

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING OCTOBER 27, 1997 11

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Councilmember Myers excsd

MINUTES OF PREVIOUS MEETINGS:

- 1. City Council 10/13/97 Minutes Approved
- 2. Council Budget 10/18/97 Workshop Minutes Approved

AUDIENCE PARTICIPATION: None

CONSENT AGENDA:

Approved:

- 1. Approval of 10/27/97 Claims in the amount of \$453,941.27; paid by check nos. 36219 through 36404.
- 2. Approval of Liquor License Renewals for Fred Meyer, G.A. Maxwell's, Home Plate Bar & Deli and Hunter's Corner.
- 3. Acceptance of the Cedarcrest Golf Course Munson Creek Fish Ladder Project as complete and begin the 1 year warranty period and 45-day lien filing period.

STAFF'S BUSINESS:

- 1. Lap Top Computer Purchase Approved

MAYOR'S BUSINESS:

CALL ON COUNCILMEMBERS:

PRESENTATIONS: None

PUBLIC HEARINGS:

- 1. Proposed Pedestrian and/or Traffic Ordinance to be drawn up Interference Regulations

REVIEW BIDS: None

CURRENT BUSINESS: None

NEW BUSINESS:

- 1. Terra Firma & Development Co.Ltd.; Approved
156th St. NE & Twin Lakes Ave.;
UV 97-004.
- 2. 152nd St. Annexation; 10% Petition; Approved
PA 9710051.
- 3. Zoning Code Technical Revisions Ord. 2151 Approved
Ordinance; PA 9709043.
- 4. Commute Trip Reduction Plan Ordinance; PA 9709042. Ord. 2152 Approved
- 5. Zoning Code - Park & Pool Lots Ord. 2153 Approved
Ordinance; PA 9709043.

ORDINANCES & RESOLUTIONS:

- 1. Ord. 2154 Approved Authorizing Condemnation, Appropriation, Taking and Damaging of Land and Other Property for Installation of Storm Water Utilities.
- 2. Ord. 2155 Approved Annexing Certain Unincorporated Area Known as the Braschler Annexation Area into the City of Marysville.
- 3. Res. 1863 Approved Granting Extension for Utility Variance for Boyden, Robinette & Associates, L.P., and Amending Resolutions 1747 and 1819.

LEGAL MATTERS: None

ADJOURNMENT: 10:07 p.m.

EXECUTIVE SESSION:

10:15 to 11:14 p.m.

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

RECONVENED & ADJOURNED: 11:16 p.m.

00112

MARYSVILLE CITY COUNCIL MINUTES

OCTOBER 27, 1997

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Donna Wright, Mayor Pro Tem

Councilmembers:

John Myers (excused)

Ken Baxter

Donna Pedersen

Mike Leighan

Otto Herman

Shirley Bartholomew

Administrative Staff:

Dave Zabell, City Administrator

Steve Wilson, Finance Director

Grant Weed, City Attorney

Gloria Hirashima, City Planner

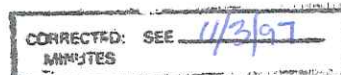
Ken Winckler, Public Works Director

Lt. Dennis Peterson, Marysville Police Dept.

Walt McKinney, Acting Police Chief

Jim Ballew, Parks & Recreation Director

Wanda Iverson, Recording Secretary



CALL TO ORDER:

Mayor Weiser called the meeting to order at 7:00 p.m. and led us in the flag salute.

MINUTES OF PREVIOUS MEETINGS:

1. City Council Meeting of 10/13/97.

Councilmember Bartholomew noted on page 5, in the 10th paragraph, it should be worded that the Navy might want to "help with" rather than "fund" some of the Athletic Complex.

Councilmember Pedersen noted under Mayor's Business "Cities & Towns" meeting should be "National League of Cities" meeting (also page 3). On page 6, under New Business, Item #1, she asked that it be clarified as to agreed parking space dedications under the motion: 5 spaces on 6th for senior parking with specific hours, behind building for senior center parking (staff in front of pole) and 2 behind building to be designated for handicap parking.

Councilmember Herman moved and Councilmember Bartholomew seconded to approve the 10/13/97 Minutes as corrected. Passed unanimously.

Councilmember Bartholomew moved and Councilmember Pedersen seconded to approve the **10/18/97 Council Budget Workshop Minutes** as presented. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

CONSENT AGENDA:

- 1. Approval of 10/27/97 Claims in the amount of \$453,941.27; paid by check nos. 36219 through 36404.**
- 2. Approval of Liquor License Renewals for Fred Meyer, G.A. Maxwell's, Home Plate Bar & Deli and Hunter's Corner.**
- 3. Acceptance of the Cedarcrest Golf Course Munson Creek Fish Ladder Project as complete and begin the 1 year warranty period and 45-day lien filing period.**

Councilmember Pedersen moved and Councilmember Wright seconded to approve Consent Agenda Items 1, 2 & 3. Passed with Councilmember Leighan abstaining on check #36395 under Item #1 and Councilmember Baxter abstaining on check #36250 under Item #1.

STAFF'S BUSINESS:

1. Lap-Top Computer Purchase.

City Administrator Zabell reminded Council of the Budget Workshop tomorrow evening at 6 p.m. at City Hall. He then explained the

Police Dept. has had a chance to get a good price on 8 lap tops but the price is good only until 10/31/97. These have been budgeted for 1998 but a budget amendment can be made for 1997. Four of the lap tops would go to the police dept., 1 to the Executive Dept., 1 to Planning, 1 to Parks and 1 to Public Works, at a cost of about \$2500 each.

Councilmember Herman moved to authorize purchase of 8 lap top computers with the appropriate budget amendments to the 1997 budget. Councilmember Pedersen seconded and the motion passed unanimously.

Public Works Director Winckler reported WSDOT representatives are to meet with Council regarding the 4th St. curbs and lanes in November. He said he will also be attending a meeting with WSDOT on 10/30. He did meeting with Al Gage of the Snohomish County Public Works Dept. regarding the 5th & State signal and pedestrian crossing which is not expected to be repaired for another 2 mos.

Parks & Recreation Director Ballew noted there will be a tour of Deering Wildflower Estates for the Parks Board at 9 a.m., Nov. 1 and any of the Council wishing to attend may do so. Also, the senior center would like to change its hours from 8-4 to 9-5 effective 11/1/97 for winter hours. (After brief discussion, it was consensus that this is an administrative function, to change hours, and so this was deemed information only.)

Parks & Recreation Director Ballew thanked all those who helped make the Youth Peace Park at 67th & Grove a reality in one day! He said there were about 150 volunteers who helped on Saturday, ages 5 to 65 and it was a very gratifying experience for all. He said the most heart stopping event was the next day, just to watch the people who came to a complete halt and stared at the new park that had materialized literally overnight.

MAYOR'S BUSINESS:

- 1) Mayor Weiser thanked Parks & Recreation Director Ballew and crew for their energy and direction in completing the park. He said he heard a lot of good comments about the park and it was great to have so many involved in the community.
- 2) Mayor Weiser said he met with the museum committee and they discussed the comprehensive plan for Jennings Park to be done and it was the consensus that the overall project is one that needs more study.
- 3) He mentioned a meeting he attended at Noon today with Tulalip board members. They discussed interests/issues in common with the City and there is a possibility of a joint meeting coming up; they have been trying to have these meetings on a monthly basis.

CALL ON COUNCILMEMBERS:

Councilmember Herman said he was glad to hear the City is trying to improve communications with the Tulalip Tribes; he heard some very positive comments on the new park; he is unable to attend tomorrow's budget meeting so gave input at this time: Street condition in some areas of the City is getting very poor and he asked about the chip sealing process.

Public Works Director Winckler explained the process and noted it is very cost effective, can be done internally, but generally is not done on a curbed street but is excellent for a (slow) rural road. He added that the Public Works Dept. has contracted with the county to do an inventory and is developing a comprehensive pavement management program at this time. He said this will help make the determination of how to make repairs, will include visual inspections and is necessary for City long range planning.

CORRECTED: SEE 11/3/97 MINUTES Meet

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Councilmember Herman spoke about the property tax reduction initiative coming up and said he would like to see some numbers in the event it passes and what the City's choices are, i.e., what affect the initiative would have on a \$150,000 home if it passes and if it doesn't. Also what it would do to the City budget. Also, what the 106% limit would amount to. He spoke about the possibility of funds being contributed towards the \$1.3 million Strawberry Fields athletic complex, other ways that money could be raised.

Councilmember Herman noted a possible security issue at City Hall in that a small window installed in the side door next to the main entrance would improve security for employees leaving by that exit.

He passed around a couple King County Economic Development Council produced brochures.

Councilmember Leighan asked about how the difference in elevation between 6th & Beach is going to be corrected and Public Works Director Winckler explained they are having to install piping and culverts at this time and dig down below ground level on Beach but he would check further into this.

Councilmember Leighan referred to a motion at last Council meeting regarding use of the senior center with no alcohol consumption and the amendment to have staff bring back information about alcoholic consumption at public facilities in other jurisdictions, insurance information, etc. He said he wished to have that amendment (which failed 4-3) reconsidered.

Councilmember Baxter seconded to reconsider the motion. He noted there have been no reservations made because they can't have a punch bowl; at least 6 people were contemplating making reservations for evenings and/or weekends at the senior center and all went somewhere else. He noted Everett allows alcohol and he would like to know how they handle the alcohol/liability issue.

The vote revealed a tie (failure) with Councilmembers Bartholomew, Pedersen and Wright against. (3-3)

Mayor Weiser asked if this could be reconsidered again and City Attorney Weed said it could be.

Councilmember Wright commended everyone for getting together on the park project to complete something that was only a vision 3 years ago.

Councilmember Pedersen followed up on the master traffic study on 88th and City Planner Hirashima said Perteet has completed this and is to bring their report before the Planning Commission the first meeting in November.

Councilmember Pedersen asked about the area wide rezone and City Planner Hirashima said that is still being reviewed with regard to staff logistics, etc.

Councilmember Pedersen followed up on the library board vacancy and Mayor Weiser said he would like the library board to give him qualifications that they would like to see in that person and these qualifications can be put in a letter to people interested.

Councilmember Baxter asked about the completion date on Beach and Public Works Director Winckler said approx. 1/1/98.

Councilmember Baxter spoke about the lack of consistency in the condition of roads throughout the City. He noted on Cedar south of Grove one block there is a large crack in the south bound lanes and Mayor Weiser stated the City is aware of it and is working on that problem.

CORRECTED: SEE 11/3/97 MINUTES

CORRECTED: SEE 11/3/97 MINUTES referred

Councilmember Bartholomew asked about assessed valuation figures from the county assessor's office and Finance Director Wilson said he would follow up on that tomorrow.

Councilmember Bartholomew noted recycling rates are going up and asked if Waste Management had notified the City as yet about this.

City Administrator Zabell said Waste Management is raising rates on commercial accounts only, not residential and the City of Marysville's contract with them expires in 1999 so they can't put the City's rates up until then.

REVIEW BIDS: None.

PUBLIC HEARING:

1. Proposed Pedestrian and/or Traffic Interference Regulations.

City Attorney Weed reviewed the agenda bill and two proposed ordinances. He reviewed definitions of "aggressively beg", "public place", "obstruction of traffic", "intimidation" and explained there would be a \$50 fine or community service for sitting or laying down on a sidewalk.

Councilmember Pedersen asked if standing with a sign is begging and about law enforcement giving verbal warning of a violation.

City Attorney Weed explained these two ordinances are constitutional and have been court tested.

Councilmember Baxter asked about business owners' rights and City Attorney Weed said if a person is obstructing others and intimidating customers a business person can ask them to leave.

Councilmember Wright asked about one person who likes to sit on sidewalks around town and City Attorney Weed said Seattle has demonstrated there are more appropriate places to sit; there are trespass statutes on the books for an unwanted person on private property, also.

Councilmember Herman asked about a specific infraction going to court and how you prove what the person's intent is. City Attorney Weed said that is when you have to rely on the definitions in the ordinances.

Councilmember Baxter noted that if someone stands on a sidewalk in front of a business, that does affect that business.

City Attorney Weed referred to the definition of a public place and spoke about aggressive vs passive panhandling.

Acting Police Chief McKinney said they did a quick research of 1997 transient activity and he highlighted several nuisance/unwanted guest incidents from the police blotter, mainly in downtown Marysville. There have been 67 incidents so far in 1997 and have included everything from aggressive panhandling to trespassing, drinking in a public place, shoplifting, urinating in public, etc.

He said he has done his own investigations and discovered most of the signs are held up by "phonies"--people who actually get \$150 a day and are working the system. He said they do have some local street people in Marysville who don't really need anything but a hot meal and a place to stay. Most of these people don't want to work and the ones that are being picked up essentially are the same ones over and over.

City Attorney Weed asked if there was any particular time of day that the problem is more prominent and Acting Chief McKinney said there doesn't seem to be a set pattern but an ordinance with times concurrent with business hours of the local businesses would help

the businesses. He added that most of these "panhandlers" don't want the help, they just want to be left alone to do their drinking.

Councilmember Bartholomew spoke about teens at the caboose with transients and Acting Chief McKinney said apparently they come over from Everett on the bus but there have not been any problems since it was reported to him a month ago.

Councilmember Baxter noted there are breakins that they could be responsible for and that complicates the issue.

Acting Chief McKinney agree that it is not harmless drinking--they are littering around the caboose and on the tracks, passing out at Don's Restaurant, etc.

Mary Kirkland, 13004 Hilltop Rd., Arlington and owner of Hilton Pharmacy, 3rd & State, addressed Council. She said she would strongly encourage the Council to adopt the ordinance on vagrancy. She noted the Third Street Merchants are working towards beautifying the area so customers are encouraged and invited to shop Third St.; panhandlers discourage customers who feel intimidated. She said she has kept a record of those she has seen and there were 4 incidents: One on 10/13 where a panhandler was near the mall entrance for 2-1/2 hours standing with a sign "Homeless - Need Money". Then on 10/16, she observed a panhandler/transient in the alley between 3rd and 2nd--a man had a shopping cart that looked like it was from the food bank and a Hilton Pharmacy employee was intimidated by him. He was trying to sell her food out of the shopping cart and ended up leaving the shopping cart full of food for two days in the alley before the food rotted and had to be thrown out by Hilton Pharmacy employees.

On 10/3 there were 3 men who were standing up against the Hilton Pharmacy building for some time. And on 10/26 the same panhandler from 10/13 panhandled for about 2 hours again at the entrance of the mall. She said she would like the ordinance to be adopted to decrease this problem. Most of the panhandling seems to be during daylight hours, she noted.

Darlene Scott, 408 39th St. NW and co-owner of Carr's Hardware on 3rd St., addressed Council. She said she reinforced Mary's comments. Also, on 10/7 she saw one of the vagrants relieving himself near the Moose/Food Bank. Also she saw someone at the post office one day doing the same thing. She said we need to keep our community "clean" and she noted early in the morning is when she sees the men at the caboose or near the I-5 overpass. She pointed out that that's the entrance to Marysville and doesn't give a very good "gateway appearance" to others.

Tom Grady, 4307 88th St. NE and 301 Marysville Mall (Albertson's) addressed Council. He said he is proud to report that they did arrest one of the panderers for shoplifting at Albertson's since he came before Council last. Also one juvenile was picked up for shoplifting. He noted Mayor Weiser also saw a panderer at Albertson's who was taken away by police.

Mr. Grady shared a story about his interview with Ken Schram from KOMO-TV this morning and during the interview a woman was holding up a sign for food and money and KOMO asked her if she was a panderer. Her response was that she is not asking for food or money (her sign is) and if people want to give, that's OK, if they don't, that's OK, too. He noted this behavior is very random, it's offensive, they want money and they might follow you to your car. They sleep around the caboose, they litter and urinate, it's getting worse and worse and this is no good for tourism. As far as a particular time of day, it's usually not at night, it's mostly during the day, he said. He noted he has had some women say they don't want to shop at his store any more because of this and he is not sure of his rights, especially without an ordinance in place. They generally take liquor or tobacco when they shoplift, not food, he added and said he thinks they feel more "free" on public property.

Councilmember Baxter noted Mr. Grady will never know how many people just keep driving when they see the homeless people around and they don't want to stop to shop at that place of business.

Mr. Grady noted they are going to be renovating the Albertson's store and increasing the parking lot lighting which will hopefully help alleviate this situation.

Councilmember Bartholomew spoke about the teens who come from Everett and Mr. Grady said they are still a problem at Albertson's and he also sees a lot of kids from the junior high, too and has reported them right away to Phil Tribuzio.

City Attorney Weed asked if he has witnessed transients obstructing customers or pestering customers and Mr. Grady said yes, definitely, intimidation of customers; he often has had to walk customers to their cars during the day.

Councilmember Bartholomew asked if there have been any complaints about sanitation problems in his parking lot and Mr. Grady said some, that there is a definite sanitation problem. He added they have had fires in the restrooms at Albertson's and these people bathe in the restrooms as well as the City fountain at the I-5 & 4th St. entrance (Welcome to Marysville sign).

Joe Reed, 1116 Tulare Way and Weiser Cedar Sales, Cedar Avenue, addressed Council. He said he sees a lot of homeless people who hang out along Cedar, asking for food, money, hanging out with kids, sharing booze with the other guys. On Cedar there are no sidewalks, he noted, so it may be difficult to enforce the "no sitting on sidewalks" there; but they also hang out on 5th St. and actually sleep in the middle of the street (5th St. is a vacated street but still City property, he noted). He said they hang out there and sit there, the whole area is saturated with them and it's pathetic. He said he doesn't think the two ordinances are going to solve the problem down by the tracks; he has put up enviro blocks and these people are in the way, he's afraid of hitting them with the forklift and other machinery. He said he sees part of the reason they are around Weiser Cedar Sales is because they have been kicked off of 4th St. by the police and they have just migrated up the street. He said he has only called the police a couple times; it was really bad this last summer. They were camping in the RVs but then a cyclone fence was put out and that seemed to stop that. Mr. Reed said he has been trying to clean it up on his side of the tracks.

Mayor Weiser asked if there has been a change between 7th & 8th.

Mr. Reed said no, it's a real problem there, also; he feels sorry for the homeless but he doesn't think the people he is seeing are the ones we want to help.

There being no one further wishing to give testimony from the audience, this portion of the public hearing was closed at 9:02 p.m.

Councilmember Herman spoke about effectiveness of the ordinances, private property protection, cruising ordinance, camping, people who genuinely need help, public education about not giving money to the people directly but giving to the public agency that helps these people such as shelters, food bank, etc. He said he doesn't think the two ordinances before Council will work and would like to see an explanation of the camping issue and public property protection issue. He said his concern is about people's civil rights.

Councilmember Pedersen spoke about churches who are interested in helping these people and maybe we could hand out pamphlets from the churches.

City Attorney Weed noted there are other ordinances already on the books that address auxiliary problems such as loitering, public

CORRECTED: SEE 11/3/97 MINUTES private property

CORRECTED: SEE 11/3/97 MINUTES agencies

indecent, trespass, urinating in public, public and private nuisance, alcohol control such as opening and consumption, sale and transfer of alcohol, sale to people under the influence, sale or consumption in a public conveyance. He said he could look at the Everett camping ordinance as a model as Marysville doesn't have that.

Councilmember Baxter said his sensitivity is getting less and less because they are affecting his ability to make a living. He calls the police whenever he sees one of them and thinks an ordinance will help and at least be a start at trying to get the problem solved, he said.

Councilmember Leighan said when he lived in Seattle they had an ordinance in place, along with soup kitchens, shelters, etc. and they still have the problem. He said he thinks these ordinances are a start but we could contact businesses who have liquor licenses and remind them of their responsibility in selling liquor to people, for example. He said he supports the two ordinances.

Councilmember Bartholomew said she also supports the two ordinances and is concerned about the kids. She said she has seen "bums" in the mall, Marysville has health and sanitation problems, police calls. She said she thinks these people by choice have made a decision to live on the streets and she asked if there is enough information for findings of fact.

City Attorney Weed said he thought so and a more complete ordinance will be drafted up with findings of fact based on the discussion and testimony tonight.

Councilmember Bartholomew moved to direct the City Attorney to redraft the ordinances with hours from 6 a.m. to midnight, with the area of jurisdiction to be inside City limits and to include findings of fact based on tonight's testimony. Councilmember Baxter seconded the motion.

Discussion followed about documentation in residential areas as well as commercial areas, Councilmember Herman expressing concern about lack of any dealing with substantive issues at hand. He noted that an "intentional act" would require assumption on the part of the police officer to figure out what intent is (subjective) and regarding sitting/lying on public sidewalks, there was a study done where it was proven that if you are dressed well you will not be prosecuted, so there is inconsistency in applying the law, he said.

The motion passed 5-1 with Councilmember Herman against.

Councilmember Herman then moved to direct staff and/or the City Attorney to bring back regulations on camping and statutes regarding private property issues and make recommendations in comparisons with other jurisdictions. Councilmember Pedersen seconded and the motion passed unanimously.

NEW BUSINESS:

1. Terra Firma & Development Co. Ltd.; 156th St. NE & Twin Lakes Avenue; UV 97-004.

Public Works Director Winckler handed out a map of the proposed 18" intertie and reviewed the agenda bill. He noted staff recommends approval of 400 water and sewer connections pending annexation, as well as participation in mitigation for installation of the intertie between Trunk F & A. He noted the southern boundary would be 156th, the northern boundary 164th.

Jack Cole, 13900 48th Dr. SE, Snohomish, representing Terra Firma & Development, addressed the Council. He noted this is 101.7 acres bounded by the Burlington Northern tracks on the west and a mobile home court on the north. He said it is the property owners' intent to annex into Marysville and take advantage of urban densities under the GMA.

Councilmember Herman asked if this was staff's and the Utilities Committee recommendation and Public Works Director Winckler responded in the affirmative.

Councilmember Baxter moved and Councilmember Herman seconded to approve the utility variance as recommended. Passed unanimously.

(Councilmember Pedersen clarified the conditions "prior to service" and that if these conditions are not met, the request would have to come back before City Council.)

2. 152nd Street Annexation; 10% Petition; PA 9710051.

City Planner Hirashima reviewed the agenda bill and Mayor Weiser asked if we are still operating under Phase I rules as Marysville has not received an interlocal agreement back from the county.

City Planner Hirashima said it would be nice if Marysville had the interlocal agreement in hand as this is a sizable annexation and the county promises this soon.

Councilmember Pedersen clarified that the Navy Support Complex is excluded.

Tom Wells, 309 Highland Dr., Seattle, addressed Council. He said he has been very interested in acquiring property in this area for a number of years and he knows there are several problems that they are working towards resolution on in the northern area between Marysville and the Smokey Point area. There are a lot of people who wish to have a higher use of their land and in view of the recent agreements, hope this is the time to bring this annexation before City Council, he concluded.

Chris Green, 4332 128th Pl. NE, addressed Council. He said he believes he will be included in this annexation and just wants to make sure, so he can vote for or against City Council.

Mayor Weiser advised him that his address is not included in this proposed annexation area, however he can start a petition of his own and once annexed, he can vote for City Council. (It was noted he could also run for City Council if he lives within City limits.)

City Planner Hirashima clarified there would be an island created with the Naval Support Complex being excluded from the annexation. She explained the situation with federal property being tax exempt and also already having their own contract with the fire dept. for fire protection, eg. She added that their property would actually represent 60% of the assessed valuation, if included.

Councilmember Leighan asked about researching this situation further and whether included in the annexation would be any "surprises."

City Planner Hirashima outlined the situation with Smokey Point Blvd. which is partially by the county but funds would be no longer available from the county; level of service is acceptable but major improvement needs to be made.

Councilmember Pedersen left Council Chambers at 9:46 p.m.

City Planner Hirashima noted there have been drainage complaints such as water over the roadway, high ground water table, storm water sewer to be reconstructed possibly.

Councilmember Baxter asked about the county surface water taxes/revenue and City Planner Hirashima said that can be included in the interlocal agreement; the county has typically wanted to retain all surface water management funds, however.

Councilmember Pedersen returned to Council Chambers at 9:49 p.m.

CORRECTED: SEE 11/3/97 MINUTES in

Councilmember Baxter noted the county is going to increase that fee by another \$8.00 and City Planner Hirashima said often the county wants money from the State when annexed, but in this case there are some potential major costs.

Councilmember Wright noted Marysville Meadows/Eagle Point Mobile Home Park is included in the annexation.

After brief discussion, Councilmember Bartholomew moved for the acceptance of the 10% petition, establishment of the proposed boundary for circulation of the 60% petition, subject to assumption of the City's bonded indebtedness, adoption of the City's Comprehensive Plan and adoption of zoning consistent with the Comprehensive Plan. Councilmember Baxter seconded and the motion passed unanimously.

3. Zoning Code - Technical Revisions Ordinance; PA 9709043.

City Planner Hirashima reviewed the agenda bill, noting this is a housekeeping item and the recommendation of staff is for approval as recommended by the Planning Commission.

Councilmember Bartholomew moved and Councilmember Leighan seconded to approve/adopt Ordinance 2151. Passed unanimously.

4. Commute Trip Reduction Plan Ordinance; PA 9709042.

City Planner Hirashima reviewed the agenda bill.

Councilmember Herman moved and Councilmember Leighan seconded to adopt/approve Ordinance 2152. Passed unanimously.

5. Zoning Code - Park and Pool Lots Ordinance; PA 9709043.

City Planner Hirashima reviewed the agenda bill and Councilmember Herman asked about Asbery Field, commuter parking problems.

City Planner Hirashima explained the conditional use permit process, sharing parking lots. It was noted the ordinance has been reviewed by the City Attorney with no recommendations for changes.

Councilmember Herman moved and Councilmember Leighan seconded to approve/adopt Ordinance 2153. Passed unanimously.

ORDINANCES AND RESOLUTIONS:

1. Ordinance Authorizing the Condemnation, Appropriation, Taking and Damaging of Land and Other Property for Installation of Storm Water Utilities.

Councilmember Wright moved and Councilmember Herman seconded to adopt/approve Ordinance 2154. Passed unanimously.

2. Ordinance Annexing Certain Unincorporated Area Known as the Braschler Annexation Area into the City of Marysville.

Councilmember Bartholomew moved and Councilmember Baxter seconded to approve/adopt Ordinance 2155. Motion passed 4-0 with Councilmembers Wright and Pedersen abstaining.

3. Resolution Granting an Extension for a Utility Variance for Boyden, Robinette and Associates, L.P., and Amending Resolutions 1747 and 1819.

Councilmember Bartholomew moved and Councilmember Wright seconded to approve/adopt Resolution 1863. Passed unanimously.

ADJOURNED: 10:07 p.m.

EXECUTIVE SESSION: 10:15 to 11:14 p.m.

1. Pending Litigation. (No Action)
2. Personnel. (No Action)
3. Real Estate. (Action - See below)

RECONVENED: 11:14 p.m.

Councilmember Bartholomew moved and Councilmember Wright seconded to approve the Limited Right of Entry Agreement discussed in Executive Session. Passed unanimously.

ADJOURNED: 11:16 p.m.

Accepted this 3rd day of November, 1997.



MAYOR



CITY CLERK



RECORDING SECRETARY