

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

SEPTEMBER 14, 1998

00208

CALL TO ORDER:

7:00 p.m.

ROLL CALL:

All present

MINUTES OF PREVIOUS MEETINGS:

- | | |
|----------------------------------|----------|
| 1. City Council Workshop 8/31/98 | Approved |
| 2. City Council Meeting 9/8/98 | Approved |

AUDIENCE PARTICIPATION:

None

CONSENT AGENDA:

Approved:

1. Approval of August, 1998 Payroll in the amount of \$761,364.22; paid by check nos. 31678 through 32080 with check nos. 31657, 31676, 31677, 31679, 31802 and 31805 void.
2. Approval of 9/14/98 Claims in the Amount of \$561,866.78; paid by check nos. 40920 through 41145 with check nos. 40633 and 40727 void.
3. Demolition Bid Proposal for Waterfront Park Storage Structure.
4. Moved to Current Business.

STAFF'S BUSINESS:MAYOR'S BUSINESS:CALL ON COUNCILMEMBERS:PRESENTATIONS:

1. Washington State Dept. of Transportation; Rick Mitchell.
2. Ground Water Management Plan; Tom Niemann.

PUBLIC HEARINGS:

None

REVIEW BIDS:

None

CURRENT BUSINESS:

- | | |
|---|---|
| 1. 60% Annexation Petition; 152nd St. Annexation; PA 9710051. | Approved 6-1 to have a prezone hearing before Planning Comm. 10/13/98 |
| 2. Local Agency Haul Road/Detour Agreement with WSDOT for SR 529 | Postponed to 9/28/98 |
| 3. 800 MHZ. | Option 4 Approved 4-3 |
| 4. State Ave. Road Improvements; 1st St. to Grove St.; Consultant Services Agreements; Hammond, Collier & Wade-Livingstone Assoc. | Postponed to 9/28/98 |

NEW BUSINESS:

- | | |
|---|----------|
| 1. Notice of Intension; 10% Annexation Petition; Hendrickson & Glein Annexation; PA 9808047 | Approved |
| 2. "C" Curbing 88th St. NE | Approved |

ORDINANCES & RESOLUTIONS:

None

LEGAL MATTERS:

- | | |
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| 1. Amendment to Water Connection Agreement; Samuel & Anna DeJong | Approved |
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ADJOURNMENT:

11:50 p.m.

EXECUTIVE SESSION:

- | | |
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| 1. Litigation Update | 11:55 p.m. to 12:07 a.m. |
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No Action

RECONVENE & ADJOURN:

12:07 a.m. 9/15/98

MARYSVILLE CITY COUNCIL MINUTES

SEPTEMBER 14, 1998

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor (9:20 p.m.)

Councilmembers:

Donna Wright, Mayor Pro Tem
Brett Roark
NormaJean Dierck
Donna Pedersen
Mike Leighan
Otto Herman, Jr.
Shirley Bartholomew

00207



Administrative Staff:

Dave Zabell, City Administrator
Grant Weed, City Attorney
Ken Winckler, Public Works Director
Gloria Hirashima, City Planner
Owen Carter, City Engineer
Doug Buell, Community Information Officer
Dennis Peterson, Commander
Robert Carden, Police Chief (9:28 p.m.)
Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Pro Tem Wright called the meeting to order at 7:00 p.m. and led us in the flag salute. It was explained the Mayor and Police Chief are attending the school board meeting at this time.

ROLL CALL:

City Administrator Zabell called the roll and all members were present/absent as indicated above.

MINUTES OF PREVIOUS MEETINGS:

1. City Council Workshop of 8/31/98.

Councilmember Bartholomew noted Mr. Bonner's name should be spelled "Bahner" throughout the minutes.

Councilmember Herman noted at the end of page 5, he wished the words "and how to accomplish that" deleted.

Commander Peterson noted that on page 4 at the bottom, where he was talking about conversion expense, "1,000 for radios in each car" should be deleted and substituted with "\$100,000 for dispatch, excluding furniture."

There being no further corrections, Councilmember Pedersen moved and Councilmember Roark seconded to approve the workshop minutes of 8/31/98 as corrected. Passed unanimously.

2. City Council Meeting of 9/8/98.

Councilmember Pedersen noted that on page 6, in the last paragraph before New Business, Sheriff Bart was recommending that the county (not the City) go with the 800 MHZ system.

There being no further corrections, Councilmember Bartholomew moved and Councilmember Pedersen seconded to approve the 9/8/98 Council meeting minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

CONSENT AGENDA:

1. Approval of August, 1998 Payroll in the amount of \$761,364.22; paid by check nos. 31678 through 32080 with check nos. 31657, 31676, 31677, 31679, 31802 and 31805 void.
2. Approval of 9/14/98 Claims in the Amount of \$561,866.78; paid by check nos. 40920 through 41145 with check nos. 40633 and 40727 void.
3. Demolition Bid Proposal for Waterfront Park Storage Structure.
4. Moved to Current Business.

Councilmember Pedersen asked that Item 4 be moved to Current Business.

Councilmember Herman moved and Councilmember Bartholomew seconded to approve Consent Agenda Items 1, 2 & 3. Passed unanimously.

STAFF'S BUSINESS:

City Administrator Zabell announced a 10/20/98 (Tues.) Watershed Planning Seminar in Everett, \$15.00 registration fee.

Public Works Director Winckler noted tomorrow evening will be the Council workshop regarding consultants, at 7 p.m. in the Council Chambers. There will be a Utility Committee meeting 9/17/98 at 7:30 a.m. and an upcoming all day Endangered Species Workshop on (date?).

Commander Peterson announced that the North County Law Enforcement Officers Emphasis (PACE) will be in area school zones over the next couple weeks.

Councilmember Bartholomew asked if this program has been effective and Commander Peterson assured the Council that it is.

Councilmember Bartholomew asked about the speed trailer and Commander Peterson explained it's not really designed to write tickets off of but they do send a radar car out after the speed trailer has been in a location for a few days.

MAYOR'S BUSINESS: (None - Mayor had not arrived as yet.)

CALL ON COUNCILMEMBERS:

Councilmember Leighan noted there is a Traffic Advisory Committee meeting on the calendar ("To be Announced") but they have not been meeting lately.

Public Works Director Winckler said he will keep the committee informed as to when the next meeting will be.

Councilmember Pedersen reported on the library board meeting she attended this afternoon. It was noted that the Mukilteo Library will be having their dedication this Saturday; 2600 library cards were issued in their first week of opening. At the Marysville Library, they had 1500 children for the summer reading program. She reported that since the Supreme Court decision regarding forming library districts, Snohomish and Monroe are going to be doing this. The Sultan library and community center will be funded by a HUD grant, she also noted. She invited anyone who might be interested in filling a board position to let the Mayor know--Bob Graef's term will be up 12/31 and the Mayor is to appoint a replacement at that time.

Councilmember Dierck followed up about possibly using \$100,000 out of gaming funds to purchase Mother Nature's Window.

Mayor Pro Tem Wright said she believed the Mayor was to get further information on that.

Councilmember Dierck said in addition to receiving minutes of the Economic Development Committee meetings, she would also like to receive minutes from the Tulalip Tribe Liaison Committee meetings. She spoke about some other information contained in the packets but it was the consensus this would be more appropriate for Executive Session. She noted that confidential information should be indicated, rather than just the outside envelope being stamped "Confidential."

Mayor Pro Tem Wright reminded everyone of tomorrow being election day.

CONNECTED: SEE 9/28/98

PRESENTATIONS:

1. Washington State Dept. of Transportation; Rick Mitchell.

Mr. Mitchell first apologized for having sent out the wrong information concerning a detour agreement and said that has now been corrected. He then referred to handouts regarding bridge closures on SR 529 for 1999 and 2000:

- Ebey Slough Bridge to be closed 175 consecutive days beginning in the summer of 1999
- Southbound Steamboat Slough Bridge to be closed 157 consecutive days beginning spring 2000
- Northbound Steamboard Slough Bridge to be closed 45 days, split into two segments, one short closure to occur before the southbound Steamboat bridge closure and the remainder of the work to occur in the fall of 2000.

He went into a very detailed explanation of work to be done, why it needs to be done, when and how. He said once all this work is done, they anticipate no more major work for 15 years. The two bridges built in 1925 will require somewhat more extensive work than the one built in 1956 and he explained how some of the parts are going to have to be rebuilt completely for the older bridges.

He explained that DOT is offering the contractors very large incentives to get the work done in a more timely manner and they really have tried to create as little impact as possible. He said with regard to SR 2 and SR 5, there are two small jobs on these that need to be done as well--median barrier replacement--and this will be going on at the same time. In November, they are going to bid, he said and they will have one lane closures as well as weekend closures with detour routes, for a total of 30 days. He said they will not be closing SR 2 until SR 529 is done.

On I-5, there will be single lane closures north of 4th Ave. He said they have asked the contractors to restrict the work to non-peak times and impact has been kept to a minimum through sequencing. The one change is the length of the closures on the older bridges, he said. This had to be increased because of a lack of availability of skilled people to work on these bridges.

Councilmember Bartholomew expressed concern about the Hayes business which is on property at the end of Ebey Slough. She noted they could be put out of business with all this going on over 18 months because heavy trucks won't want to sit in traffic gridlock.

Mr. Mitchell said DOT has talked with Mr. Hayes as well as giving him a copy of the detour plans. He has provided some suggestions but once DOT starts the work, it has to be a continual closure with replacement parts, etc. and the bridge needs to remain open (to water traffic) as a result, he said. There will also be structural modifications, etc. and it adds up to 175 days, he said. He noted they have mapped out detours and in the contract there is a six to eight month procurement period, i.e. DOT will not be starting until spring 1999. He admitted there will be inconvenience but people will be able to get to the businesses and not be completely cut off. He said they have tried to accommodate Mr. Hayes although he was not entirely happy with DOT's explanation, but they have tried to address the specific issues, he said.

Councilmember Bartholomew said she has concerns about increasing a hazard factor with a truck and pup driving around a detour route and Mr. Mitchell said there will be some detour routes and signage so that should help out. It may not eliminate all problems, but they have tried to address all issues, he reiterated.

Councilmember Bartholomew asked about emergency services. Mr. Mitchell said they spoke with Everett emergency services and it would probably be better if Everett responds vs Marysville in some areas, he said.

Councilmember Bartholomew pointed out that when you get an additional 20,000 cars detoured, you get a tremendous back up and Mr. Mitchell said they will be doing some restriping to help with the flow and have included in the contract additional money for personnel to help with flow also.

Councilmember Bartholomew asked about gridlock causing all businesses south of 4th to lose business and Mr. Mitchell said there are going to be inconveniences, traffic tie ups, but the option is not to do the work and then if the bridge fails no one is going to go anywhere. He reiterated that DOT is trying to minimize impact as much as possible but there are going to be some impacts.

Councilmember Pedersen noted that she sees a lot of people in the audience who are small business owners downtown and they are going to be tremendously affected. People are going to want to bypass these small businesses in Marysville and that to her is unacceptable, she said. She asked if there was a possibility at all of refurbishing the bridges in less time than stated here tonight.

Mr. Mitchell explained that with the bridges being over 50 years old, the records are not that accurate so they have to take the bridge apart and then measure. Also, they can't close 2 bridges at the same time so that's why they have the sequencing, he said.

Councilmember Pedersen said she was under the impression that this has something to do with the Coast Guard requirements and Mr. Mitchell said the Coast Guard's general approach is that they don't like to authorize closures (to water traffic) for longer than 7 days but because of the lower use of the Ebey Slough Bridge, they may be open (to vehicular traffic) for a longer period, eg. 14 days or even 21 days, but DOT would need at least 65 days and the Coast Guard will not allow that long of a closure to water traffic, he said.

Councilmember Pedersen asked about the incentives and how they work and Mr. Mitchell said explained the possible reduction of 22 days which would result in a sizable incentive (as much as \$289,000) to the contractor.

Councilmember Pedersen asked what precludes a 24 hour a day work schedule and Mr. Mitchell said the available work force is just not sufficient here with skills for this type of work. He pointed out with extra hours worked, you start losing efficiency and the availability of skilled workers and days to be closed has all been factored in.

Councilmember Pedersen noted it's very frustrating when a commuter at 6 p.m. sees nothing happening because the workers have gone home at 4 p.m.

Councilmember Herman noted he sees this as a step in the right direction but apparently the message has not been received by DOT that even single lane closures are extremely disruptive and simultaneous closure are completely unbearable. He noted his commute this past summer from Marysville to Everett was very difficult, traveling every day and he said he tried a lot of alternatives. He asked what can be done to make it clear that Marysville does not want multiple closures.

CORRECTED: SEE 9/28/98

Mr. Mitchell responded that he can take that back to DOT. He says he knows they tried to work to minimize any effects, eg. they have agreed not to work during peak hours on I-5. Another possibility might be to do the work on I-5 later, he said. He added that he can bring that up to the project engineer. Also, on SR 2 the 30 day contract he doesn't believe can be delayed, however, because the concrete has fallen off the roadway and it's getting pretty close to having a hazardous roadway, he said. He added that they have been able to keep one lane open westbound and a bypass detour, but it's work that as to be done.

Councilmember Herman said he would appreciate knowing the exact dates announced so people can plan their vacations.

Mr. Mitchell said the contractor will establish these dates and the Marysville City Council will be kept informed. He added that they do understand the frustrations and impacts and have tried very hard to minimize impacts. He noted the other project engineers involved are Tom Madden, Kathy George and Claudia Cornish.

Councilmember Herman asked if there was some movement out of the Coast Guard, how that would affect the construction time and Mr. Mitchell said it would shorten the Ebey Slough project slightly and he could bring that specific information back to the Council.

Councilmember Dierck questioned the ongoing maintenance and high cost involved on an ongoing basis. Mr. Mitchell said DOT has probably spent \$30 million on I-5 including the \$10 million for this project but to replace the bridges would cost \$80 million and the closure would be probably the same length of time. He said they did look at whether it would be more cost effective; life expectancy would be about 50 years with the refurbished bridges, with only minor repairs and replacements over the 50 years.

Councilmember Dierck said it seems like nothing is going to really change the DOT plans. Mr. Mitchell explained the total length of time is 377 days but each bridge will be a shorter time period and once the Ebey Slough Bridge is done, then the other bridge will be worked on and it will be a little better. Ebey Slough is probably going to cause the most impact, he admitted.

Councilmember Roark said he hoped what the Council and audience has to say will make a difference to DOT. He asked if they had looked at offering an incentive for the engineering of the projects.

Mr. Mitchell said they looked at several options and found one lane of traffic would cause more back up than a complete closure.

Councilmember Roark noted the impacts are going to be great but he knows there are some creative engineers and he asked if during the Snohomish River Bridge closure anyone looked at the number of accidents at 4th & I-5, for example. He said he is sure we are going to see an increase in accidents and asked again if any studies had been done with the Snohomish River Bridge project.

Mr. Mitchell said they did not do an accident count and Councilmember Roark said with what happened this summer, he was hoping DOT would look at that.

Mr. Mitchell said they did talk with the construction and traffic control people about helping the flow of traffic--restriping, using off duty officers, incentives.

Councilmember Roark commented he works in construction and has worked 12, 14, 16 hour days and with incentives, he thinks that might get them to find the skilled labor necessary. Also, the contractor he thinks might find the skilled labor before accepting the contract, he said.

Mr. Mitchell said they might do that but DOT has talked with a lot of people and came up with the incentives; there may be something a contractor can come up with that DOT is not anticipating, though. He reiterated that they have done their best to shorten the number of days of closure.

Councilmember Roark asked again if they had looked at more creative engineering with incentives. He said he knows the Coast Guard would be cooperative.

Mr. Mitchell said they hired HNTV, consultants, to look at these issues but there is a possibility they have not seen and

anticipated every possibility. He reiterated they have tried to shorten the closures.

Councilmember Roark asked again about an incentive for the engineer and Mr. Mitchell said no, that's usually not something they do and HNTV did not find anything additional that could be done, either.

Councilmember Roark noted his experience is that the projects usually go over budget and he asked if there are penalties as severe as the incentives. Mr. Mitchell said no, the penalties are not as high as the incentives.

Councilmember Roark said his concern is about all the businesses in north Everett, Marysville, the islands, and to have two closures at the same time is absolutely unacceptable to him.

Mr. Mitchell said he will talk with the design and construction project managers.

Councilmember Roark said he would like this whole thing reviewed and also, the City has a project on State which will translate into a 3 year project, which is just too long for all these projects, he said.

Councilmember Leighan noted one problem with the Snohomish River Bridge closure was with paramedics trying to get down I-5 and Mr. Mitchell said there will be no closures between 4th and Everett on I-5 so the shoulders would be available for use.

Councilmember Leighan suggested public service announcements and maps as well as an ad campaign: "The Bridge is closed but Downtown is open."

Mr. Mitchell said they did do something for 405 like a "media blitz" and they are looking at doing something like that, although they don't have a specific plan as yet. He said they definitely plan to get that information out to the public.

Councilmember Leighan said he noted the Tulalip Tribes apparently have guaranteed access to the EPA clean up site and Mr. Mitchell said DOT has shown the contractors the schedule and they will be working within DOT's constraints; it's the same detour route for the clean up site as the rest of the traffic.

Councilmember Pedersen suggested DOT could use Marysville's community access channel and Mr. Mitchell said he would make sure Claudia has that information.

Councilmember Bartholomew asked about the structural workers (ironworkers) and whether they didn't have a very rigid number of hours they can work.

Mr. Mitchell said he is not sure of all the regulations but yes, they have to adhere to a lot of regulations.

City Administrator Zabell asked about the incentives again and Councilmember Herman added that it might be possible to provide a per day/partial incentive in addition to a completion bonus, eg.

Councilmember Roark asked about revisiting keeping one lane open and Mr. Mitchell said once you start jacking up the bridge, it has to stay completely closed to traffic. The old pieces have to be measured and then sent back to have the piece remade and then the part is sent back here and installed, he explained.

Councilmember Roark asked if using some of the incentive money for the engineer/contractor is a possibility because this is a tremendous impact.

Mr. Mitchell said when you go down to one lane, it's actually 400 days of construction vs 175 days with a complete bridge closure.

Doing the work under traffic extends the time tremendously but he said he will go back and take a look at one lane closures only and partial opening incentives and get back to City Council on this. He added that the Coast Guard he thinks will only allow 20 days and DOT would need 60 days minimum, but if they did give DOT 60 days, DOT could shorten the length of total closure.

Mayor Pro Tem Wright asked about building a new bridge alongside and Mr. Mitchell said that would require some additional property.

Members of the audience were asked to give input if they wished.

Steve Averill, 817 Quinn, addressed Council. He suggested starting to train people now for this work, for one thing. He also asked about the main mechanism, the carrier bearing, if it could be measured and rebuilt before the bridge even has to be closed and then it would only take a couple days to replace that part, for example. Another suggestion he had was building a temporary bridge or if the existing structure is good enough, another new bridged could be prefabbed elsewhere and then placed on the existing one.

Councilmember Roark said he thought there were probably too many variables but Mr. Averill asked why the turntable can't just be replaced.

Kevin Weiser, 1923 3rd St., addressed Council and asked why they couldn't use one bridge for a 2 lane highway then just close one at a time.

Councilmember Leighan said he believed that is already planned.

Paula Walling from the Recycle Yard, addressed Council. She said said her dad has had that business for 50 years and it looks like this is going to put an end to the business. It's \$85 per hour, she explained, and the trucks are going to go somewhere else rather than sit in traffic and the recycle yard is going to lose long term business. She said she thinks this is going to put an end to Ace Seattle; they barely made it through the last bridge closure.

Mark Reineke, 11924 59th Dr. NE, addressed Council. He said he is the owner of the property where First Stop Deli is and their traffic pattern relies on the people going to and from the bridge. He said he keeps hearing about the incentive for completion; small business owners' only incentive is to work hard, stay 16-18 hours a day to stay in business. He noted their business has steadily dropped over the last three summers and this might help out the construction companies but it won't help his business at all.

Mr. Mitchell responded that the center bearing could be manufactured ahead of time and then put in; that's a possibility providing DOT has all the information and it could possibly be done within the procurement time of six months ahead of the project, but that one piece would still take 5 days to replace. He noted this is only one of several pieces and yes, there may be some small savings in time like that.

Councilmember Leighan suggested the measurements be taken then the part put back in until a new one is made and Mr. Mitchell said some of them need to be refurbished, but the part--replacement or refurbished--still goes into a queue and he explained that the whole project is coordinated, scheduled and sequenced on a critical path with no down time. As far as a temporary bridge for the span, he said you would have to build a whole new bridge for marine traffic, etc. and that's a high cost.

Councilmember Roark asked about the possibility of designing complete new "guts" instead of pulling old stuff out and refurbishing because that's got to take less time.

Mr. Mitchell said some of the parts will be brand new but a portion of the parts will have to be refurbished which will be better than spending \$80 million for a whole new bridge. There are certain parts because of the 1925 design that have to be refurbished and put back into the space available, he said.

Councilmember Herman said he has experience as a machinist and he agrees with Mr. Mitchell in this case.

Councilmember Roark said he just wanted to make sure every possibility has been looked at.

Mr. Mitchell said as far as resequencing, they started the work on this about 3 years ago and have come up with something that they feel will minimize impact; they have many experts in various fields that they have talked with.

Councilmember Bartholomew noted over the years she knows the legislature has to authorize funding of the project and that may take another 12 plus years if it's decided to go with completely new bridges at this point.

Mr. Mitchell said usually once a bridge is programmed, it takes 6 years to get funding and then another 6 years to get the construction going, planned, etc.

Bob Nunley, addressed Council. He said Shirley (his wife) and he own the southeast corner property at 1st & State and this project will have a tremendous impact on the business there. He explained the Nunleys lease the property to their tenant and he doesn't think he is going to stay in business there--they are used to a 25,000 vehicle volume a day and you take that away and you are going to put a lot of businesses out of business. He said he feels there has got to be a better way; if they can rebuild the Kingdome, they should be able to do this project more efficiently.

Steve Averill addressed Council again. He asked if the structure is strong enough to support either a refurbished or new bridge.

Mr. Mitchell admitted DOT has to repair part of the structure, some stringers, beams, rust damage, do some seismic retrofitting, but the rest of the bridge is good enough to last the life of the bridge. As far as putting Ace Seattle out of business, he said one of the things they have talked about is, from their experience with the Snohomish River Bridge, they have added signing, including maps for businesses, information sharing to get the word out. He said it doesn't mean people will be able to get there easier but they will be able to get there. DOT also has a little more time to share this information which they didn't do before, so they think their plan is going to be a lot more beneficial than before, he said.

Councilmember Pedersen asked him to share information with the press later out in the hall and Mr. Mitchell agreed to do this.

Councilmember Herman asked about 2 lane traffic rather than single lane traffic and Mr. Mitchell said they won't have enough width for 2 lane traffic; they had the experience one of a head on collision because of not enough width in another project.

Councilmember Roark predicted a lot more accidents in Marysville and said he hoped it has become clear to DOT that they need to look at all viable options to alleviate pressures on businesses in Everett and Marysville and he said he would like DOT to revisit every possible angle to reduce the impact.

Mr. Mitchell assured him they take this seriously but sometimes there are things they just can't do. He said he would review traffic flow and other things they might be able to do.

Councilmember Roark said he feels every possible thing needs to be reviewed thoroughly over the next 9 months.

2. Ground Water Management Plan; Tom Niemann.

Tom Niemann, Snohomish County Planning & Development, 3000 Rockefeller, Everett, addressed Council. He explained he is a member of the Groundwater Advisory Committee and wished to update Council in preparation of the 10/20/98 comment date. He showed overheads of a handout, highlighting the process the committee has gone through to reach this point.

He talked about key components of the plan, recommendations, heavy involvement of former Councilmember Baxter since 1991, public involvement, noting Snohomish County has good water quality and the plan for this area is to prevent contamination and continue our good water quality.

Mayor Weiser arrived at 9:20 p.m.

Mr. Niemann reviewed the Plan recommendations, specifically to protect our ground water, noting the county is updating their ordinance and is also in the process of educating the public. Committee meetings are every Wednesday at PUD, 4th Floor and 10/20/98 is the final deadline for lead agencies findings, revisions, comments, etc., he said.

Councilmember Pedersen asked when the Dept. of Ecology was to review the Plan and Mr. Niemann said they had a public hearing 7/22/98 and the next step was for final comments to be submitted before the final plan is developed and then it will be submitted to the Dept. of Ecology.

Police Chief Carden arrived at 9:28 p.m.

CURRENT BUSINESS:

1. 60% Annexation Petition; 152nd St. Annexation; PA 9710051.

City Planner Hirashima reviewed the agenda bill and several options were discussed regarding scheduling this before the Planning Commission and City Council. It was noted the Planning Commission has stepped up their schedule, having 3 meetings in September instead of the normal two.

There was discussion about projects ancillary to the annexation such as widening of Smokey Point Blvd. from 136th to 152nd which needs to be included in the Marysville 6 Year Plan. Public Works Director Winckler stated it has been indicated by the State that improvement of Smokey Point Blvd. between 136th and 152nd would place very high on the list of priorities for grant funding.

There was discussion about annexation covenants, participation of the Navy Support Complex in road improvements, prezone hearing before a public hearing, this coming under an areawide rezone, current Comp Plan, recommending the county change their zoning to match the City's zoning in accordance with the Comp Plan, time frames for county comment, population of this area estimated at 429 with Eagle Point Mobile Home Park comprising about 50% of this population.

Tom Wells, Wells Development, 11671 SE First, Bellevue, addressed Council. He said he got involved in this about 2.5 years ago and as a result he has met with property owners and had numerous discussions. The 10% petition was brought forth about a year ago, he said, and he has worked with the property owners and City in bringing forth the 60% petition. This represents about 80% of the total land acres who want to see this annexation, he said. He said he has done mailings, met with the property owners and there have been no negative responses whatsoever. This area has been in a state of constant limbo for a long time and people are looking for a resolution here, so they can get on with their lives, he said. He said he respectfully asks that the Council adopt the recommendation; he believes this is an important annexation for the owners and the City.

Councilmember Bartholomew moved and Councilmember Wright seconded to accept the staff recommendation to accept the 60% petition with the annexation subject to assumption of the City's bonded indebtedness, adoption of the City Comprehensive Plan and adoption of zoning consistent with Comprehensive Plan and if necessary, send to Planning Commission for prezone hearings.

It was decided a prezone hearing could be held the first meeting in October and the next step would be a public hearing before City Council.

The motion passed 6-1 with Councilmember Leighan against.

NEW BUSINESS:

1. Notice of Intention; 10% Annexation Petition; Hendrickson & Glein Annexation; PA 9808047.

City Planner Hirashima reviewed the agenda bill.

Councilmember Pedersen recognized Pat Glein in the audience, noting she served on the Planning Commission for nine years.

There was discussion about including the lot to square off boundaries and City Planner Hirashima explained that lot could be taken out at a later date and there would be 60% without the additional lots that don't wish to annex at this time.

Dr. Robert Glein, 4028 Sunnyside Blvd., addressed Council. He said the lady who did not want to annex was just suspicious of being part of the City but had no real reason.

City Planner Hirashima noted the property is on PUD water and so there was no non-protest covenant agreement signed.

Councilmember Leighan moved and Councilmember Bartholomew seconded to accept the 10% petition, minus the two unsigned lots. Annexation would be subject to the City's bonded indebtedness, comprehensive plan and zoning. Passed unanimously.

CURRENT BUSINESS:

**2. Local Agency Haul Road/Detour Agreement with WSDOT for SR 529.
(From Consent Agenda)**

There was discussion about reducing the total number of days and City Engineer Carter explained they were planning on going to advertisement 9/22 and without this agreement they will have to delay the advertisement and with federal funds they need this agreement. He offered to call and tell them the Council needs additional information (which was agreed to be given by Mr. Mitchell earlier this evening).

Councilmember Leighan moved and Councilmember Pedersen seconded to postpone this matter for 2 weeks (Sept. 28, 1998). Passed 7-0.

3. 800 MHZ.

Mayor Weiser introduced this topic and said there are several phases and options to be considered.

Chief Carden reviewed (4) options through the use of overheads, noting a decision should be reached as to which option is preferred, by 9/18/98. He outlined the (4) options:

1. To do nothing and remain with current system which would have a 3-4 year survivability. The system is at capacity now and there may be some problems with infrastructure.
2. Come in with new infrastructure which would be good for 8 years and would have compatibility with 800 MHZ system.

3. Change to 800 MHZ system in 2001 which would allow time for fiscal planning. Cost \$2,086,500.
4. Go to 800 MHZ system sooner which would not give time for fiscal planning for \$1.3 million.

City Administrator Zabell noted the North County Precinct is going to stay on VHF for the next 2 years and go with Option 3 in 2001.

There was considerable discussion about communications regulatory action, need to update/expand present system, methods of funding, possibility of mitigation fees, public safety has to be our number one priority, keeping in touch with local communities, patching communications is possible but not preferable, the question is not whether to go with 800 MHZ but when to go with 800 MHZ.

Councilmember Leighan asked about cost of operating dispatch, having to maintain a dual system, eg. 800 MHZ and VHF system, SnoPac dispatch vs local dispatch.

There was discussion about monitoring currently being done by dispatch, Marysville having a diminished voice/representation, county REET monies, need for compatibility with other jurisdiction systems, developing an interlocal agreement between Marysville and the county, budget priorities, whether Marysville should stay in the dispatch business.

After considerable comparison between the advantages and shortcomings of Option 3 vs Option 4, both City Administrator Zabell and Chief Carden recommended Option 3 but said Option 4 was preferred, noting it's basically a matter of finances vs operations.

Councilmember Roark moved to go with Option 3, Councilmember Leighan seconded, including the following two conditions:

- that the City's financial participation be capped at approx. \$1.3 million if Marysville dispatch operation continues, or reduced proportionately in the event Marysville is dispatched by another entity;
- that the City participate concurrently with the Snohomish County Sheriff's North Precinct.

After further discussion about Option 3 vs 4, a roll call vote indicated the motion failed 4-3 with Councilmembers Wright, Pedersen, Dierck and Bartholomew against.

Councilmember Pedersen then moved and Councilmember Wright seconded to go with Option 4 with the City's financial participation to be capped at approx. \$1.3 million if Marysville dispatch operation continues, or reduced proportionately in the event Marysville is dispatched by another entity.

A roll call vote indicated this motion passed 4-3, with Councilmembers Herman, Leighan, Dierck against.

4. State Avenue Road Improvements; 1st St. to Grove St.; Consultant Services Agreements; Hammond, Collier & Wade-Livingstone Associates.

Public Works Director Winckler reviewed the agenda bill, stating the recommendation is for Council to approve the 3 consultant agreements.

After discussion, Councilmember Herman moved and Councilmember Pedersen seconded to postpone this to 9/28/98 for further information regarding time element on IAC money, TIB funding, prioritizing of projects, scope of work, project management.

The motion passed 4-3 to continue to 9/28 with Councilmembers Leighan, Wright and Dierck against.

00218

NEW BUSINESS:

2. "C" Curbing 88th St. NE.

City Engineer Carter reviewed the agenda bill. He noted it basically comes down to the BP and Chevron Service Stations do not want to share a driveway.

Councilmember Leighan moved and Councilmember Pedersen seconded to approve the recommended action of denying the request to install "C" curbing on 88th St. NE. Passed unanimously.

LEGAL MATTERS:

1. Amendment to Water Connection Agreement; Samuel & Anna DeJong.

Councilmember Pedersen moved and Councilmember Bartholomew seconded to approve the agreement and authorize the Mayor to sign on behalf of the City. Passed unanimously.

ADJOURNED: 11:50 p.m.

EXECUTIVE SESSION: 11:55 p.m. to 12:07 a.m.

1. Legal Matter Update. No Action

RECONVENED & ADJOURNED: 12:07 a.m. 9/15/98.

Accepted this 28th day of September, 1998.

David Weiner
MAYOR

Mary J. Swenson
CITY CLERK

Standa K. Swenson
RECORDING SECRETARY