

original

00104

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING APRIL 5, 1999

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

ROLL CALL: Councilmember Pedersen
excused

- MINUTES OF PREVIOUS MEETINGS:
1. City Council Retreat Mar. 12 & 13/99 - Approved
 2. City Council Special Meeting 3/15/99 - Approved
 3. City Council Meeting; March 22, 1999 - Approved

AUDIENCE PARTICIPATION: Sue Adams, Dana Groutman,
Bruce Tipton, Mike Papa

- PRESENTATION:
1. Adopt-A-Ship Proclamation, USS Ingraham.
 2. Storm Water Sewer/Vactor Presentation.

- CONSENT AGENDA: Approved:
1. Approval of 4/5/99 Claims in the Amount of \$417,851.01; paid by check nos. 44218 through 44488 with check nos. 43986, 44054, 43949 and 44065 void.
 2. Approval of March, 1999 Payroll in the Amount of \$814,280.88; paid by check nos. 34500 through 34797 with check nos. 34380 through 34499 void.
 3. Affirm Hearing Examiner's Decision to approve the Request for Rezone and Preliminary Plat with Conditions; Whiskey Ridge Estates; PA 9809049.
 4. Affirm Hearing Examiner's Decision to approve the Request for Rezone with Conditions; Heritage Place; PA 9809054.
 5. Approval of Plumbing Inspector Agreement and Authorize Mayor to Sign Agreement with Bill Bailey.
 6. Approval of Supplement No. 1 to Professional Services Agreement; Cedarcrest Clubhouse Remodel; CNJA Architects.
 7. Extend No Parking Zone on 84th St. and Approve Relocation of Blue Collection Box.

ACTION ITEMS:

New Business

1. Professional Services Agreement for Prel. Assessment Roll Prep for LID No. 70; Sanitary Sewers; Hammond Collier & Wade-Livingstone Approved 6-0
2. Utility Variance; R & D Partnership (aka Robert Porter); 3723 & 3624 71st Ave. NE; UV 98-006 Approved 5-1
3. Drainage & Erosion Control Stds. (Adopting Ordinances Below) See Items 3 & 4 under Ordinances & Resolutions
4. Contract Renewal for Recyclables & Yard Waste 120 day Extension
5. Area Wide Rezone; PA 9804025 Approved 5-1

Ordinances & Resolutions

1. Ord. 2247 Approved 5-0 Approving and Confirming Assessments and Assessment Roll of LID No. 66 for Improvement of Constructing, Installing and Replacing of Sewer Mains and appurtenances Along 49th Ave. NE & 65th St. NE as Provided by Ord. 2120 and Levying and Assessing a Part of the Cost & Expense Thereof Against the Several Lots, Tracts, Parcels of Land & Other Property as Shown on the Assessment Roll.
2. Ord. 2248 Approved 5-0 Approving and Confirming Assessments and Assessment Roll of LID No. 67 for Improvement of Constructing, Installing and Replacing of Sewer Mains and appurtenances Along 92nd Pl. NE as Provided by Ord. 2148 and Levying and Assessing a Part of the Cost & Expense Thereof Against the Several Lots, Tracts, Parcels of Land & Other Property as Shown on the Assessment Roll.
3. Ord. 2245 Approved 6-0 Addressing Storm Water and Drainage, Including Storm Water Drainage Assessments, and Creating a Surface Water Utility, Repealing Existing Chapters 14.15, 14.16, 14.17, 14.18 and 14.19 of the MMC and Enacting New Chapters 14.15 On-Site Storm Water Drainage Code, 14.16 Public Storm Drainage System Code, 14.17 Private Storm Water Disposal Systems, 14.18 Storm Water Drainage Assessments in Certain Designated Drainage Basins and 14.19 Surface Water Utility.

Ordinances & Resolutions, Continued

4. Ord. 2246 Approved 5-0 Amending Chapter 19.28 of the MMC, Clearing, Grading, Filling and Erosion Control, and in Particular Amending 19.28.020(4); Repealing 19.28.030(1), and Enacting a New 19.28.030(1); Repealing 19.28.040 and Enacting a New 19.28.040; Repealing 19.28.070(2) and Enacting a New 19.28.070(2), and Repealing 19.28.090 and Enacting a New 19.28.090.

INFORMATION ITEMS:

1. **Mayor's Business**
2. **Staff's Business**
3. **Call on Council Members**
4. **Planning Commission Minutes; March 9, 1999**

ADJOURNMENT:

9:50 p.m.

EXECUTIVE SESSION:

10:00 to 10:21 p.m.

1. Real Estate
2. Pending Litigation

No Action
No Action**RECONVENED & ADJOURNED:**

10:21 p.m.

MARYSVILLE CITY COUNCIL MINUTES

00106

APRIL 5, 1999

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
Donna Wright, Mayor Pro Tem
Brett Roark
NormaJean Dierck
Donna Pedersen (excused)
Mike Leighan
Otto Herman, Jr.
Shirley Bartholomew (7:02 p.m.)
Administrative Staff:
Grant Weed, City Attorney
Dave Zabell, City Administrator
Ken Winckler, Public Works Director
Kyle Anderson, Public Works
Doug Buell, Community Information Officer
Robert Carden, Police Chief
Gloria Hirashima, City Planner
Roger Kennedy, Fleet/Facilities Manager
Wanda Iverson, Recording Secretary

CALL TO ORDER/FLAG SALUTE:

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

ROLL CALL:

Mayor Weiser asked the Recording Secretary to note members present/absent (as indicated above).

MINUTES OF THE PREVIOUS MEETINGS:

1. City Council Retreat; March 12 & 13, 1999.

Councilmember Herman moved and Councilmember Roark seconded to approve the Retreat minutes as presented. Passed unanimously.

2. City Council Special Meeting; 3/15/99.

Councilmember Wright moved and Councilmember Dierck seconded to approve the Special Meeting Minutes as presented. Passed unanimously.

3. City Council Meeting; March 22, 1999.

Councilmember Dierck moved and Councilmember Leighan seconded to approve the 3/22/99 Council Meeting Minutes as presented. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Sue Adams and Dana Groutman of the Pilchuck Audubon Society, 1803 Hewitt, Everett, WA 98201, addressed Council. Sue said they were appealing to the City to please post the streams at Jennings Park as polluted waters. She explained they were the ones who came to the Easter Egg Hunt last Saturday with handouts about the polluted water and they did not mean to be derogatory. They have been working towards getting all the creeks and streams in the county cleaned up, she said, and added that most people said they knew the creeks were polluted and it's an important issue.

Dana commented that we need to start now and be proactive about cleaning up the creeks for the salmon. She is the Salmon Outreach Director at Pilchuck Audubon Society and she said they would like to send around a petition for the Council to sign so they can present it to Jeri Costa and Patty Murray.

Councilmember Wright noted there is a law against posting signs on PUD poles and there are some in her neighborhood on poles (Park View Estates).

CORRECTED: SEE 4/12/99 MINUTES

MARYSVILLE CITY COUNCIL MINUTES

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Ms. Adams stated they did not do that and agreed it's against the law. She reiterated that they did not mean to be adversarial; citizens just want to see the creeks and streams cleaned up. She said the City's and County's plans are an excellent start in response to the Endangered Species Act's recent actions.

Councilmember Herman asked about water quality issues, getting copies of the publication handed out to people. He said he needs a lot more information about status of the streams and perhaps the City will be in a position to address this issue, eg. what proportion of the problem comes from what sector as far as fecal coliform? He said he would like to see some options.

Ms. Adams said it's mainly from pets, as well as agriculture, failing septics, etc., but they can get information from the Dept. of Ecology and pass it along to the City.

Ms. Groutman said DOE is doing monitoring and hopefully, they can share some of that data.

Mayor Weiser noted Allen Creek was at 445 parts vs 200 parts per million (the standard) and he knows the City WWTF has done some testing and the Dept. of Health has done some testing; their tests show they are right at the limit or slightly higher, he said. He said one of the possibilities is waterfowl but it could be animal waste, poore septic systems near Jennings Park.

Ms. Adams noted you can get different readings at different times of the year.

Mayor Weiser noted Allen Creek has been posted "No Swimming" but unfortunately the signs get torn down and thrown into the creek.

Bruce Tipton, 6308 100th St. NE, addressed Council, saying he has some information but he only has 5 copies. He submitted it to the Council and noted it shows where fecal coliforms come from. This is a national problem, he said, adding that fecal coliforms are seen as a result of development and the problem needs addressing. He spoke about the 303D, TMDL and NPDES process, research, petitions, etc. and said they are just asking that the laws already on the books be enforced.

Councilmember Herman asked what emergency enforcement of the Clean Water Act would consist of and Mr. Tipton referred to the information he had. He said the recommendation is included in that information with regard to enforcement and they are also looking for incentives for TMDLs to be developed. In other words, what to do between when a stream is called a 303D stream and when the TMDL is completed, he said.

Mike Papa, 8127 54th Dr. NE, addressed Council and submitted an e-mail letter from Mike Kundu. He mentioned specifically creeks, streams, beaches and tributaries in the immediate area and urged the City to put up some caution signs and do some fecal testing independently. Mr. Papa also suggested the City contact the professor at University of Washington who does DNA testing and then the City can figure out sources of the contamination-- animals vs. failing septics, eg. Mr. Papa explained this professor has a whole library of DNA matches and he will get the man's name so the City can contact him directly.

PRESENTATION:**1. Adopt-A-Ship Proclamation; USS Ingraham.**

Mayor Weiser explained the Adopt-A-Ship program, noting the proclamation is the first step.

Commander Gregg Garbesi, Executive Officer of the USS Ingraham addressed Council and invited everyone on the upcoming cruise

which will depart at 9:30, April 13, with a return time of about 3 p.m. He explained no very young children will be allowed on board (under 8).

Mayor Weiser read the proclamation. Councilmember Roark moved and Councilmember Bartholomew seconded to approve the City's adoption of the USS Ingraham and to authorize the Mayor to sign the Proclamation. Passed unanimously.

Mayor Weiser presented the signed proclamation to the Commander and reviewed some of the things involved and some of the ways the community can help the crew and their families as well as some of the ways the crew and their families have been helping the community.

2. Storm Water Sewer/Vactor Presentation.

Kyle Anderson of Public Works was introduced by Public Works Director Winckler who explained the vactors were purchased to be used for storm water and sanitary sewer problems, flushings, etc.

Kyle gave an approximate 10 minute slide presentation showing the success of the vactor units in decreasing sewer damage claims, reducing problem areas, manhole cleaning, catch basin cleaning, pond maintenance, cleaning up silting and sand build up, control of flooding, degreasing at WWTF and cleaning pumps.

There was some discussion about how long it takes to build up grease and sediment and how this is being taken care of before the problem gets out of hand. Kyle was commended on a very good presentation.

CONSENT AGENDA:

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- 6. Approval of Supplement No. 1 to Professional Services Agreement; Cedarcrest Clubhouse Remodel; CNJA Architects.**
- 7. Extend No Parking Zone on 84th St. and Approve Relocation of Blue Collection Box.**

Items 3, 4 & 6 were pulled to discussed separately.

Councilmember Herman moved and Councilmember Roark seconded to approve Items 1, 2, 5 & 7. Passed with Councilmember Wright abstaining on check number 44231 and Councilmember Leighan abstaining on checks 44841 and 44245.

Councilmember Dierck noted that both Items 3 & 4 she feels affect the Marysville School District adversely. She said she also feels the City's Sensitive Areas Ordinance is in dire need of being revamped/brought before Council and for these reasons, she will be voting against Items 3 & 4.

Councilmember Herman moved and Councilmember Leighan seconded to approve Items 3 & 4. Passed 5-1 with Councilmember Dierck against.

Councilmember Bartholomew explained she has a conflict of interest on Item #6 and will be abstaining on this item.

Councilmember Dierck asked about the underground storage option on Item #6 and City Administrator Zabell said this would be one of the options.

Councilmember Leighan moved and Councilmember Roark seconded to approve Item #6. The motion passed 4-2 with Councilmember Bartholomew abstaining and Councilmember Dierck against.

ACTION ITEMS:

New Business

CORRECTED: SEE 4/2/99
MINUTES

1. Professional Services Agreement for Preliminary Assessment Roll Preparation for LID No. 70; Sanitary Sewers; Hammond, Collier Wade-Livingstone Associates, Inc.

Public Works Director Winckler reviewed the agenda bill, noting the recommendation is to approve the Professional Services Agreement in the amount of \$12,835.

Councilmember Roark voiced a concern about permanent lift stations being created and there was discussion about the gravity system under the Quilceda Creek and precautions to prevent contamination. City Administrator Zabell explained backup systems for lift stations and noted they are not allowed to overflow into creeks.

Councilmember Dierck asked about formation of an LID and Public Works Director Winckler explained the process, noting that over 60% of the current land owners are in favor of the LID formation in this case.

Councilmember Leighan moved and Councilmember Bartholomew seconded to authorize the Mayor to sign the Professional Services Agreement as recommended. Passed 6-0.

2. Utility Variance; R & D Partnership (aka Robert Porter); 3723 3724 71st Ave. NE; UV 98-006.

Public Works Director Winckler reviewed the agenda bill and reviewed alternate route. He noted this is tied to construction of Trunk Line D and he explained temporary vs permanent vs private lift stations.

Councilmember Roark warned about permanent and private lift stations--they can present future problems, he said.

Options A & B were discussed.

Councilmember Leighan moved and Councilmember Bartholomew seconded to approve the request, including all staff recommendations as per the agenda bill. The motion passed 5-1 with Councilmember Dierck against.

Councilmember Dierck explained the reason she is voting against this is there are a lot of factors such as easement acquisition, ULID requirement, and she would rather see it annexed first in order for the City to get the mitigation fees.

4. Contract Renewal for Recyclables and Yard Waste.

Public Works Director Winckler briefly reviewed the agenda bill and deferred to City Attorney Weed.

City Attorney Weed said in procurement of this type of service, it is not necessary for the City to go through the same bid process as other services. He referred to RCW 35.21.156, noting requests for qualifications can be solicited and selected; it's a process that's well thought through and detailed and he said he would recommend it for going through the RFP process.

Public Works Director Winckler said he would recommend a 120 day extension in order to through the RFP process.

CORRECTED: SEE 4/12/99
MINUTES

There was brief discussion.

Jamie deSoro, Waste Management Northwest, 1821 180th SW, Bothell, addressed Council. He said they have had this contract for 8 years and it's been very successful; it's up to 70% participation and the yard waste is up to 50% now. They have provided a quality program which has been a team effort on the part of the community, he added.

Councilmember Roark asked about stolen recycle bins and Mr. deSoro said the customers do not have to pay to have them replaced.

Councilmember Bartholomew asked about yard debris disposal problems and Mr. DeSoro said King County has improved their system plus, Waste Management NW has a few more places that they can use. Also, Waste Management is now the backup for other composting facilities and they could take it by train to Arlington, Oregon. As far as the market for recyclables, he said it's very depressed right now.

Councilmember Bartholomew asked how many firms there are in the county and Mr. DeSoro said 6 commercial recyclers for cardboard and only one residential.

Councilmember Roark moved and Councilmember Bartholomew seconded to extend the Waste Management contract 120 days and also for staff to set and review guidelines for an RFP for a 5 year proposal for recycling. Passed unanimously.

5. Area Wide Rezone; PA 9804025.

City Planner Hirashima reviewed the agenda bill, noting this includes Comprehensive Plan amendments. There were two open houses which were well attended, she said and added that the Planning Commission recommends approval. She noted there was a mixed use area on the east side of State north of 122nd, currently zoned industrial, a triangle, that brought significant comments from the public; two parties were in favor of leaving it industrial and two were in favor of mixed use in that area. She also noted it was mainly individual property owners who testified overall on the Area Wide Rezone at the Planning Commission Public Hearing March 9, 1999.

Councilmember Herman clarified about taking public input in the event the City Council wishes to have its own Public Hearing.

Councilmember Wright asked about input on "Downtown Commercial" and input from the Revitalization Committee.

City Planner Hirashima said Downtown Commercial was a newly created zoning and allows downtown uses as well as residential uses in a commercial building; it does require landscaping standards and as far as downsizing, there is some change but it's not necessarily "downsizing."

Councilmember Dierck asked about any input as far as parking difficulties downtown and City Planner Hirashima said there was very little input; all businesses were notified. She clarified that any new use would be required to provide offstreet parking and a lot of the existing buildings are grandfathered, however if occupancy is increased, they would have to provide the offstreet parking in line with current standards. She noted they did have some input at the open houses from downtown property owners and she did make a presentation to the Chamber of Commerce.

Steve Leifer, 12717 State Ave., addressed Council. He said he doesn't believe there should be any more public hearings. He said he has been involved in this for 7 years and thinks there has been ample opportunity for people to give input. There has been a tremendous amount of energy expended by the City, also, he noted and said he is here to make a statement regarding Planning Area 10.

He described the area he wished to talk about as next to the railroad tracks and he said he is in support of the Mixed Use zone and they have been working on that for 7 years. He said he represents the majority of people in the area; as far as an equal balance between individuals for mixed use and those for industrial, he was for mixed use at the Planning Commission but representing a majority of property owners, he pointed out. Also, on public record is all the data and reasons for why they think it should be designated Mixed Use. He said he is making these statements in anticipation of two others who own property in that area, they came in at a late date and Mr. Leifer's group has been working on this diligently for a much longer time. He said he hopes the City Council does not set a precedent; if they want to have this zoned industrial, they should go through the rezoning process and he said he doesn't think they should be submitting any spot zoning.

City Attorney Weed pointed out that the City Council cannot be accepting any new information at this time. People are only to address whether or not they feel the City Council should hold its own public hearing.

Tony Andy, 12725 State Ave., addressed City Council. He stated he is also from Planning Area 10 and said he feels the Mixed Use would be a good transition and he doesn't think the City Council should have a public hearing either, as there has been enough input already.

Dave Ostergaard, 4915 129th St. NE, addressed Council. He said they thought they had better coordination with the others; they have two pieces of property that do not fit in the Mixed Use designation. Also, the area is 95% light industrial now and they would like it to stay light industrial. They did take an active role 1.5 years ago and he said he had hoped it would stay light industrial without having to go to public hearing before the Council, but if that's the only way they might get it to stay light industrial, then they would like to see it go to public hearing.

Denise Baker, 8305 83rd Ave. NE, addressed Council. She said this process has been going on for so many years with so many public hearings and they are just trying to comply with the Comprehensive Plan and the other people have a process they can go through, too. She said she is against another public hearing.

Joe Meloche, 12319 State, addressed Council, stating his property is not big enough to put an apartment building on; he is light industrial and has been for 26 years and would like it to stay that way. He said yes, he would like to see a City Council public hearing because if this gets approved mixed use, he will sell his property with a 99 year lease so it will be grandfathered in as light industrial.

Councilmember Dierck asked if he could do that and City Planner Hirashima said it would be considered a "legal non-conforming" use if he did that.

Jackie Cernetich, 6812 58th St. NE, addressed Council. She said she would like to see a public hearing. She said she actually just heard about this situation and did not hear of any workshop. She said she would like to see a public hearing so the average citizen could be involved.

Jeff Seibert, 5004 80th St. NE, addressed Council and said he is in favor of a public hearing as he is against the Area Wide Rezone process in general.

City Attorney Weed noted any of the comments made tonight other than whether or not a public hearing should be held should be disregarded.

Councilmember Roark moved and Councilmember Leighan seconded that any information is to be disregarded that might be construed as testimony. Motion passed unanimously.

Councilmember Herman disclosed that he has a piece of property that would be rezoned in the event this action goes through.

City Attorney Weed explained an area wide rezone is not a quasi-judicial decision so any action would not disqualify a Councilmember.

Councilmember Herman asked if there is any recourse for citizens in the event of the Area Wide Rezone going through as recommended and City Planner Hirashima explained the annual Comprehensive Plan Amendment process; also, the Comprehensive Plan is to undergo a full scale revision every 10 years, she noted. (And the 10 years is just about up.)

Councilmember Bartholomew moved to affirm the Planning Commission recommendation and adopt the Area Wide Rezone. Councilmember Roark seconded the motion with the disclosure that he was on the Planning Commission when this process was underway and he feels confident a thorough job has been done.

City Attorney Weed noted the motion should include direction to staff to prepare an ordinance and bring back before Council. Moved and seconded by Councilmembers Bartholomew and Roark, to include this in the motion. The motion passed 5-1 with Councilmember Dierck against.

3. Drainage and Erosion Control Standards (Adopting Ordinances Below).

Public Works Director Winckler introduced Larry Wade of Hammond Collier Wade-Livingstone to review the Drainage and Erosion Control Standards document.

Larry Wade noted these are minimum standards which have been adopted under the Stormwater Management Plan. He reviewed in some detail the plan's priorities, standards, specific changes and updating to the clearing and grading section, provision specifying November 1 to April 30 as having seasonal/construction restrictions.

City Planner Hirashima noted currently under the zoning code and specifically in areas that are susceptible, eg. East Marysville, these construction restrictions are enforced.

Mr. Wade outlined revisions in the various chapters:

- 14.16 - Public Drainage System
- 14.17 - Private Storm Water Systems
- 14.18 - Drainage Basin Facilities
- 14.19 - Surface Water Utility
- 19.28.020 - Clearing and Grading.

He also referred to a support document addressing design standards and included in this document, sections on treatment, erosion control, storm sewer facilities, operation and maintenance, City standards, etc. He stressed that both the ordinance and design standards are minimum standards, established by DOE and other agencies. The City may want to have more stringent requirements for small parcels next to sensitive areas, eg.

He also noted that in the NPDES process, Phase II, there is an October, 1999 deadline for small cities to address land disturbing events and so the Storm Drainage Ordinance and Design Standards will have to be modified in the future in accordance with those new regulations. He suggested staff might want to attend conferences, etc., to keep informed on developments in this area.

Councilmember Herman spoke about the Sensitive Areas Ordinance being in need of amendment and the ability of staff to require higher standards.

Mr. Wade said if in their opinion the water quality issues are not going to be met, eg., staff could reject the plan presented and possibly it could go through a variance process.

City Attorney Weed added that if environmental impacts are deemed not to meet SEPA requirements, staff could require higher standards.

Mr. Wade said should the plan be approved and it proves not to be effective, Public Works can supersede the design standards and Public Works Director Winckler added comments to assure Council on how design standards are reviewed.

There were comments about Water Works Software, holding elected officials harmless, single vs continuous event model, construction restrictions during the rainy season, Planning Director's discretion being used, best practices management as per DOE manual.

Ordinances & Resolutions

3. **An Ordinance of the City of Marysville Addressing Storm Water and Drainage, Including Storm Water Drainage Assessments, and Creating a Surface Water Utility, Repealing Existing Chapters 14.15, 14.16, 14.17, 14.18, and 14.19 of the MMC, and Enacting New Chapters 14.15 On-Site Storm Water Drainage Code, 14.16 Public Storm Drainage System Code, 14.17 Private Storm Water Disposal Systems, 14.18 Storm Water Drainage Assessments in Certain Designated Drainage Basins, and 14.19 Surface Water Utility.**

Councilmember Leighan moved and Councilmember Bartholomew seconded to adopt and approve Ordinance 2245 as above.

Councilmember Dierck moved to change the word "may" to "shall" regarding restricting construction during the rainy season, however there was no second to the motion.

The motion adopting Ordinance 2245 passed unanimously (6-0).

Councilmember Roark left at 9:30 p.m.

4. **An Ordinance of the City of Marysville Amending Chapter 19.28 of the MMC, Clearing, Grading, Filing, and Erosion Control, and in particular amending 19.28.020(4); Repealing 19.28.030(1), and Enacting a New 19.28.030(1); Repealing 19.28.040 and Enacting a New 19.28.040; Repealing 19.28.070(2) and Enacting a New 19.28.070(2), and Repealing 19.28.090 and Enacting a New 19.28.090.**

Councilmember Leighan moved and Councilmember Herman seconded to adopt Ordinance 2246. Passed 5-0.

1. **An Ordinance Approving and Confirming Assessments and Assessment Roll of LID No. 66 for Improvement of Constructing, Installing and Replacing of Sewer Mains and appurtenances Along 49th Ave. NE & 65th St. NE as Provided by Ord. 2120 and Levying and Assessing a Part of the Cost & Expense Thereof Against the Several Lots, Tracts, Parcels of Land & Other Property as Shown on the Assessment Roll.**

Councilmember Bartholomew moved and Councilmember Leighan seconded to adopt Ordinance 2247. Passed 5-0.

2. **An Ordinance Approving and Confirming Assessments and Assessment Roll of LID No. 67 for Improvement of Constructing, Installing and Replacing of Sewer Mains and appurtenances Along 92nd Pl. NE as Provided by Ord. 2148 and Levying and Assessing a Part of the Cost & Expense Thereof Against the Several Lots, Tracts, Parcels of Land & Other Property as Shown on the Assessment Roll.**

Councilmember Bartholomew moved and Councilmember Herman seconded to adopt Ordinance 2248. Passed 5-0.

INFORMATION ITEMS:

1. Mayor's Business.

Mayor Weiser reminded everyone of the Economic Development lunch tomorrow at Noon at Fanny's, with the Tulalip Tribes invited.

He also reminded Council of the Downtown Revitalization Committee Meeting Wednesday at 7 a.m.

2. Staff's Business.

Chief Carden mentioned Matt Husby's graduation from the police academy this Friday and invited Councilmembers to attend.

He noted they have been doing neighborhood visits in conjunction with MSAC and also the annual Medal of Honor Ceremony this year will be held May 10 in Olympia for police and firefighters.

City Administrator Zabell announced a new Civil Service Examiner has been hired and City Administrator Zabell will be out of town April 14th.

City Attorney Weed discussed a long agreement that Everett has developed on the 800 MHZ system and City Attorney Weed has been meeting with the City of Everett Attorney on this. Actually, there are two documents, one is detailed and one is just a summary and he said he will get copies for City Council to review.

Public Works Director Winckler reported the vendor has received all hardware for the sound system for Council Chambers and they should have the job completed by the end of the month. He reported the 5th & State cabinet has been repaired and will be permanently replaced at the end of the month. The Signal Tech is working on other intersections and fine tuning them, and he asked for input from Council. (Grove & State was to be followed up.)

Call on Councilmembers.

Councilmember Herman announced that after due consideration for sometime, he has decided that he will not be seeking reelection for Council this fall.

Councilmember Leighan asked about the State St. Project from 1st to Grove and Public Works Director Winckler said they have met with the consultants and will be presenting a proposal to the Mayor and Committee this Wednesday and will inform Council as to the recommendation of the committee.

Councilmember Dierck reported on her mission to set up a meeting for Terry Williams of the Tribes to make a presentation in a workshop setting with regard to funding/grant applications for funds regarding the Endangered Species Act response. She said the only two dates Terry is available are: Apr. 19 (Mon.) in the morning or afternoon and Friday, April 30th in the afternoon.

After discussion, consensus was to have the meeting (location TBA) on Friday, April 30th in the afternoon (2 to 4 p.m.).

She said with regard to Councilmembers stating they had little or no information regarding the polluted water, Endangered Species Act/Clean Water Act, etc., she was given information two years ago and would be happy to share with other Councilmembers.

ADJOURNED: 9:50 p.m.

EXECUTIVE SESSION: 10:00 to 10:21 p.m.

1. **Real Estate.** No Action
2. **Pending Litigation.** No Action

RECONVENED AND ADJOURNED: 10:21 p.m.

Accepted this 12th day of April, 1999.

David Weiser
MAYOR

Mary Jo Jensen
CITY CLERK

Wanda A. Averson
RECORDING SECRETARY