

Minutes Recap
Marysville City Council Meeting July 8, 2002

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ORIGINAL

Call to Order/Pledge of Allegiance/Invocation/Roll Call	7:00 p.m.
Presentation	
Award from Snohomish Health District to Mr. James Ballew for his work and effort in the non smoking movement.	
Approval of Minutes	
June 24, 2002 Minutes	Approved
July 1, 2002 Minutes	Approved
Consent Agenda	
A. Claims in the amount of \$1,114,629.82 paid by check numbers 67369-67679 with check number 67048, 67200, 67329, 67333, 67475, 67511 and 67533 void.	Approved
B. Special events application, Marysville Community Church.	Approved
C. Amendment to Public Works Trust Fund Loan Agreement PW-01-691-PRE-114.	Approved
D. Contract for Deferred Construction of Curbs, Gutters and Sidewalks #246 with Brown Matson, LLC.	Approved
E. Contract for Deferred Construction of Curbs gutters and Sidewalks, Skateboard Park Project #247.	Approved
F. June payroll in the amount of \$1,179,136.92 paid by check numbers 43313 through 43545 with check number 43544 canceled.	Approved
Review Bids	
2002 Street Overlay Project award to Rinker Materials for \$187,000.	Approved
Jail Remodel award to TOM-EL Construction for \$83,738.	Approved
67th Avenue NE and 88 Street Traffic Signal award to Signal Electric for \$167,000.	Approved
State Janitorial Contract award to Pro Team Janitorial for \$119,138.76.	Approved
New Business	
Professional Services Agreement with Macaulay & Associates for Property Appraisal, 116 St. NE to 136 St. NE Improvement Project in the amount of \$4500.	Approved
Professional Services Agreement with Lane & Associates for Property Acquisition, 116 St. NE to 136 St. NE Improvement Project in the amount of \$17,225.	Approved
Hotel/Motel Tax Grant Program, Committee Recommendation in the amount of \$31,500.	Approved
Legal	
Contract for Recovery of Utility Construction Costs; Dejong, LLC.	Approved

Minutes Recap
Marysville City Council Meeting July 8, 2002

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<p>A. An Ordinance of the City of Marysville, Washington Amending Chapter 9.20 MMC, Fireworks, to Conform the Said Chapter with State Law, including those Changes in State Law, Enacted by Chapter 370, Laws of 2002, and Prohibiting the Sale of Consumer Fireworks to Persons under the Age of 16, and also Prohibiting the Sale, Use and Discharge of Consumer Fireworks during the Period December 27 to December 31, 2002 and Each Year Thereafter.</p>	<p>Approved</p>
<p>B. An Ordinance of the City of Marysville Amending Sections 19.08.030 (Residential Land Uses), 19.08.050 (General Services Land Uses), 19.08.060 (Government/Business Service Land Uses) and 19.08.080 (Manufacturing Land Uses), All Relating to Permitted Uses.</p>	<p>Approved</p>
<p>C. An Ordinance of the City of Marysville Amending Sections 19.26.020 and 19.26.030 of the Marysville Municipal Code Relating to Permitted Locations of Residential Density Incentives and Public Benefits and Density Incentives.</p>	<p>Approved</p>
<p>D. An Ordinance of the City of Marysville Amending Section 19.16.090 of the Marysville Municipal Code Relating to Required Landscape Buffers.</p>	<p>Approved</p>
<p>E. An Ordinance of the City of Marysville Amending Section 19.12.030(1) of the Marysville Municipal Code Relating to the Table of Densities and Dimensions/Residential Zones and Amending MMC Section 19.12.030(2), Footnote 16, and Adding a New Footnote 18 to MMC 19.12.030(2).</p>	<p>Approved</p>
<p>F. An Ordinance of the City of Marysville Amending Sections 19.28.020 and 19.28.070 of the Marysville Municipal Code Relating to Clearing and Grading Permit and Inspections.</p>	<p>Approved</p>
<p>G. An Ordinance of the City of Marysville Amending Section 19.34.020 of the Marysville Municipal Code Relating to Accessory Dwelling Units.</p>	<p>Approved</p>
<p>H. An Ordinance of the City of Marysville Amending Section 19.43.020 of the Marysville Municipal Code Relating to General Siting Requirements for Wireless Facilities.</p>	<p>Approved</p>
<p>I. An Ordinance of the City of Marysville Amending Chapter 19.06 of the Marysville Municipal Code by Adding New Sections 19.06.087, 19.06.201 and 19.06.451 Relating to Definitions of Change of Occupancy, Fence, Sight-Obscuring and Shopping Center Respectively, and Amending MMC 19.06.580 Relating to Definition of Front Yard.</p>	<p>Approved</p>
<p>J. An Ordinance of the City of Marysville Amending Section 19.18.090 of the Marysville Municipal Code Relating to Parking Area Design and Construction – a New Section 19.18.095 Relating to Stacking Spaces for Drive-Through Facilities.</p>	<p>Approved</p>
<p>K. An Ordinance of the City of Marysville Amending Sections 19.06.263 and 19.06.328 of the Marysville Municipal Code Relating to Motel/Hotel Definitions.</p>	<p>Approved</p>
<p>L. An Ordinance of the City of Marysville Amending Section 20.24.070 of the Marysville Municipal Code Relating to Landscaping Requirements.</p>	<p>Approved</p>
<p>M. An Ordinance of the City of Marysville Amending Subsection 19.20.200(3)(d) of the Marysville Municipal Code Relating to Pole Signs in Community Business and General Commercial Zones.</p>	<p>Approved</p>

Minutes Recap
Marysville City Council Meeting July 8, 2002

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N. An Ordinance of the City of Marysville Amending Section 19.14.160 of the Marysville Municipal Code Relating to Fences.	Approved
O. An Ordinance of the City of Marysville Amending Chapter 19.14 of the Marysville Municipal Code by Adding a New Section 19.14.095 Relating to Small Lot Single-Family Dwelling Development Standards.	Approved
P. An Ordinance of the City of Marysville Adding a New Section 19.38.050 of the Marysville Municipal Code Relating to Development Standards/Mobile Home Parks.	Approved
Q. An Ordinance of the City of Marysville Amending Section 19.14.080 of the Marysville Municipal Code Relating to Building Facade Modulation for Commercial Buildings.	Approved
R. An Ordinance of the City of Marysville Adding a New Section 19.32.030 of the Marysville Municipal Code Relating to Home Occupations Standards – Day Care Facilities.	Approved
S. An Ordinance of the City of Marysville Amending Section 19.22.030 of the Marysville Municipal Code Relating to Procedures and Policies for Implementing the State Environmental Policy Act.	Approved
T. An Ordinance of the City of Marysville, Washington Authorizing the Condemnation, Appropriation, Taking and Damaging of Land and Other Property for City Office Space Located at 1049 State Avenue, Marysville, Washington.	Approved
Other Business	
Instruct Staff to bring forward information pertaining to fireworks.	Approved
Adjournment	
The meeting adjourned at 9:00 p.m.	

Call to Order/Pledge of Allegiance/Invocation

CORRECTED: SEE	7/22/02
MINUTES	<i>mm</i>

Mayor Weiser called the meeting to order at 7:00 p.m. and led the pledge to the flag. Pastor Mike Villamoor gave the invocation.

Roll Call

Ms. Swenson called the roll, the following were:

Present: Mayor David Weiser, Mayor Pro Tem Mike Leighan, Councilmembers Suzanne Smith, Jeff Seibert, Jon Nehring, Donna Wright, Lisa Vares.

Also Present: Chief of Police, Bob Carden; Chief Administrative Officer, Mary Swenson; Finance Director, Sandy Langdon; Community Development Director, Gloria Hirashima; City Engineer, Robin Nelson; Parks & Recreation Director, Jim Ballew; Fleet & Facilities Manager, Bill Spies; Recording Secretary, Roberta Stevens.

Excused: Councilmember John Soriano

Committee Reports

Ms. Smith gave a Facilities Committee report on the Dykeman Architects & Interiors study. Some carpeting replacement and repairs need to be accomplished at KBSCC, this will require one Friday closure, Saturday and Sunday work and will need a budget amendment. She reported that the fire damage at the old Jennings Memorial Park Petting Zoo is approximately \$65,000.

Presentations

Ms. Deanne Thompson and Ms. Mandi George from Snohomish Health District surprised Mr. Ballew with the 2002 service award from the American Cancer Society, American Heart Association, American Lung Association of Washington, Snohomish Health District, and Tobacco Free Snohomish County. They also thanked him for being a leader in Snohomish County.

Approval of Minutes

A. June 24, 2002 City Council Meeting

MOTION by Mr. Leighan, second by Ms. Smith to approve the minutes of the June 24 Council meeting as presented, **MOTION** passed 6-0.

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B. July 1, 2002 City Council Work Session

MOTION by Mr. Nehring, second by Mr. Leighan to approve the July 1 minutes as presented, **MOTION** passed 6-0.

Consent Agenda

A. Approval of July 8, 2002 Claims in the Amount of \$1,114,629.82; Paid by Check Nos. 67369 through 67679 with Check No. 67048, 67200, 67329, 67333, 67475, 67511, and 67533 Void

B. Approval of Special Events Application; Marysville Community Church

C. Approval of an Amendment to Public Works Trust Fund Loan Agreement PW-01-691-PRE-114

D. Authorize Mayor to Sign the Contract for Deferred Construction of Curbs, Gutters and Sidewalks; Brown Matson, LLC (*continued from June 24, 20020*)

E. Authorize the Mayor to Sign the Contract for Deferred Construction of Curbs, Gutters and Sidewalks; Skateboard Park Project

F. Approval of June, 2002 Payroll in the Amount of \$1,179,136.92 Paid by Check Nos. 43313 through 43545 with Check No. 43544 Canceled

Mr. Nehring asked to remove Item D; Mr. Seibert asked that Item E be removed. **MOTION** by Ms. Smith, second by Ms. Wright to approve Consent Agenda Items A, B, C, and F, **MOTION** passed 6-0.

Mr. Nehring asked about Item D and the deferred construction for Brown & Matson how often they were deferred and if there is any continuity to the deferment. Mr. Nelson explained the three issues governing the granting of a deferment. Ms. Smith asked how a new owner would know about the deferment, Mr. Nelson said it runs with the land and is recorded with the County and shows up on the title report. Mr. Seibert asked why there seemed to be so many lately. Mr. Nelson said that was likely because the City has only recently annexed the area in North Marysville. Mr. Leighan said that in the past these have been handled administratively, now they are contracts and come before the Council. **MOTION** by Ms. Vares, second by Ms. Smith to approve Consent Agenda Item D, **MOTION** passed 6-0.

Mr. Seibert said regarding Item E at the Work Session he had asked if this would trigger Big D's Batting Cage to install sidewalks, curbs, and gutters, Mr. Nelson said he had reviewed the minutes and this will not force the batting cage

business into putting in sidewalks, curbs and gutters. It was further noted that in 1989 that was not a street and that is why it wasn't required at the time. **MOTION** by Mr. Leighan, second by Ms. Vares to approve Consent Agenda Item E, **MOTION** passed 5-1 with Mr. Seibert opposed.

Review Bids

A. 2002 Street Overlay Project

After discussion, **MOTION** by Ms. Smith, second by Mr. Seibert to approve Rinker Materials in the amount of \$187,000., **MOTION** passed 6-0.

B. Jail Remodel

After discussion, **MOTION** by Mr. Nehring, second by Ms. Vares to approve TOM-EL Construction as the low bidder for \$83,738., **MOTION** passed 6-0.

C. 67th Avenue N.E. and 88th Street N.E. Traffic Signal

After discussion, **MOTION** by Mr. Seibert, second by Mr. Leighan approved awarding the bid to Signal Electric in the amount of \$167,000., **MOTION** passed 6-0.

D. State Janitorial Contract (continued from June 24, 2002)

After discussion, **MOTION** by Ms. Wright, second by Mr. Nehring to approve awarding the bid to Pro Team Janitorial for \$119,138.76 effective 8/1/02 through 7/31/03, **MOTION** passed 6-0.

E. Telemetry Relocation

After discussion, **MOTION** by Mr. Nehring, second by Mr. Seibert to approve the bid with Systems Interface in the amount of \$38,945., **MOTION** passed 6-0.

New Business

A. Professional Services Agreement with Macaulay & Associates for Property Appraisal; State Avenue (116th Street N.E. to 136th Street N.E.) Improvement Project

MOTION by Ms. Smith, second by Ms. Wright to approve the Professional Services Agreement with Macaulay & Associates in the amount of \$4,500., **MOTION** passed 6-0.

B. Professional Services Agreement with Lane & Associates for Property Acquisition; State Avenue (116th Street N.E. to 136th Street N.E.) Improvement Project

MOTION by Ms. Smith, second by Mr. Nehring to approve the Professional Services Agreement with Lane & Associates in the amount of \$17,225., **MOTION** passed 6-0.

C. Hotel/Motel Tax Grant Program; Committee Recommendation

Ms. Swenson explained the difference in "old" money and "new" money. Funds are currently at \$87,000. This money is available only on a reimbursement basis. Mr. Nehring said that the Hotel/Motel Committee will be requesting more applications later this year to use that extra money. **MOTION** by Mr. Leighan, second by Ms. Wright to fund the \$31,500 in the following amounts: Greater Marysville Tulalip Chamber of Commerce, \$12,000; Snohomish County Tourism Bureau for \$4,000; Maryfest for \$10,000; City of Marysville Community Information Officer for \$5,500., **MOTION** passed 5-1 with Ms. Smith opposed.

Legal

A. Contract for Recovery of Utility Construction Costs; DeJong, LLC

Mr. Nelson remarked that the line by lot 3 that was discussed in the Work Session was because the map copy was issued using the Assessor's map. They do not remove old lines and replace with them with new lines and that small trapezoid piece is a portion of lot 3. **MOTION** by Ms. Smith, second by Mr. Seibert to approve Recovery Contract #246, **MOTION** passed 6-0.

Ordinances and Resolutions

A. An Ordinance of the City of Marysville, Washington Amending Chapter 9.20 MMC, Fireworks, to Conform the Said Chapter with State Law, including those Changes in State Law, Enacted by Chapter 370, Laws of 2002, and Prohibiting the Sale of Consumer Fireworks to Persons under the Age of 16, and also Prohibiting the Sale, Use and Discharge of Consumer Fireworks during the Period December 27 to December 31, 2002 and Each Year Thereafter

MOTION by Ms. Wright, second by Mr. Leighan to approve Ordinance #2409, **MOTION** passed 6-0.

B. An Ordinance of the City of Marysville Amending Sections 19.08.030 (Residential Land Uses), 19.080.050 (General Services Land Uses), 19.08.060 (Government/Business Service Land Uses) and 19.08.080 (Manufacturing Land Uses), All Relating to Permitted Uses

Ms. Hirashima had two corrections to make to this proposed Ordinance, the first was under the Attached Wireless communications facility with the number 19 added after 5, 5a; the second correction is on page 6 number 9, P4 should be substituted for P7 under the MU column. **MOTION** by Ms. Wright, second by Mr. Leighan to approve Ordinance #2410 as amended, **MOTION** passed 6-0.

C. An Ordinance of the City of Marysville Amending Sections 19.26.020 and 19.26.030 of the Marysville Municipal Code Relating to Permitted Locations of Residential Density Incentives and Public Benefits and Density Incentives

MOTION by Mr. Leighan, second by Ms. Wright to approve Ordinance #2411, **MOTION** passed 6-0.

D. An Ordinance of the City of Marysville Amending Section 19.16.090 of the Marysville Municipal Code Relating to Required Landscape Buffers

MOTION by Mr. Nehring, second by Mr. Seibert to approve Ordinance #2412, **MOTION** passed 5-1 with Ms. Smith opposed.

E. An Ordinance of the City of Marysville Amending Section 19.12.030(1) of the Marysville Municipal Code Relating to the Table of Densities and Dimensions/Residential Zones and Amending MMC Section 19.12.030(2), Footnote 16, and Adding a New Footnote 18 to MMC 19.12.030(2)

MOTION by Ms. Wright, second by Mr. Leighan to approve Ordinance #2413, **MOTION** passed 5-1 with Ms. Smith opposed.

F. An Ordinance of the City of Marysville Amending Sections 19.28.020 and 19.28.070 of the Marysville Municipal Code Relating to Clearing and Grading Permit and Inspections

MOTION by Mr. Nehring, second by Mr. Leighan to approve Ordinance #2414, **MOTION** passed 6-0.

G. An Ordinance of the City of Marysville Amending Section 19.34.020 of the Marysville Municipal Code Relating to Accessory Dwelling Units

MOTION by Ms. Wright, second by Mr. Leighan to approve Ordinance #2415, **MOTION** passed 6-0.

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H. An Ordinance of the City of Marysville Amending Section 19.43.020 of the Marysville Municipal Code Relating to General Siting Requirements for Wireless Facilities.

MOTION by Ms. Smith, second by Ms. Vares to approve Ordinance #2416, **MOTION** passed 6-0.

I. An Ordinance of the City of Marysville Amending Chapter 19.06 of the Marysville Municipal Code by Adding New Sections 19.06.087, 19.06.201 and 19.06.451 Relating to Definitions of Change of Occupancy, Fence, Sight-Obscuring and Shopping Center Respectively, and Amending MMC 19.06.580 Relating to Definition of Front Yard

MOTION by Mr. Nehring, second by Ms. Smith to approve Ordinance #2417, **MOTION** passed 6-0.

J. An Ordinance of the City of Marysville Amending Section 19.18.090 of the Marysville Municipal Code Relating to Parking Area Design and Construction – a New Section 19.18.095 Relating to Stacking Spaces for Drive-Through Facilities

MOTION by Ms. Wright, second by Ms. Vares to approve Ordinance #2418, **MOTION** passed 6-0.

K. An Ordinance of the City of Marysville Amending Sections 19.06.263 and 19.06.328 of the Marysville Municipal Code Relating to Motel/Hotel Definitions

MOTION by Ms. Vares, second by Mr. Leighan to approve Ordinance #2419, **MOTION** passed 6-0.

L. An Ordinance of the City of Marysville Amending Section 20.24.070 of the Marysville Municipal Code Relating to Landscaping Requirements

MOTION by Ms. Smith, second by Mr. Leighan to approve Ordinance #2420, **MOTION** passed 6-0.

M. An Ordinance of the City of Marysville Amending Subsection 19.20.200(3)(d) of the Marysville Municipal Code Relating to Pole Signs in Community Business and General Commercial Zones

MOTION by Mr. Seibert, second by Mr. Nehring to approve Ordinance #2421, **MOTION** passed 5-0 with Mr. Leighan abstaining.

N. An Ordinance of the City of Marysville Amending Section 19.14.160 of the Marysville Municipal Code Relating to Fences

MOTION by Mr. Nehring, second by Mr. Leighan to approve Ordinance #2422, **MOTION** passed 5-1 with Ms. Smith opposed.

O. An Ordinance of the City of Marysville Amending Chapter 19.14 of the Marysville Municipal Code by Adding a New Section 19.14.095 Relating to Small Lot Single-Family Dwelling Development Standards

MOTION by Ms. Vares, second by Ms. Wright to approve Ordinance #2423, **MOTION** passed 6-0.

P. An Ordinance of the City of Marysville Adding a New Section 19.38.050 of the Marysville Municipal Code Relating to Development Standards/Mobile Home Parks

MOTION by Ms. Wright, second by Mr. Leighan to approve Ordinance #2424, **MOTION** passed 6-0.

Q. An Ordinance of the City of Marysville Amending Section 19.14.080 of the Marysville Municipal Code Relating to Building Facade Modulation for Commercial Buildings.

MOTION by Mr. Leighan, second by Mr. Nehring to approve Ordinance #2425, **MOTION** passed 6-0.

R. An Ordinance of the City of Marysville Adding a New Section 19.32.030 of the Marysville Municipal Code Relating to Home Occupations Standards – Day Care Facilities

MOTION by Mr. Nehring, second by Mr. Leighan to approve Ordinance #2426, **MOTION** passed 5-0 with Mr. Seibert abstaining.

S. An Ordinance of the City of Marysville Amending Section 19.22.030 of the Marysville Municipal Code Relating to Procedures and Policies for Implementing the State Environmental Policy Act

MOTION by Mr. Seibert, second by Ms. Wright to adopt Ordinance #2427, **MOTION** passed 5-0 with Mr. Leighan abstaining.

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T. An Ordinance of the City of Marysville, Washington Authorizing the Condemnation, Appropriation, Taking and Damaging of Land and Other Property for City Office Space Located at 1049 State Avenue, Marysville, Washington

MOTION by Mr. Leighan, second by Ms. Wright to adopt Ordinance #2428, **MOTION** passed 6-0.

Information Items

A. Staff Business

Chief Carden reported that the School District approved the School Resource Officer for Cedarcrest School.

Ms. Hirashima gave a report on the buildable lands analysis.

Mr. Nelson reminded the Public Works Committee of the July 11, 2 p.m. meeting at Public Works. He also announced that there would be a July 9 open house at the Allen Creek Elementary School from 6:00 to 8:00 p.m. regarding the permanent re-channelization of 4th Street/SR 528.

Mr. Ballew spoke of the fire of last week, and indicated that they would not be rebuilding in the same location after this second arson. The contents will be replaced as needed, but the needed storage will have to be replaced. Ms. Kayla Savage the new Recreation Coordinator begins work on July 15. He reported that there were 11 Vendors at the Farmers Market last week end. The Driving Range has been sprayed and all growth has been killed. The earth will be turned over and re-seeded. The Arts Committee meets this Thursday and should have an ordinance for the Council by September for 1% for The Arts for capital projects.

B. Call on Councilmembers

Mr. Nehring said he had some quality of life issues because of the Jennings Park fire, and the driving range vandalism last year; he intends to write a letter to the editor. He said he encourages enforcement of the noise ordinance. He would like to see changes to the strip mall type perception of Marysville. Mr. Nehring said he felt the fireworks were excessive the whole week of July 4.

Mr. Seibert asked Chief Carden if he had any idea of the number of tickets for illegal fireworks issued for illegal fireworks, Chief Carden said there were none; however, the police confiscated \$500 worth of fireworks. No injuries were reported. Mr. Seibert said that there didn't seem to be the media blitz that there was last year. Chief Carden said that Channel 29 had some information and fire and police departments had a two color brochure. Mr. Seibert asked if it was

necessary to see someone light illegal fireworks before they are cited. Chief Carden responded that if it goes to court you would need all the testimony you can get. Mr. Seibert asked if the Council could change or modify the ordinance so that they could be cited. Chief Carden said that they may want to consider making it illegal to use any kind of fireworks for any day of the year except July 4. Mr. Seibert asked who was responsible for cleaning the graffiti on 116th RR overpass, he was advised that the Tulalip Tribes own that overpass. Chief Carden said he will talk to the Tulalip Chief of Police regarding the graffiti.

Ms. Wright reported that the Snohomish Health District was tightening the regulations on well water arsenic content. They are also involved in an anti-tobacco campaign. At the Aquasox game on July 28, Mr. Ciggy Butts will be present. Ms. Wright advised that the Senior Friends have a cookbook selling for \$10 for the Senior Friends fund. She mentioned several suggestions regarding the traffic at 88th Street and State Avenue intersections. Mr. Nelson said they will be looking at improvements to that intersection and a study has just been completed there.

Ms. Vares said she was interested in revisiting the fireworks issue, and wanted to express support of Mr. Nehring's request to see more enforcement.

Mr. Leighan said that some banner poles downtown have been ^{replaced} removed. They were under-engineered and are severely bent. He expressed interest in having the City request money from Hotel/Motel Fund when it is advertised again later this year to get heftier poles.

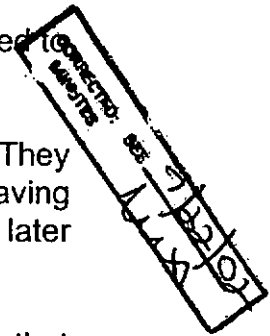
Ms. Smith asked if notifications had been sent out to the residents in that neighborhood regarding the re-channelization of SR 528.

She asked where the concert series was and Mr. Ballew said at Jennings Park. She had a phone call regarding the Home Grown Festival and was advised that Gerry Becker or Lillie Lein coordinate the City's participation in that event.

Ms. Smith asked for clarification on the Hotel/Motel money, and was told that should be referred to the Hotel/Motel committee, and they will be sending out a second advertisement. Ms. Swenson said there was no limit on amount of money that could be requested. Ms. Smith suggested that an application be sent to the Hotel/Motel Committee for long term leasing of parking spaces on the lot on 4th Street.

Ms. Smith asked when the Downtown Merchants meet and was told they meet at 6:00 p.m. at Bookworks on the second Tuesday of the month.

Ms. Smith would like to see the fireworks issue put on the ballot. She feels that since the City already has something on the ballot that it may not be too expensive to add another item. Ms. Swenson said that a resolution must be passed 45 days prior to the election. Ms. Smith said that she would like to know the cost to put the fireworks issue on the ballot, she would also like to see money budgeted for a public display, and also budget for extra policing for July 4 fireworks, with significant fines if cited, and more advertising. She reiterated that



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there are significant air quality issues on July 4. She asked if the Council could move forward tonight or would it have to wait until next week.

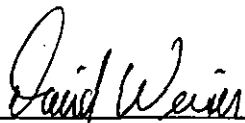
Ms. Smith said she would also like to revisit the Ordinance on prayer. Her understanding was that it was to be non-sectarian. Mayor Weiser and Ms. Swenson said the City sends the Resolution to the ministers and it is only a suggestion that no particular deity be named.

Mr. Nehring said that he agreed with the Chief's recommendation to only allow fireworks on July 4th. **MOTION** by Mr. Nehring, second by Mr. Seibert to direct Staff to bring forward information on police costs to enforce citations, ballot figures and suggestions of where to hold public display, and see about applying for Hotel/Motel money for the public display. **MOTION** passed 4-2 with Mr. Leighan and Ms. Wright opposed.

Adjournment

Meeting adjourned at 9:00 p.m.

Approved this 22nd day of July, 2002



Mayor



City Clerk



Recording
Secretary

ORIGINAL

Call to Order/Pledge of Allegiance/Invocation

Mayor Weiser called the meeting to order and led the pledge to the flag. Pastor Scott Coy gave the invocation.

Roll Call

Ms. Swenson called the roll, the following were:

Present: Mayor David Weiser, Mayor Pro Tem Mike Leighan, Councilmembers Suzanne Smith, Jeff Seibert, Jon Nehring, Donna Wright, Lisa Vares.

Also Present: Chief Administrative Officer, Mary Swenson; Finance Director, Sandy Langdon; City Attorney, Grant Weed; Community Development Director, Gloria Hirashima; City Engineer, Robin Nelson; Commander Steve Winters; Fleet & Facilities Manager, Bill Spies; Recording Secretary, Roberta Stevens.

Excused: Councilmember John Soriano

Committee Reports

Mr. Seibert reported on the Political Action Committee of the Association of Snohomish County Cities and Towns, they urged endorsement of Referendum 51. The next meeting is July 11 and transportation will again be the agenda topic.

Mr. Nehring reported on the Hotel/Motel Committee and indicated a meeting occurred last week with Gerry Becker, Carol Kapua and Bob Fletcher, more information will be forthcoming at the July 8 Council meeting.

Mr. Leighan said that he attended a meeting at the AWC Conference on the Supreme Court ruling regarding annexations. He said he was surprised to learn that no one is certain at this point if the ruling is retroactive or prospective. It could affect annexations 50 years ago. Mr. Leighan also remarked on the Phase II Storm Water Manual that must be in effect by March, 2003. The State will not meet that deadline, so it is important that the cities meet it so that they will not be named in the lawsuits.

Ms. Wright said that she had attended a meeting at the same conference regarding user fees, and she will give a report at a future meeting.

Discussion Items

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North Marysville Interchange Feasibility Study Update

Mr. Nelson said that the final draft was done on the North Marysville Interchange Feasibility Study. He then introduced Mr. Peter DeBolt and Mr. Kevin Weed of Perteet Engineering who gave a presentation on the study. The area considered for an interchange is 156th Street to 132nd Street, these are each one mile from the nearest interchange. The pros and cons of five options were discussed.

The next step in the process is a meeting on July 9 at 11:00 a.m. with WSDOT at their regional office on El Capitan in Everett which will be attended by Mr. Greg Young, Mr. Nelson, WSDOT representatives and representatives from Perteet Engineering. The same presentation will be given to WSDOT that was just presented to the Council. After that there will be a meeting on July 22 with the Council to discuss whether they wish to proceed with an Access Point Decision Report.

Funding of the interchange was discussed. Mr. DeBolt indicated that WSDOT is in a survival mode at this time; there is not a lot of money for new development. Mr. Leighan stressed the need to cover the congestion that police, fire, and paramedics will face if nothing is done.

Consent

- A. Approval of July 8, 2002 Claims**
- B. Approval of Special Events Application; Marysville Community Church**
- C. Approval of an Amendment to Public Works Trust Fund Loan Agreement PW-01-691-PRE-114**
- D. Authorize Mayor to Sign the Contract for Deferred Construction of Curbs, Gutters and Sidewalks; Brown Matson, LLC (continued from June 24, 2002)**

Ms. Smith asked what was different in this contract. Mr. Weed said that the legal language had some minor changes.

- E. Authorize Mayor to Sign the Contract for Deferred Construction of Curbs, Gutters and Sidewalks; Skateboard Park Project**

Mr. Seibert asked Mr. Nelson to check to make certain that the deferred construction does not trigger Big D's Batting Cage into having to now have curbs, gutters, and sidewalks.

Review Bids

000384

A. 2002 Street Overlay Project

B. Jail Remodel

C. 67th Avenue NE and 88th Street NE Traffic Signal

Mr. Seibert asked about the difference in the Engineer's Estimate of \$141,213 and the actual low bidder's price of \$159,000. Mr. Nelson indicated that the Entranco engineer who prepared the estimate, underestimated the signal electric video detection, additionally Public Works was asking for a 5% management increase to cover any small change orders.

D. State Janitorial Contract (continued from June 24, 2002)

Mr. Spies indicated that he will have the information for the July 8 Council meetings. Mr. Seibert asked about the extension service from the current vendor. Mayor Weiser reported that the contract for the current vendor has been extended through the end of July.

E. Telemetry Relocation

New Business

A. Professional Services Agreement with Macaulay & Associates for Property Appraisal; State Avenue – 116th Street – 136th Street NE Improvement Project

B. Professional Services Agreement with Lane & Associates for Property Acquisition; State Avenue – 116th Street NE to 136th Street NE Improvement Project

Ms. Smith inquired what triggers for going out for public bid. Mr. Nelson responded that if it was between \$15,000 - \$200,000 it went to the small works roster of those that were qualified, those qualified then submitted bids. If it was over \$200,000 then a request for bids was published in the newspaper.

Legal

A. Contract for Recovery of Utility Construction Costs; Dejong, LLC

Mr. Seibert asked to whom a trapezoid piece of property belonged to that was adjacent to 2-015, 2-005, and 2-007. Mr. Nelson said he would have that information at the July 8 meeting.

Ordinances & Resolutions

- A. An Ordinance of the City of Marysville, Washington Amending Chapter 9.20 MMC, Fireworks, to Conform the Said Chapter with State Law, including those Changes in State Law, Enacted by Chapter 370, Laws of 2002, and Prohibiting the Sale of Consumer Fireworks to Persons under the Age of 16, and also Prohibiting the Sale, Use and Discharge of Consumer Fireworks during the Period December 27 to December 31, 2002 and Each Year Thereafter**

- B. An Ordinance of the City of Marysville Amending Sections 19.08.030 (Residential Land Uses), 19.08.060 (Government/Business Service Land Uses) and 19.08.080 (Manufacturing Land Uses), All Relating to Permitted Uses**

- C. An Ordinance of the City of Marysville Amending Sections 19.26.020 and 19.26.030 of the Marysville Municipal Code Relating to Permitted Locations of Residential Density Incentives and Public Benefits and Density Incentives**

- D. An Ordinance of the City of Marysville Amending Section 19.16.090 of the Marysville Municipal Code Relating to Required Landscape Buffers**

- E. An Ordinance of the City of Marysville Amending Section 19.12.030(1) of the Marysville Municipal Code Relating to the Table of Densities and Dimensions/Residential Zones and Amending MMC Section 19.12.030(2), Footnote 16, and Adding a New Footnote 18 to MMC 19.12.030(2)**

- F. An Ordinance of the City of Marysville Amending Sections 19.28.020 and 19.28.070 of the Marysville Municipal Code Relating to Clearing and Grading Permit and Inspections**

- G. An Ordinance of the City of Marysville Amending Section 19.34.020 of the Marysville Municipal Code Relating to Accessory Dwelling Units**

- H. An Ordinance of the City of Marysville Amending Section 19.43.020 of the Marysville Municipal Code Relating to General Siting Requirements for Wireless Facilities**

- I. **An Ordinance of the City of Marysville Amending Chapter 19.06 of the Marysville Municipal Code by Adding New Sections 19.06.087, 19.06.201 and 19.06.451 Relating to Definitions of Change of Occupancy, Fence, Sight-Obscuring and Shopping Center Respectively, and Amending MMC 19.06.580 Relating to Definition of Front Yard**
- J. **An Ordinance of the City of Marysville Amending Section 19.18.090 of the Marysville Municipal Code Relating to Parking Area Design and Construction**
- K. **An Ordinance of the City of Marysville Amending Sections 19.06.263 and 19.06.328 of the Marysville Municipal Code Relating to Motel/Hotel Definitions**
- L. **An Ordinance of the City of Marysville Amending Section 20.24.070 of the Marysville Municipal Code Relating to Landscaping Requirements**
- M. **An Ordinance of the City of Marysville Amending Subsection 19.20.200(3)(d) of the Marysville Municipal Code Relating to Pole Signs in Community Business and General Commercial Zones**
- N. **An Ordinance of the City of Marysville Amending Section 19.14.160 of the Marysville Municipal Code Relating to Fences**
- O. **An Ordinance of the City of Marysville Amending Chapter 19.14 of the Marysville Municipal Code by Adding a New Section 19.14.095 Relating to Small Lot Single-Family Dwelling Development Standards**
- P. **An Ordinance of the City of Marysville Amending Chapter 19.38 of the Marysville Municipal Code Relating to Development Standards/Mobile Home Parks**
- Q. **An Ordinance of the City of Marysville Amending Section 19.14.080 of the Marysville Municipal Code Relating to Building Facade Modulation for Commercial Buildings**
- R. **An Ordinance of the City of Marysville Amending Chapter 19.32 of the Marysville Municipal Code Relating to Home Occupations**
- S. **An Ordinance of the City of Marysville Amending Section 19.22.030 of the Marysville Municipal Code Relating to Procedures and Policies for Implementing the State Environmental Policy Act**

Information Items

000387

A. Mayor's Business

The Mayor said the July 9 meeting at WSDOT was from 6:00-8:00 p.m. at Allen Creek Elementary School regarding the SR 528 alignment.

B. Staff Business

Ms. Swenson announced that the City Employee Picnic would be on August 22 at Jennings Park. She also advised that she, Ms. Langdon and Ms. Guy have been working on an employee recognition program, and should have information for Council in mid-July.

C. Call on Councilmembers

Mr. Seibert asked whom to contact to discuss a large sign that may not meet Code. Ms. Hirashima said that her office handled sign permits. Mr. Seibert also asked if there was a restriction on the number of people that could attend the Cities and Towns PAC meetings. Mayor Weiser said that there was not.

Ms. Smith asked for clarification on the time and place of the WSDOT meeting in Everett.

Mr. Leighan suggested posting signs to let the people with "boom boxes" know there is a noise ordinance and the fine is \$1000 for violating the ordinance.

Mr. Seibert mentioned that his email doesn't work, he keeps getting error messages.

D. Marysville Library Board of Trustees Minutes; 5/8/02

E. Marysville Library Board of Trustees Minutes; 6/12/02

Recess

Mayor Weiser recessed the meeting from 8:20 p.m. until 8:30 p.m.

Executive Session


The Council held an Executive Session from 8:30 p.m. until 9:05 p.m.

Adjourn

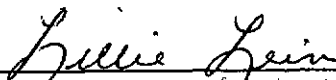
The meeting adjourned at 9:05 p.m. with no further action being taken.

000388

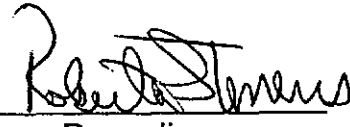
Approved this 8th day of July, 2002



Mayor



City Clerk (Deputy)



Recording
Secretary