

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING JANUARY 5, 1998

CALL TO ORDER: 7:00 p.m.ROLL CALL: All present

0159

SWEARING IN OF COUNCILMEMBERS: Kim CarlsonMINUTES OF PREVIOUS MEETINGS:

1. City Council Meeting; 12/8/97 Approved
2. Special City Council Mtg. 12/22/97 Approved

AUDIENCE PARTICIPATION: NoneCONSENT AGENDA:

Approved:

1. Approval of Dec. 1997 Payroll in the amount of \$742,862.99; paid by check nos. 28174 through 28300 and 30301 through 30542 with check nos. 28163, 28135, 28136 and 28292 through 28300 void.
2. Approval of 12/24/97 Claims in the amount of \$443,615.71; paid by check nos. 36980 through 37231 with check nos. 36514, 36693, and 36942 void.
3. Moved to New Business.
4. Authorize Mayor to Sign Interagency Agreement Between Snohomish Health District and City of Marysville to Assure Compliance with Enrolled Substitute House Bill 1605, Laws of 1997, and with Washington Administrative Code 246-136-020.
5. Moved to New Business.
6. Affirm the Hearing Examiner's Recommendation to Approve the Request for a Rezone with Conditions; Lighthouse Self Storage; PA 9711056.
7. Approval of Request for 33 Water Connections with Conditions; Grandview, Inc.; UV 97-013.

STAFF'S BUSINESS:MAYOR'S BUSINESS:Election of Mayor Pro Tem  
(Councilmember Wright)CALL ON COUNCILMEMBERS:NEW BUSINESS:

1. Proposed Channelization & Installation of Signage; State Ave. & 88th St. Approved
2. Nomination of Community Transit Representative Councilmember Herman
3. Authorize Mayor to Sign State Administration of Sales and Use Tax Agreement Approved
4. Approval of Liquor Lic. Renewals for Albertsons #471, Circle K #8878, First Stop Deli, Jackpot Food Mart, Jackpot Food Mart #160, Old Friendly Tavern, Pearl Garden, State Avenue Bar & Grill, Strawberry Lanes, Contos Pizza & Pasta. Cont. to 1/12/98

ORDINANCES & RESOLUTIONS:

1. Res. 1869 Approved Honoring Kenneth Baxter Councilmember.

LEGAL MATTERS:

1. Recovery Contract #204 Approved; Plat of Pinegreen Grove.
2. Municipal Court Judge Contract Approved

ADJOURNED:

9:14 p.m.

EXECUTIVE SESSION:

9:30 to 10:15 p.m.

1. Litigation (No Action)
2. Personnel (No Action)

RECONVENED & ADJOURNED:

10:15 p.m.

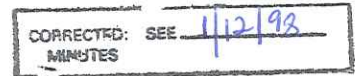
## MARYSVILLE CITY COUNCIL MEETING

JANUARY 5, 1998

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor  
Councilmembers:  
 Donna Wright, Mayor Pro Tem  
 Donna Pedersen  
 John Myers  
 Normajean Dierck  
 Mike Leighan  
 Otto Herman  
 Shirley Bartholomew  
Administrative Staff:  
 Steve Wilson, Finance Director  
 Dave Zabell, City Administrator  
 Grant Weed, City Attorney  
 Gloria Hirashima, City Planner  
 Owen Carter, City Engineer  
 Ken Winckler, Public Works Director  
 Jim Ballew, Parks & Recreation Director  
 Lt. Dennis Peterson, Marysville Police Dept.  
 Bob Carden, Police Chief  
 Walt McKinney, Asst. Police Chief  
 Mary Swenson, City Clerk & Asst. to City Administrator  
 Wanda Iverson, Recording Secretary

CALL TO ORDER:

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

ROLL CALL:

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

SWEARING IN OF COUNCILMEMBERS:

Kim Carlson administered the oath of office to the following Councilmembers:

Councilmember Dierck - Position 1 - 4 year term  
 Councilmember Bartholomew - Pos. 2 - 4 year term  
 Councilmember Myers - Position 3 - 4 year term  
 Councilmember Pedersen - Position 4 - 4 year term

There was a short break/reception from 7:07 to 7:25 p.m.

MINUTES OF PREVIOUS MEETINGS:**1. Council Minutes 12/8/97 Meeting.**

There being no corrections, Councilmember Leighan moved and Councilmember Pedersen seconded to approve the 12/8/97 City Council minutes as presented. Passed unanimously.

**2. Special City Council Meeting 12/22/97.**

Councilmember Pedersen noted in the second paragraph under the ULID 64 Public Hearing, the word "concerns" should be changed to "determining factors".

Councilmember Bartholomew noted in the second to last paragraph on page 2, that she voted against the motion, so it passed 6-1, rather than unanimously.

There being no further corrections, Councilmember Bartholomew moved and Councilmember Myers seconded to approve the 12/22/97 Special Meeting Minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

CONSENT AGENDA:

1. Approval of Dec. 1997 Payroll in the amount of \$742,862.99; paid by check nos. 28174 through 28300 and 30301 through 30542 with check nos. 28163, 28135, 28136 and 28292 through 28300 void.
2. Approval of 12/24/97 Claims in the amount of \$443,615.71; paid by check nos. 36980 through 37231 with check nos. 36514, 36693, and 36942 void.
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5. Moved to New Business.
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7. Approval of Request for 33 Water Connections with Conditions; Grandview, Inc.; UV 97-013.

Councilmember Myers moved and Councilmember Bartholomew seconded to approve Consent Agenda Items 1, 2, 4, 6 & 7. Passed with Councilmember Leighan abstaining on check #37216.

STAFF'S BUSINESS:

City Attorney Weed noted that in July, Council passed a curfew ordinance which had a provision to review at the six month mark. He said that the only thing to report at this time was that an ordinance similar to Marysville's in Bellingham was challenged and is pending review at the State Supreme Court level. He said he would recommend awaiting the Supreme Court decision before making any changes to the Marysville ordinance, if any.

Councilmember Herman said he would like to review the minutes and/or tape from that meeting to see if in fact public review was to be incorporated in the process.

City Attorney Weed added there may not be much experience from the community or the police dept. as the challenge came just after adoption of Marysville's ordinance.

MAYOR'S BUSINESS:

1) Mayor Weiser presented a plaque to Acting Chief McKinney and wife, Donna, for his additional efforts in the absence of a police chief this last year. Police Chief Carden expressed appreciation also, as did Loree Parker, representing Marysville Seniors Against Crime.

2) **Election of Mayor Pro Tem.**

Councilmember Bartholomew moved and Councilmember Pedersen seconded to nominate Councilmember Wright as Mayor Pro Tem.

Councilmember Pedersen then moved to close nominations and Councilmember Herman seconded. Motion passed and Councilmember Wright reelected as Mayor Pro Tem.

3) Mayor Weiser stated he will be out of town January 13 to 20th.

4) A Stormwater Comp Plan Workshop was scheduled Jan. 19th which it turns out, is the Martin Luther King Holiday. Discussion followed about availability of Larry Wade, which Councilmembers can and can't attend Jan. 19th and the fact this will cause some City staff to work on a holiday. Mayor Weiser and Mayor Pro Tem Wright will both be out of town that day, it was also noted. Consensus was to make the final decision as to the date of the Workshop at the next Council Meeting.

- 5) Assn. of Cities & Towns Meeting will be 1/15/98.
- 6) With regard to the notice that the City of Marysville is to pay a vendor's license fee to the Tulalip Casino, it has been agreed that the City of Marysville is not a vendor, just a utility provider and therefore does not have to pay the business license fee.
- 7) Mayor Weiser spoke about the Legislative Conference/Committee noting the main topic will probably be Transportation Funding and the Gas Tax, which he will put on the agenda for next week's Council Meeting. Also, Electric Deregulation.
- 8) **Committee Assignments.**

Mayor Weiser noted there are 21 committees/boards that involve 39 positions, to be filled by Councilmembers. He explained various methodologies that can be used and named committees that have had the most and least number of Councilmembers involved. He said he would like ex-Councilmember Baxter to continue on the Groundwater Advisory Committee (for continuity) as it only has about 5 meetings to go before it is disbanded. Also, Mr. Baxter has expressed an interest in remaining on the Fire Board.

There was discussion concerning the immediate need of Council representation, redistribution of committee participation by Councilmembers each year, allowing the Mayor to continue appointing committee/board representation, discussing this issue at a workshop or retreat of the whole Council, that the Council is the policy making body of the City and needs to arrive at a system that's comfortable for all.

Mayor Weiser noted Councilmember Pedersen is an elected member of the Cities & Towns Law & Justice Committee and does not wish to also serve on the County Executive's Law & Justice Committee. He said his recommendations for changes now are:

- Councilmember Herman to serve on the Utilities Committee as well as the group that meets with the Tulalip Tribes
- Councilmember Myers to serve on the Fire Board
- Councilmember Pedersen to serve on the Building Committee
- Councilmember Dierck to serve on the Citizenship Committee and Parks Committee
- Councilmember Wright to serve on the Chamber of Commerce Committee (rotating with other Councilmembers)

Councilmember Bartholomew moved and Councilmember Wright seconded that for now, to approve committee assignments as presented by Mayor Weiser and to discuss issue of how and when and duration of committee assignment at the upcoming orientation. Passed unanimously.

CALL ON COUNCILMEMBERS:

Councilmember Bartholomew congratulated Councilmember Wright on her assignment to the National Legislative Committee. Councilmember Bartholomew asked about the State Avenue improvements completion date.

Public Works Director Winckler said traffic has been difficult to manage and there have been some utility complications.

City Engineer Carter said the majority of the work is scheduled to be completed 3/1/98 with the signal at 92nd & State to be completed later.

Councilmember Bartholomew asked about the signal at 88th & State and City Engineer Carter said they are working with the county on the timing and channelization at that intersection. The hope is to make that signal more efficient, he said.



Councilmember Herman referred to a WSDOT presentation regarding Hwy. 529 closures a couple months ago and it was asked at that time about other lane closures on Highway 2 or I-5 and WSDOT was to have responded to the City. To date there has been no response, Councilmember Herman noted and he asked that this be followed up with WSDOT in the hopes that they coordinate their projects and to think about how they impact the citizens of Marysville.

He referred to a letter from the Assoc. of Washington Cities Trust Fund in which the City of Marysville nominee for board member did not make the cut.

Councilmember Wright asked about a 2-way stop at 52nd & 67th and noted there have been several accidents at that corner. She asked if changing it to a 4-way stop could be brought before the Traffic Safety Committee.

Councilmember Pedersen reminded the Mayor that the Library Board needs a citizen member appointed and she also said she would like to see new pictures of Councilmembers taken for the upstairs lobby of the Public Safety Building. She asked about traffic counts on State Avenue and City Engineer Carter said the City is applying for State funding for 3 projects: SR 528, 116th St. & State Ave.

Councilmember Dierck reminded Council of the upcoming Watershed Forum to be held January 8th at the Marysville Education Center. She said she felt this a very important meeting and noted tentative agendas for this meeting have been passed around.

NEW BUSINESS:

**1. Proposed Channelization and Installation of Signage; State Avenue and 88th St.**

City Engineer Carter reviewed the agenda bill, noting the Harveys have submitted a very workable solution to the problem. He noted the eastbound traffic on 88th at State has 262 peak movements turning left, 368 movement that are through and only 189 right turns. He explained and showed pictures of people driving through the island, crossing over the center line and causing traffic hazards. The proposal is to remove the island, make the right turn lane go straight or right at State with the left turn lane, left only and the center lane left or through. The proposal is also for signage to warn people so they don't get "trapped," he said.

Councilmember Pedersen pointed out that the Planning Commission is presently in the process of reviewing an 88th St. traffic plan and she asked if this would affect that plan in any way.

City Engineer Carter said inasmuch as the Planning Commission is reviewing the driveway accesses, actually an "Access Management Plan" being created, at a workshop on the 13th, with a public hearing after that, and also because this is an urgent safety issue, he said it is believed these are separate issues and one should not affect the other in any way.

Councilmember Herman asked if this would change access opportunities and City Engineer Carter said no.

Councilmember Herman thanked the Harveys for their ideas.

Councilmember Pedersen said she didn't want to see the "cart put before the horse" so to speak. She asked about the improvement 88th has made by alleviating traffic at the 4th St. entrance/exit at I-5 and City Engineer Carter said he did not have the figures with him but seems to remember an 11% decrease of traffic at the 4th St. entrance/exit because of the 88th St. on/off ramp.

Councilmember Dierck asked about any alternative plans.

CORRECTED: SEE 11/2/98 MINUTES

City Engineer Carter explained there are few alternatives, eg. there is a problem of having to move cemetery plots if 88th has to be widened or possibly they could have two left hand turn lanes only and one straight through combined with a right turn lane and they are taking a look at making the overall traffic flow in the City more efficient.

Glenn Harvey, 6021 86th St. NE, addressed Council. He said he sees the urgency here as it actually encourages on a daily basis people to cross double yellow lines and disrespect the law. He said he even saw a Marysville School Dist. school bus cross the double yellow line and generally, they are very safe and respectful of the law. He said someone that's following the law may get hit trying to move to the left to get into the left turn lane so he would like this proposal implemented as soon as possible.

Rocky Hoglund, 3819 97th Pl. NE, addressed Council. He said he is in the neighborhood that's totally dominated by this corridor. He said he thought the proposed development at 36th & 88th is going to be affected by whatever happens, for example, you have a Level of Service C intersection and with the proposal there is going to be more traffic and as he understands it, it will drop to a Level of Service E. He said he thinks this is a bandaid and the whole corridor should be reviewed as a whole because any change that's made is going to impact that whole area. That's the area that really needs police enforcement, he said and he also noted there are some public meetings coming up and most people in that area want this looked at.

Suzanne Smith, 4821 75th Ave. NE, addressed Council and said she avoids this intersection as much as possible because she almost got killed there once. Also, traffic backs up to the freeway in peak times because of the extremely high volume. Something does need to be done, there, she concluded.

City Engineer Carter explained part of the problem is the timing on the signal at 88th & State which is soon to be resolved. Also, there is the limited width problem on the east side of State. He said even with the timing change, it will remain a Level of Service C or D.

Councilmember Myers moved to go forward with the change as presented and recommended. Councilmember Leighan seconded.

There was considerable further discussion, including cost of the overhead warning sign (\$7500) and whether this could be used whether the proposal as outlined is implemented or not. Councilmember Pedersen said she would like this integrated into the Planning Commission process and Councilmember Herman said he would like input from the other process.

Councilmember Leighan asked about overhead sign benefit to existing channelization and City Engineer Carter said the overhead sign is for left turning only to avoid driver misinterpretation.

Public Works Director Winckler said he thinks the overhead sign could be still used even if this change does not go through; it's a short queue.

Councilmember Dierck said she agrees that this proposal needs to go through the Planning Commission and public process.

The motion passed 5-2 with Councilmembers Dierck and Pedersen against.

## **2. Nomination of Community Transit Representative.**

Councilmember Herman explained the Public Transportation Benefit Area (PTBA) process, noting he has served for 6 years representing medium sized cities of Snohomish County (Snohomish, Mountlake Terrace, Mukilteo, Marysville, Bothell, Mill Creek, Arlington, Monroe, Lake Stevens).



1/12/98  
CORRECTED: SEE MINUTES

Medium sized cities have a population from 5,000 to 30,000 and the 3 board member representatives needs to be increased because of the ever increasing number of cities being added to this category, he explained. He noted there will also be 2 alternates elected.

Councilmember Pedersen moved to have Councilmember Herman continue to serve as Marysville's CT Representative, Councilmember Wright seconded and there was discussion about how well he has represented medium sized cities and Councilmember Herman noted he is willing to continue to serve. The motion passed unanimously.

**3. Authorize Mayor to Sign State Administration of Sales & Use Tax Agreement (from Consent Agenda).**

Finance Director Wilson explained the process and noted the City will be saving administrative fees previously paid to the State. He noted the City Attorney has reviewed the agreement and Finance Director Wilson will be reporting back the actual amount of savings.

Councilmember Leighan moved and Councilmember Bartholomew seconded to authorize the Mayor to Sign the Agreement as recommended. Passed unanimously.

**4. Approval of Liquor License Renewals for Albertsons #471, Circle K #8878, First Stop Deli, Jackpot Food Mart, Jackpot Food Mart #160, Old Friendly Tavern, Pearl Garden, State Avenue Bar & Grill, Strawberry Lanes and Contos Pizza & Pasta.**

Councilmember Bartholomew noted the Old Friendly Tavern is no longer doing business at 2nd & State and discussion followed about checking further into whether they are going to renew their business license which expires concurrently with the liquor license, 2/28/98. In fact, all these liquor license renewals come up 2/28/98 and in view of this, Councilmember Pedersen moved to continue this item until the next meeting 1/12/98. Councilmember Herman seconded and said he would also like to know the role of the Council in reviewing these liquor license renewals, as well as giving staff time to check on the Old Friendly Tavern intent. The motion passed unanimously.

ORDINANCES & RESOLUTIONS:

**1. Resolution of the City of Marysville Honoring Kenneth Baxter Councilmember.**

Councilmember Dierck moved and Councilmember Pedersen seconded to approve/adopt Resolution 1869. Passed unanimously.

LEGAL MATTERS:

**1. Recovery Contract; Plat of Pinegreen Grove.**

Public Works Director Winckler reviewed this item, noting it is for sewer line to Lots 1, 3, 4 and 5 at a cost of \$23,068 and everything is in order. Councilmember Bartholomew moved and Councilmember Herman seconded to approve/adopt Recovery Contract #204. Passed unanimously.

**2. Municipal Court Judge Contract.**

City Administrator Zabell reviewed the contract, noting Judge Trivett is willing to continue and his monthly compensation has been increased \$300 to \$2800 per mo. The term is for four years from 1/1/98 to 12/31/2001 and the City Attorney has reviewed the contract and does not recommend any changes. It was noted there are no proposed adjustments in incidental compensation or if a judge pro tem is brought in.

Councilmember Myers moved and Councilmember Bartholomew seconded to Authorize the Mayor to sign the Municipal Court Judge Contract as presented and recommended. Passed unanimously.

ADJOURNMENT: 9:14

EXECUTIVE SESSION: 9:30 to 10:15 p.m.

1. **Litigation.** (No Action)
2. **Personnel.** (No Action)

RECONVENED & ADJOURNED: 10:15 p.m.

Accepted this 12<sup>th</sup> day of January, 1998.

*David Weiser*

MAYOR

*Mary Swenson*

CITY CLERK

*Manda A. Swenson*

RECORDING SECRETARY