember Baxter against.

STAFF'S BUSINESS:

City Planner Hirashima reported the county held the first hearing regarding the Smokey Point-Lakewood-Arlington-Marysville UGA and there was quite a bit of testimony given, many people were opposed to Snohomish County's proposed agreement. She said the written record was left open until 3/14/97 and they continued the hearing to 3/25 at 6:30 p.m. to complete discussion and deliberation. She said Marysville encouraged them to approve the agreement as presented by Marysville.

MAYOR'S BUSINESS:

Mayor Weiser reviewed bills coming up in the legislature briefly: SB 5872 concerning Municipal water rights; SB 5314 raising the lid on motor vehicle excise tax for law and justice funding and HB 1976 eliminating impact fees and replacing with a real estate excise tax. Also, HB 1772 assessing a .1% sales tax addition for jail funding; he said he wasn't sure if this was to apply to cities without jails or not.

CALL ON COUNCILMEMBERS:

Councilmember Baxter commented on a business license application received from the Tulalip Tribes (\$50 fee) in order for him to do business on the reservation.

Councilmember Bartholomew added that she believes they also require tribal membership hiring as an adjunct to the business license and the right to do business on the reservation.

Councilmember Myers proposed a social event/dinner in order to meet Councilmembers from Lake Stevens and Arlington and City Attorney Weed said if it's just a social event, just getting to know each other, with no business to be conducted, it need not be advertised. But he warned there is a fine line between discussing mutual concerns and conducting business.

Mayor Weiser added that he was approached this morning by a Tulalip Tribes Councilmember who would like to make a presentation to Marysville City Council.

00126

Councilmember Bartholomew said she received a flyer regarding a Tulalip Tribes Landfill with a meeting coming up 3/12 and she said she thinks this will affect Marysville with a high impact; she pointed out that it's not feasible to cap or excavate and they would like to create a new wetland.

CORRECTED: SEE 3/10/97  
MINUTES 5/13 "MVET"

Councilmember Herman gave a detailed CT report about IMVET funding, especially as it concerns CT and ET in Everett, para-transit and the affects of the ADA as of 1/97 guaranteeing the civil rights of disabled riders. He spoke about the PTBA boundaries and members, September election/issues on the ballot and annexation issues affecting the PTBA.

Councilmember Leighan reported that the Law & Justice Committee spoke about prosecution changes and police officer training changes. He also noted KOMO TV had an interesting program on Sunday night about youth crime.

NEW BUSINESS:

1. Independent Contractor Agreement; Crime Prevention; Loree Parker.

Lt. Peterson gave a brief run down of what Marysville Seniors Against Crime do and he noted they have been given state recognition under the leadership of Loree Parker for the last 7 years. He listed statistics concerning volunteer hours put in, how many volunteers are presently involved in the program (23), how the Memory Impaired Program has only been in effect for 3 months and has already been able to return 3 people to their health care providers without the police dept. having to spend a lot of investigation time on each case. He talked about the tremendous success of the Block Watch Program and how they will be promoting this with the aid of a big blue banner (which he showed) and they are hoping to get a total of 50 neighborhoods signed up.

Loree Parker addressed the Council, stating he started MSAC in 12/89 and originally started by putting in only 4 hours a week. He showed a draft of a brochure and spoke about the Kid ID Program which is a nationally recognized program and a program Marysville has subscribed to and is involved in. He pointed out that the Memory Impaired Program reduces the amount of time police officers spend trying to get people returned to their homes or health care providers and the program is only costing \$200. He presented a proposed overall MSAC budget and pointed out that the program is the result of a need of the police dept. He said he really enjoys providing the leadership for this program.

There was discussion about the inception date of the contract, that the contract is based on \$700 per month compensation which is based on 80 hours per month average, that Mr. Parker is an independent contractor and not an employee of the City which involves scheduling of block watch meetings, etc. and carries with it a very limited City liability. It was pointed out that Mr. Parker and the volunteers have no powers to arrest and are not commissioned police officers; the need for the service outweighs risk.

Councilmember Bartholomew moved and Councilmember Myers seconded to authorize the Mayor to sign the contract as recommended, at \$700 per month, not to exceed \$7,000, commencing 3/4/97 through 12/31/97. Passed unanimously.

LEGAL MATTERS: None.

ADJOURNED: 8:30 p.m.

EXECUTIVE SESSION: 8:40 to 9:05 p.m.

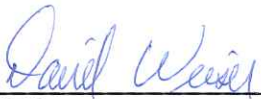
1. Litigation.
2. Real Estate.

RECONVENED: 9:06 p.m.

Councilmember Myers moved and Councilmember Leighan seconded to purchase the property at the price discussed during Executive Session. The motion passed 6-0.

ADJOURNMENT: 9:07 p.m.

Accepted this 10th day of March, 1997.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CITY CLERK

  
\_\_\_\_\_  
RECORDING SECRETARY