

September 13, 2004

Marysville City Council
7:00 p.m.

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City Hall

Call to Order/Invocation/Pledge of Allegiance/Roll Call	7:00 P.M.
Roll Call	
Excuse the Absence of Councilmember Vares.	Approved
Approval of Minutes	
Approval of July 26, 2004 City Council Meeting Minutes.	Approved
Approval of September 7, 2004 City Council Work Session Minutes.	Approved
Consent Agenda	
Approval of July 30, 2004 Claims in the Amount of \$1,792,059.04.	Approved
Approval of August 4, 2004 Claims in the Amount of \$1,190,016.50.	Approved
Approval of August 11, 2004 Claims in the Amount of \$2,109,915.14.	Approved
Approval of August 18, 2004 Claims in the Amount of \$1,521,679.34.	Approved
Approval of August 25, 2004 Claims in the Amount of \$137,723.93.	Approved
Approval of September 1, 2004 Claims in the Amount of \$1,459,190.64.	Approved
Approval of September 8, 2004 Claims in the Amount of \$983,826.42.	Approved
Approval of August 5, 2004 Payroll in the Amount of \$766,380.49.	Approved
Approval of August 5, 2004 Payroll in the Amount of \$1,283.02.	Approved
Approval of August 20, 2004 Payroll in the Amount of \$489,463.24	Removed
Approval of Liquor License Renewals for Marysville Oriental Store (1092 State Avenue), 4th Street Market (1212 - 4th Street), Subs N' More (9515 State Avenue), Noble Palace (1212 State Avenue #B), and Taqueria La Jaliscience (409 State Avenue).	Approved
Approval of New Liquor License for Grand Taj Family Indian Restaurant & Lounge (1508 - 3rd Street #A), J.K. Market (1508 - 3rd Street #B), and El Diamante (9430 State Avenue).	Approved
Authorize Mayor to Sign Updated Cooperative Purchasing Agreement With the City of Bellevue.	Approved
Approval of Final Plat for Parkside Way; PA 0302005.	Approved
Accept 2004 Crack Sealing Project as Complete and Begin 45-Day Lien Filing Period.	Approved
Accept Biosolids Removal Project as Complete and Begin 45-Day Lien Filing Period.	Approved
Approval of Bob Grimm 60% Annexation; PA 0101003.	Approved
Approval of Job Description and Pay Classification for Position of Assistant Administrator/Economic Development.	Approved
Birch Creek Rezone - Preliminary Plat; PA 0304010.	Approved
Crider Annexation - 10% Notice of Intent (NOI); PA 04018.	Approved
Jordan Annexation - 10% Notice of Intention; PA 04026.	Approved
Kalberg Annexation - 10% Notice of Intention; PA 04002.	Approved
Martini Annexation - 10% Notice of Intention; PA 04017.	Approved
Thoemke Annexation - 10% Notice of Intent (NOI); PA 04016.	Approved
Approval of Final Plat for Rock Creek (a.k.a. Cedar Ridge); PA 0210042.	Approved
Houvener Annexation - 10% Notice of Intent (NOI); PA 04022.	Approved

September 13, 2004

Marysville City Council
7:00 p.m.

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City Hall
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Review Bids	
Award the Bid for the Soper Hill Road Sewer Extension Project (Including a Portion of 71 st Avenue) to Shoreline Construction Company.	Approved
Current Business	
Authorize the Mayor to Sign the Grant Agreement for the Coastal Zone Management Grant Award; Dike Breach Study Phase II with the Department of Ecology and Authorize a Budget Amendment for \$20,000 for Professional Services.	Approved
New Business	
Approve Recommendation from Economic Development Committees (Land Use/Permitting and Business Retention/Attraction) Relating to Gaming Establishments.	Failed
Approve Resolution Regarding Snohomish County Tomorrow - UGA Transition Issues.	Approved Res. No. 2128
Resolutions And Ordinances	
Approve an Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area, Known as the Bob Grimm Annexation into the City of Marysville.	Approved Ord. No. 2536
Approve an Ordinance of the City of Marysville Affirming the Decision Of the Hearing Examiner and Rezoning Properties Owned by Bruce & Elizabeth Martin and DB Johnson Construction, Inc. Amending the Official Zoning Map of the City.	Approved Ord. No. 2537
Approve a Resolution of the City of Marysville Declaring Certain Items Of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.	Approved Res. No. 2129
Mayor's Business	
Affirm Re-Appointment of Planning Commissioner; Joel Hylback.	Approved
Affirm Appointments to the Television Advisory Committee: Dick Walsh, Lee Phillips and Greg Wilcox.	Approved
Adjournment	9:15 P.M.

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CORRECTED: SEE 9-27-04
MINUTES

MARYSVILLE CITY COUNCIL WORK SESSION

September 13, 2004

7:00 p.m.

City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the September 13 meeting of the Marysville City Council to order at 7:00 p.m. at the Marysville City Hall. There was no invocation. Mayor Kendall then led those present in the Pledge of Allegiance.

ROLL CALL

Chief Administrative Officer Mary Swenson called the roll. The following councilmembers and staff members were in attendance:

Mayor Dennis Kendall

Council: Mayor Pro Tem Jon Nehring, Lee Phillips, Jeff Seibert, John Soriano, Jeff Vaughan, and Donna Wright.

Staff: Robert Carden, Police Chief; Sandy Langdon, Finance Director; Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Gloria Hirashima, Community Development Director; Jim Ballew, Parks and Recreation Director; Kevin Nielsen, City Engineer; Doug Buell, Community Information Officer; Laurie Hugdahl, Recording Secretary.

Mayor Kendall noted the absence of Councilmember Lisa Vares who had another commitment.

Motion made by Councilmember Jon Nehring; seconded by Councilmember Jeff Vaughan to excuse the absence of Councilmember Vares. **Motion** passed unanimously (6-0).

COMMITTEE REPORTS

Councilmember Jeff Vaughan reported that the **Parks Board** met on September 8. The board discussed:

- Strawberry Fields – almost ready to lease.
- Ebey Waterfront Park project
- Comeford Park – play equipment complete, gazebo will be next, then restroom renovation.
- Rental rates at the senior center.
- Concerts in the Park series – a big success, thanks to support from HomeStreet Bank
- New chairperson on the board – Mike Gilmore.

Councilmember Jeff Seibert attended the **Snohomish County Solid Waste Advisory Committee** last Wednesday. The committee discussed the transfer of funds from the

CORRECTED: SEE 9/27/04
MINUTES 3/6 Gilmore

Cathcart sales. They toured the Southwest Transfer Station in Mountlake Terrace. It was very impressive.

Councilmember Donna Wright reported on the **Snohomish Health District** meeting. She noted that they passed a resolution encouraging requirements for motorized scooters. She also gave an update on the **Snohomish County Executive Committee for Law and Justice Task Force**.

PRESENTATIONS

A. Recognition of Police Academy Graduates.

Sgt. Wendy Wade congratulated the graduates. She noted that the purpose of the academy was to encourage communication between citizens and the police department. A side benefit of the academy has been the way the officers themselves have been encouraged by the positive interactions. This has been beneficial for both citizens and the police department. Mayor Kendall, Chief Carden, Sgt. Wade and councilmembers congratulated graduates individually. Graduates included Gayle Lammerman, B.J. Garvin, Craig Shankle, Brenda Shiraki, Gerald Allen, Brenda Roberts, Alan Games, Vanessa Welch, Kristin Farrell, Nicole Fagerlie, Allen Smith, Cynthia Pruden, Rusty Pruden, Dean Smyth, Stacy Draisey, Liliya Tsybalyuk, Denise Gritton, and Sergey Onshchuk. The next academy will begin classes on 9/23.

B. New Employee Welcome

Finance Director Sandy Langdon introduced the new IT Manager, Jeff Smart.

DISCUSSION ITEMS

None.

AUDIENCE PARTICIPATION

None.

APPROVAL OF MINUTES.

A. July 26, 2004 City Council Meeting.

Motion made by Councilmember Nehring; seconded by Councilmember Vaughan to approve the minutes as presented. **Motion** passed unanimously (6-0).

B. September 7, 2004 City Council Work Session.

Motion made by Councilmember Vaughan; seconded by Councilmember Phillips to approve the minutes as presented. **Motion** passed unanimously (5-0) with Councilmember Wright abstaining due to her absence at the 9/7 work session.

CONSENT AGENDA ITEMS

Mayor Kendall noted that Item V would need to be discussed separately. Councilmember Seibert requested that Item N also be removed for further discussion.

- A. Approval of July 30, 2004 Claims in the Amount of \$1,792,059.04; Paid by Check No. 16654 through 16770 with 16625, 16654, 16655, and 16653 Void.
- B. Approval of August 4, 2004 Claims in the Amount of \$1,190,016.50; Paid by Check No. 16771 through 16922 with 16379 Void.
- C. Approval of August 11, 2004 Claims in the Amount of \$2,109,915.14; Paid by Check No. 16923 through 17105 with 16898 Void.
- D. Approval of August 18, 2004 Claims in the Amount of \$1,521,679.34; Paid by Check No. 17106 through 17247 with 17106 Void.
- E. Approval of August 25, 2004 Claims in the Amount of \$137,723.93; Paid by Check No. 17248 through 17379 with 16925 Void.
- F. Approval of September 1, 2004 Claims in the Amount of \$1,459,190.64; Paid by Check No. 17380 through 17524.
- G. Approval of September 8, 2004 Claims in the Amount of \$983,826.42; Paid by Check No. 17525 through 17655 and Checks No. 17218, 17446, 17508, 17528 Void.
- H. Approval of August 5, 2004 Payroll in the Amount of \$766,380.49; Paid by Check No. 13030 through 13117.
- I. Approval of August 5, 2004 Payroll in the Amount of \$1,283.02; Paid By Check No. 13118 through 13119.
- J. Approval of August 20, 2004 Payroll in the Amount of \$489,463.24; Paid by Check No. 13120 through 13193.
- K. Approval of Liquor License Renewals for Marysville Oriental Store (1092 State Avenue), 4th Street Market (1212 - 4th Street), Subs N' More (9515 State Avenue), Noble Palace (1212 State Avenue #B), and Taqueria La Jaliscience (409 State Avenue).
- L. Approval of New Liquor License for Grand Taj Family Indian Restaurant & Lounge (1508 - 3rd Street #A), J.K. Market (1508 - 3rd Street #B), and El Diamante (9430 State Avenue).
- M. Authorize Mayor to Sign Updated Cooperative Purchasing Agreement with the City of Bellevue.
- O. Approval of Final Plat for Parkside Way; PA 0302005.

- P. Accept 2004 Crack Sealing Project as Complete and Begin 45-Day Lien Filing Period.
- Q. Accept Biosolids Removal Project as Complete and Begin 45-Day Lien Filing Period.
- R. Approval of Bob Grimm 60% Annexation; PA 0101003.
- S. Approval of Job Description and Pay Classification for Position of Assistant Administrator/Economic Development.
- T. Birch Creek Rezone - Preliminary Plat; PA 0304010.
- U. Crider Annexation - 10% Notice of Intent (NOI); PA 04018.
- W. Jordan Annexation - 10% Notice of Intention; PA 04026.
- X. Kalberg Annexation - 10% Notice of Intention; PA 04002.
- Y. Martini Annexation - 10% Notice of Intention; PA 04017.
- Z. Thoenke Annexation - 10% Notice of Intent (NOI); PA 04016.

Motion made by Councilmember Vaughan; seconded by Councilmember Soriano to approve consent agenda items A-M, O-U, and W-Z. Motion passed unanimously (6-0).

Discussion on consent agenda items:

- N. Approval of Final Plat for Rock Creek (a.k.a. Cedar Ridge); PA 0210042.

Councilmember Seibert thanked Gloria Hirashima for getting the plat checklist to them. He asked about the recent dates for the signatures on the checklist. Ms. Hirashima informed him that the items had been completed for a while, but had only recently been signed off.

Motion made by Councilmember Seibert; seconded by Councilmember Wright to approve consent agenda item N. Motion passed unanimously (6-0).

- V. Houvener Annexation - 10% Notice of Intent (NOI); PA 04022.

Motion made by Councilmember Seibert; seconded by Councilmember Nehring to accept the annexation covenant (3-065) as well as the Houvener property annexation (3-069). Motion passed unanimously (6-0).

REVIEW BIDS

- A. Contract Award; Soper Hill Sewer Extension Project (Including A Portion of 71st Avenue NE).

CONNECTED MINUTES
 SEE 9-27-04

Motion made by Councilmember Nehring; seconded by Councilmember Soriano to award the bid for the Soper Hill Road Sewer Extension Project (including a portion of 71st Avenue) to Shoreline Construction Company in the amount of \$643,997.41 including Washington State Sales Tax, authorize the Mayor to sign the contract documents and approve a 5% management reserve of \$32,199.87 for a total allocation of \$676,197.28. Motion passed unanimously (6-0).

PUBLIC HEARINGS

None.

CURRENT BUSINESS

A. Coastal Zone Management Grant Award; Dike Breach Study Phase II with the Department of Ecology.

Motion made by Councilmember Soriano; seconded by Councilmember Seibert to authorize the Mayor to sign the Grant Agreement with the Department of Ecology and authorize a budget amendment for \$20,000 for professional services. Motion passed unanimously (6-0).

NEW BUSINESS

A. Recommendation from Economic Development Committees (Land Use/Permitting and Business Retention/Attraction) Relating to Gaming Establishments.

Mayor Kendall explained the recommendation from the Economic Development Committees regarding gaming establishments. There were a significant number of comments from the public regarding this matter.

Public Comment:

Micheline Shipp, 8026 65th Drive NE, Marysville, WA 98270

Ms. Shipp voiced her opposition to more gambling in Marysville. She commented that she wanted to preserve the family-friendly way of life in this city.

Jane Downey, 7713 75th Drive NE, Marysville, WA 98270.

Ms. Downey was opposed to gaming rooms. She referred to Marysville as a community of families and pointed to the City's amazing park systems and programs. She noted improvements on State Avenue and the waterfront area. She did not feel gambling was consistent with the City's values. She noted that revenues were the only positive things that could ever come from gambling and that even those revenues were questionable. She also referred to drug and alcohol concerns.

**Barbara Gayl Spilman, Chairman Marysville-Tulalip Chamber of Commerce
Governmental Affairs Committee, 11205 South Lake Stevens Drive, Lake Stevens
98258.**

Ms. Spilman explained that Ken Anderson, a member of the Chamber approached the Chamber with a plan to open a game room in the basement of his restaurant. They felt it would be responsible to explore this opportunity. She noted that limitations could be set on the gaming. Ms. Spilman commented that John McCoy, representative of the Tribes had been contacted and he did not feel there was a need for his comment. She stated that the Tribes understood the issues and were not concerned.

Stephen West, 8111 80th Drive NE, Marysville, WA 98270.

Mr. West was concerned about the devaluing of the work ethic associated with gambling. He stated that the City could not compete with the Tulalip Tribes. He then pointed out crime problems associated with gambling. He noted that he did not want to contribute toward gambling. Finally, he stated that there are significant social costs associated with gambling.

Leon Goff, 7214 Grove Street, Marysville, WA 98270.

Mr. Goff discussed his initial reaction to the idea that gambling would be allowed in the City. He noted that he would not go to a restaurant or even a neighborhood that had gambling establishments. He cited studies that show that gambling causes an initial increase in revenues in the first year, but over the years, these are offset by a decrease in tax dollars from surrounding businesses. Another study showed that each dollar raised was accompanied by a \$1.90 cost to treat community issues associated with gaming. He stated that gambling creates its own crime related to addicted gamblers. He also stated that the profits are really only made by those who own and operate the establishments, but are a drain on everyone else.

Chris Buitron, Gaming Consultant, 4318 Montrose Drive SE, Lacey, WA 98503.

Mr. Buitron is a professional gaming consultant. Since 1995, he has assisted in opening many mini casinos. He referred to these as "house bank card rooms." He stated that the pay wages from the casinos flow back into the city. Billy's Casino in Renton employs from 60-80 employees with hourly wages of \$14-18/hour. The yearly revenue for the casino is approximately \$9-11 million, with gross profits of \$2-3 million. He stated that 10% of this went to the city, which received approximately \$207,000 per year. The casino was approximately the same square footage (5500 square feet) as the proposed card room at G.A. Maxwell's. He encouraged the Council to remove the emotion from the issue.

There was discussion about the validity of the projected income for the City.

Steve Lebo, 7708 73rd Place NE, Marysville, WA 98270.

Mr. Lebo concurred with the comments so far opposing the moratorium on card rooms. He pleaded with Council to make the right decision – to leave gambling on the west side of I-5.

Steve Muller, Co-chair of the Planning and Land Use Subcommittee of the Economic Development Committee.

Mr. Muller explained that the committees had been asked to look at options the City Council could review to increase revenues. He noted that the Planning and Land Use Committee are both well-rounded citizens' committees. They are all concerned about the City. He noted that the Chief of Police did not feel that crime and drug use would be issues surrounding game rooms. Mr. Muller stated that he felt that local businesses should have the opportunities to profit from game rooms. He said that it was wrong to restrict opportunities for business owners based on a problem with a minority. He concluded that economic expansion needs to happen to fund the City.

Joseph Shipp, 8026 65th Drive NE, Marysville, WA 98270.

Mr. Shipp expressed his opposition to gaming. He referred to layoffs at the Tulalip Casino where revenues were not as high as expected. Instead of focusing on easy money, he felt the City should focus on bringing real business into the community and being more business-friendly.

Councilmember Seibert asked Mr. Shipp to choose between allowing gambling and raising property taxes 1%. Mr. Shipp stated that he would not be happy with either one.

Ken Anderson, 14628 Evergreen Way, Stanwood, WA.

Mr. Anderson stated that he appreciated the comments. He noted that he was not in the gambling business. He has operated here for nearly twenty years and is looking for a way to expand his business. His current restaurant employs 50-60 people per year with a payroll of over \$800,000 per year. He feels the addition of a card room would enhance the restaurant and would increase employment opportunities to a total of 115-125 people. This would also allow him to fund other business ventures in the area.

Kurt Gremmert, 7310 78th Drive NE, Marysville, WA 98270.

Mr. Gremmert was opposed to the game rooms. He cited decreases in revenues by other businesses as one reason. He also pointed to the consequences of addition. He noted a correlation between gambling and increased criminal activity. He stated that it does foster a significant increase in crime. He cited increases in police calls in communities that have opened up casinos. Mr. Gremmert was especially disturbed to learn that these types of rooms are viewed as training grounds for the larger casinos.

Joel Hylback, Co-chair, Land Use and Planning Committee.

Mr. Hylback stated that reality is that Marysville does not have enough money. The potential revenue of this establishment made it worth considering. He encouraged the Council to consider this objectively, not philosophically, and to balance the economics with the philosophical issues. He suggested a poll of the population as a whole to see what most people think. He noted that Chief Carden had diligently researched this and did not find it to be an issue. He encouraged Council to look at the economic contribution

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this could make to the City. He felt that to not consider it would be irresponsible. He also noted that Council should consider not only GA Maxwell's' proposition, but should be open to making the opportunity available to others.

- Councilmember Jon Nehring recommended not speaking on behalf of Chief Carden who was not present at the moment. He suggested waiting until the Chief was present to let him speak for himself.
- Councilmember Seibert referred to putting the philosophical issue aside. He asked where they should draw the line and noted that most of them were here because of philosophical beliefs. Mr. Hylback responded that Council has deep-seated reservations about the issue and perhaps needs to poll others to see what citizens who are not present think.
- Councilmember Nehring noted that many citizens had come out to speak against this and those voices needed to be respected.
- Mayor Kendall reported that he had received a written statement in opposition to the gaming establishments from Don White. He also had received a letter in opposition to the establishments from Irene Pearson that had 55 signatures in opposition.

Andre Korsberg, resident, near Fred Meyer.

Mr. Korsberg stated that he works at the Tulalip Casino monitoring video channels. He stated that there is definitely crime associated with casinos and that this would be impossible to deny. He said that the residents definitely did not want a casino next door to children.

Jane Downey responded to Councilmember Seibert's question. She replied that she would vote for a 1% tax increase because she is grateful to the City for providing vital services to preserve their way of life.

Robert Bagstein, 6615 72nd Drive NE, Marysville, WA 98270.

Mr. Bagstein stated that he has lived here four years and has experience with law. He is certain that gambling would not be good for the community. He said he would take the 1% tax increase in tax if he could be assured that it would be spent on kids, parks and road signs. He stated that the City could not afford to have gambling in Marysville.

Boyd Sorenson, 8327 80th Drive NE, Marysville, WA 98270.

Mr. Sorenson stated that he has lived across the country. Casinos are not something people seek when choosing where to live. He pointed to tax revenue from property owners. He said that this could not be made up by businesses if folks choose to leave because of gambling.

Ray Ferguson, 5918 59th Place NE, Marysville, WA 98270.

Mr. Ferguson stated that gambling is morally wrong, preys upon the weakness of men, and creates social unrest. He said that they should not set aside morals. If they do, the society will fail.

Patty Fritz, 8326 76th Avenue NE, Marysville, WA 98270.

Ms. Fritz was opposed to the gaming rooms. She thanked the City for improvements on State Avenue. She felt game rooms would defeat these improvements. She suggested that the City look at fine arts and think of some other ways to bring revenue into the town.

Andrea Blakey, 11913 11th Avenue NE, Marysville.

Ms. Blakey stated that she has lived here sixteen years after moving from New York. She felt that casinos have contributed to ruining New York. She noted that Trump had filed bankruptcy. She also commented that she does her shopping outside the City because of high taxes. She suggested that City leaders visit New York for ideas on improving transportation issues.

Matthew Thomas, 7325 73rd Drive NE, Marysville.

Mr. Thomas supported those who stood in opposition to gambling. He commented that it was a shame to be located so close to gambling.

David Kent, 6604 76th Drive NE, Marysville.

Mr. Kent also agreed with those opposing gambling. He applauded the moratorium in place. He stated that he is a lay member of the clergy and has seen how gambling preys upon people with the unfortunate victims being spouses and children. He noted that just because everybody else is doing it doesn't mean that we should do it. He commented that everybody has a philosophy and this cannot be avoided. He hoped that the City would not do anything foolish.

Michael Ferguson, son of Ray Ferguson above.

Michael stated that gambling is very bad and is a waste of money. He felt that bad things happen and lives are hurt when gambling is present.

Council Discussion:

- Councilmember Lee Phillips thanked those present for attending and for their comments. He noted that most comments were in opposition to gaming. His decision would also be against gaming because that was what the people seemed to want. He suggested that the economic development committee find other alternatives to achieving the City's goals.
- Councilmember Seibert thanked all for coming. He thanked Steve Muller and Joel Hylback for their service on the committee. He noted that he also serves on that committee. He thanked the co-chairmen for bringing this idea forward to consider, but he stated that he could not support the recommendation. He did not feel it was an appropriate way to raise money.
- Councilmember Jeff Vaughan then noted that he has been involved in this issue since 1999. He also is concerned about economic stimulus for the community, but his studies show that gambling has a negative multiplier effect in that small casinos take business away from other establishments. He stated that it would

not be good for citizens, the community or business. He was not in favor of the recommendation.

- Councilmember Nehring thanked all for coming out. He was encouraged to see the passion and the feelings associated with this issue. He suggested harnessing the positive energy of citizens with the business strengths of those on the economic development committee. He stated that he was not in support of gaming.
- Councilmember Soriano stated that he has received several phone calls and every one was in opposition to the issue. Most of the comments heard tonight were in opposition. He felt that doing nothing would be the right thing and stated that he was in opposition to gaming.
- Councilmember Donna Wright thanked all for coming. She noted that she also had received many calls in opposition. She stated that she was opposing the idea as well.

Motion made by Councilmember Seibert; seconded by Councilmember Vaughan to take no action on this recommendation. **Motion** passed unanimously (6-0).

B. Snohomish County Tomorrow - UGA Transition Issues.

Motion made by Councilmember Wright; seconded by Councilmember Seibert to approve Resolution 2128. **Motion** passed unanimously (6-0).

LEGAL

None.

ORDINANCES AND RESOLUTIONS

A. An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area, Known as the Bob Grimm Annexation into the City of Marysville.

Motion made by Councilmember Seibert; seconded by Councilmember Soriano to approve Ordinance 2536. **Motion** passed unanimously (6-0).

B. An Ordinance of the City of Marysville Affirming the Decision Of the Hearing Examiner and Rezoning Properties Owned by Bruce & Elizabeth Martin and DB Johnson Construction, Inc. Amending the Official Zoning Map of the City.

Motion made by Councilmember Wright; seconded by Councilmember Vaughan to approve Ordinance 2537. **Motion** passed unanimously (6-0).

C. A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.

Motion made by Councilmember Nehring; seconded by Councilmember Soriano to approve Resolution 2129. **Motion** passed unanimously (6-0).

INFORMATION ITEMS

Mayor's Business

1. Re-Appointment of Planning Commissioner; Joel Hylback.

Motion made by Councilmember Nehring; seconded by Councilmember Seibert to approve reappointment of Joel Hylback to the Planning Commission. Motion passed unanimously (6-0).

2. Appointments to the Television Advisory Committee.

Motion made by Councilmember Vaughan; seconded by Councilmember Seibert to approve the appointments of Dick Walsh, Lee Phillips and Greg Wilcox to the TV Advisory Committee. Motion passed unanimously (6-0).

Mayor Kendall thanked those responsible for the Touch a Truck event, which was a big success. He also noted that he was privileged to attend the 9/11 ceremony put on by the police and fire departments.

Staff Business

Doug Buell had no comments.

Jim Ballew had no comments.

Kevin Nielsen had no comments.

Gloria Hirashima had no comments.

Grant Weed had no comments.

Mary Swenson noted that the Governmental Affairs meeting with Arlington had been rescheduled to possibly September 29. She added that today was her 27th anniversary of working for the City. She also noted that Yelm and other Thurston County sites have been removed as possible NASCAR sites.

Sandy Langdon remarked that postcards had been mailed out regarding the public hearing.

Robert Carden thanked Council for recognizing the citizens graduating from the Citizens Academy. He encouraged signups for the next class.

Call on Councilmembers

Lee Phillips commented that he went to the Show and Shine at Public Works. He was very impressed with the City and its employees. Touch A Truck was also a great event. He noted that he was glad to be part of the City.

CONTACTED: REG. 9/2/04
MAYORS 9/6/04
WILCOX

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John Soriano asked Jim Ballew to extend thanks to Tara Mizell for her planning of the 9/11 ceremony. He added also that Touch A Truck was a great event.

Jon Nehring asked Jim Ballew for the donation amount to the petting zoo. Mr. Ballew indicated he would get that. Councilmember Nehring added that it was a great Citizens Academy group.

Jeff Seibert:

- Thanked everybody involved in the 9/11 ceremony.
- Thanked Gloria Hirashima for the map included in the Birch Creek rezone.
- Asked Sandy Langdon about the connection fee issue in conjunction with the public hearing. Ms. Langdon explained that they needed to discuss that with the Public Works committee.
- Remarked that he had been out to the surface water pond and was impressed with the size of the project.
- Noted that the pavement on Sunnyside looks great.
- Encouraged those responsible to seek a permanent permit for the Cathcart/Clearview transfer station.
- Pointed out updates needed in code book.

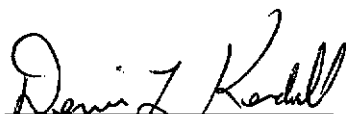
Donna Wright commented that she was glad to be home.

Jeff Vaughan stated that he enjoyed the Citizens Academy program. He asked about ways the graduates might be used by the City with their great training. Chief Carden responded that they will continue to have contact with them. There is a possibility of a having a citizen's patrol at some time. Councilmember Vaughan suggested neighborhood block watch programs.

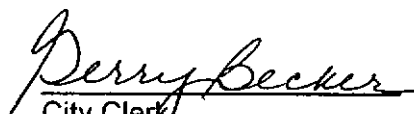
ADJOURNMENT

Seeing no further business, Mayor Kendall adjourned the meeting at 9:15 p.m.


Approved this 27th day of September, 2004.



 Mayor
 Dennis Kendall



 City Clerk
 Gerry Becker



 Recording Secretary
 Laurie Hugdahl

MARYSVILLE CITY COUNCIL WORK SESSION

~~000388~~

September 7, 2004

7:00 p.m.

City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Kendall called the September 7, 2004 Work Session of the Marysville City Council to order at 7:02 p.m. at Marysville City Hall. He then led those present in the Pledge of Allegiance. There was no invocation given.

ROLL CALL

Chief Administrative Officer Mary Swenson called the roll. The following staff and councilmembers were present.

Mayor: Dennis Kendall

Council: Mayor Pro Tem Jon Nehring, Lee Phillips, Jeff Seibert, John Soriano, and Jeff Vaughan.

Staff: Mary Swenson, Chief Administrative Officer; Cheryl Beyer, City Attorney; Sandy Langdon, Finance Director; Kevin Nielsen, City Engineer; Gloria Hirashima, Community Development Director; and Laurie Hugdahl, Recording Secretary.

Mayor Kendall noted the absence of Councilmember Donna Wright and Councilmember Lisa Vares. **Motion** made by Councilmember Nehring; seconded by Councilmember Vaughan to excuse the absence of Councilmembers Wright and Vares. **Motion** passed unanimously (5-0).

COMMITTEE REPORTS

Councilmember Lee Phillips reported that the **TV Advisory Committee** had met recently. They discussed a resolution, which will be coming to Council in the near future. Additionally, they will be touring the high school this week to visit the studio.

CONSENT AGENDA ITEMS

K. Approval of Liquor License Renewals for Marysville Oriental Store (1092 State Avenue), 4th Street Market (1212 - 4th Street), Subs N' More (9515 State Avenue), Noble Palace (1212 State Avenue #B), and Taqueria La Jaliscience (409 State Avenue).

There were no comments or questions regarding this item.

- L. Approval of New Liquor License for Grand Taj Family Indian Restaurant & Lounge (1508 - 3rd Street #A), J.K. Market (1508 - 3rd Street #B), and El Diamante (9430 State Avenue).**

There were no comments or questions regarding this item.

- I. Authorize Mayor to Sign Updated Cooperative Purchasing Agreement With the City of Bellevue.**

Chief Administrative Officer Mary Swenson explained that joint purchasing agreements such as this one enable the City to piggyback on the bids of larger cities. There were no further comments or questions.

- N. Approval of Final Plat for Rock Creek (a.k.a. Cedar Ridge); PA 0210042.**

Community Development Director Gloria Hirashima noted that the improvements for this project have been completed. Councilmember Seibert asked about seeing a checklist. Ms. Hirashima indicated she would obtain that for council review.

- O. Approval of Final Plat for Parkside Way; PA 0302005.**

There were no comments or questions regarding this item.

- P. Accept 2004 Crack Sealing Project as Complete and Begin 45-Day Lien Filing Period.**

Councilmember Seibert inquired about the intersection of Grove and Cedar. Kevin Nielsen responded that they had some leftover funds and would be able to touch that up with the hot pot.

- Q. Accept Biosolids Removal Project as Complete and Begin 45-Day Lien Filing Period.**

Councilmember John Soriano referred to the second paragraph of the letter, which refers to damage on one of the trucks. Councilmember Seibert responded that this had been discussed at Public Works and had been taken care of.

- R. Approval of Bob Grimm 60% Annexation; PA 0101003.**

There were no comments or questions regarding this item.

- S. Approval of Job Description and Classification for Position Relating to Economic Development.**

There were no comments or questions regarding this item.

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REVIEW BIDS

A. Contract Award; Soper Hill Sewer Extension Project.

Kevin Nielsen updated Council on this bid. Shoreline Construction of Woodinville is the apparent low bidder and came in significantly under the estimate. More information will be coming in next week's meeting packet.

B. Contract Award; Smokey Point West Upper Middle Tributary Culvert Replacement at 40th Avenue NE.

Mayor Kendall stated that this item would be pulled from next week's agenda.

PUBLIC HEARINGS

None.

CURRENT BUSINESS

A. Coastal Zone Management Grant Award; Dike Breach Study Phase II with the Department of Ecology.

Gloria Hirashima reviewed the Department of Ecology's grant for \$20,000 and will facilitate the research. There were no further comments or questions regarding this item.

NEW BUSINESS

A. Recommendation from Economic Development Committees (Land Use/Permitting and Business Retention/Attraction) Relating to Gaming Establishments.

Gloria Hirashima introduced members from the Economic Development Committees who were in attendance and able to answer any questions that Council might have regarding their recommendation. There was consensus from Council to allow a presentation from the committee members. Steve Muller discussed the committee's recommendation to amend the current restriction on gaming establishments to allow such establishments to operate within approved districts.

Discussion:

- Jeff Seibert asked about receiving an outline showing how the money would be used to benefit the City. Steve Muller replied that the committee merely wanted to put the City in the position to be able to negotiate the deal with the applicant. They did not feel it was their role to be involved with that.
- Caldie Rogers from the Chamber of Commerce introduced Ken and Lorraine Anderson, the owners of GA Maxwell's restaurant and the potential applicants. She also introduced Mr. Boutron who is their consultant in this venture. Ms. Rogers indicated that estimates show that this establishment could generate between \$100,000 and \$300,000 per year for the City based on estimates from other communities. Jon Nehring was concerned about those comparisons because of

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Marysville's geographic proximity to the larger casinos. Caldie Rogers replied that this was a different type of market. Many people are more comfortable with the smaller establishments. These types of establishments are seen as training grounds for the larger casinos.

- Jeff Seibert asked City Attorney Cheryl Beyer about the possibility of reversing the legislation once the door is opened to gaming. Cheryl Beyer responded that it can be done, but it is fairly difficult. Mr. Boutron cited examples of several successful establishments located close to larger casinos. He feels it would be a benefit to the City.
- Caldie Rogers stated that Chief Carden is fully in support of this. Mary Swenson added that his research has shown that there has not been an increase in incidents related to this type of establishments.
- Jeff Vaughan stated that he didn't feel all the information Council needs to see was available. He was concerned about that the public would perceive that the City was willing to do anything to make a buck. He stated that there are significant impacts that were not being mentioned. He was not interested in pursuing the matter, but was willing to have an open discussion about it with all the facts. He also mentioned concerns about impacts this might have on potential developments to the north.
- John Soriano noted that he would like more information, but he wouldn't mind discussing it further.
- Jon Nehring stated that although this might be economically positive, he was concerned about ramifications it might have on the community. He suggested bringing the information back from the gaming committee that showed the impacts. He noted that the economic benefit was tempting, but he was not in favor of it. He was, however, open to studying it.
- Jeff Seibert referred to the gaming committee from 1999. He noted there had been very little support from the community at that time and it had been determined that any revenue would not be worthwhile. He suggested forming another citizens group to study this. He stated he would be interested in getting a lot more information.
- Jon Nehring added that he would appreciate having a statement from the Tribes as to their feelings on this issue.
- Mary Swenson replied that they would make contact with the Tribes.
- Lee Phillips discussed concerns about opening up the zoning. There was discussion about precedent setting in this regard.
- Mr. Boutron referred to a casino in Lacey that is the only one that can be allowed there. He commented that this establishment being discussed in Marysville would provide at least 60-75 jobs for the community. He also informed Council that part of the reason the Anderson's want to explore this is to provide funding for a new hotel and state of the art office building.
- Jon Nehring suggested discussing this again when all members of Council were present and when Chief Carden was in attendance. He indicated he would like to receive Chief Carden's statement that there would be no increase needed for law enforcement related to this.
- Jeff Vaughan encouraged more serious study of this issue. He did not think one week was enough time to obtain the necessary information. He encouraged Council to move slowly and cautiously.

- Jeff Seibert commented that the City has spent several million dollars in hopes of attracting certain types of businesses. He didn't feel this issue would help in that effort. He would rather not spend the time exploring this matter further.
- Jon Nehring stated he would rather not form another committee to study this. He felt comfortable making a decision with the information he already has.
- Lee Phillips was in favor of a committee. He said he wanted to see that citizens were in support of this. He was in favor of discussing this further.
- John Soriano concurred.
- Jeff Seibert and Jeff Vaughan were not in favor of discussing this further.
- Jon Nehring was not in favor of gaming, but in favor of local businesses and of listening to the recommendations of the Economic Development Committee. He would like more input even though he is personally against it.
- Mary Swenson stated that they would leave this on the agenda as a discussion item for next week.

B. Snohomish County Tomorrow - UGA Transition Issues.

Gloria Hirashima explained that Snohomish County Tomorrow had requested input from jurisdictions regarding interlocal agreements and urban transition between cities and counties. Councilmember Seibert stated that this discussion had taken place some time ago. He was in favor of having more say about what happens when land develops outside the city limits. He would like the County to adhere to City standards. Councilmember Soriano was in agreement. Gloria Hirashima discussed planning and development issues related to this. There was also discussion about the benefits of annexing the entire area at once.

C. Birch Creek Rezone - Preliminary Plat; PA 0304010.

Gloria Hirashima explained that this was a rezone of 44 lots. Jeff Seibert referred to page 4 of the Mitigated Determination of Non-Significance, which reads, "*If future traffic patterns deviate from the attached distribution it is possible to add features to control the distribution, such as neck downs, chokers, gateways, speed tables, and/or traffic circles.*" He expressed his desire that this be done right the first time. Councilmember Seibert then referred to the Hearing Examiner's Recommendation. Page 6, paragraph 2 refers to Exhibit 8. He requested a copy of this. He also requested an enlarged map of the area. Ms. Hirashima indicated she would obtain those items for him.

D. Crider Annexation - 10% Notice of Intent (NOI); PA 04018.

There were no comments or questions regarding this item.

E. Houvener Annexation - 10% Notice of Intent (NOI); PA 04022.

There were no comments or questions regarding this item.

F. Jordan Annexation - 10% Notice of Intention; PA 04026.

Ms. Hirashima pointed out a parcel that should be included on the annexation map.

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G. Kalberg Annexation - 10% Notice of Intention; PA 04002.

There were no comments or questions regarding this item.

H. Martini Annexation - 10% Notice of Intention; PA 04017.

Councilmember Seibert inquired about the waiving of the requirement for obtaining water and sewer service. Ms. Hirashima explained why this decision had been made.

I. Thoemke Annexation - 10% Notice of Intent (NOI); PA 04016.

Staff is recommending the expanded annexation boundary.

LEGAL

None.

ORDINANCES AND RESOLUTIONS

A. An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area, Known as the Bob Grimm Annexation into the City of Marysville.

Discussed above.

B. An Ordinance of the City of Marysville Affirming the Decision Of the Hearing Examiner and Rezoning Properties Owned by Bruce & Elizabeth Martin and DB Johnson Construction, Inc. Amending the Official Zoning Map of the City.

Discussed above.

C. A Resolution of the City of Marysville Declaring Certain Items Of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.

Mayor Kendall stated that all these items have been replaced.

INFORMATION ITEMS

Mayor's Business

Mayor Kendall referred to an item discussed in the Executive Session. Motion made by Councilmember Seibert; seconded by Councilmember Nehring to allow the Mayor to sign the settlement agreement discussed at the Executive Session. Motion passed unanimously (5-0).

Mayor Kendall welcomed everyone back. He reviewed highlights of the previous month:

- Ribbon cutting for State Avenue.
- Started waterfront park project.

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- Began the detention pond project.
- Completed the horizontal drilling project.
- Police dog handlers for K-9 dogs Shadow and Radar were re-certified.
- Public Works has their new recycle containers out.

Staff Business

Sandy Langdon noted that the audit report had been sent to all.

Gloria Hirashima discussed the Impact Fee Comparisons sheet that had been compiled at council request.

Kevin Nielsen commented that:

- Dave Lervik's last day will be September 10.
- He thanked Gloria Hirashima for her hard work on the Comprehensive Plan. He noted that she had been working every weekend, including Labor Day.
- He requested input regarding pond policies.
- Noted that the Sunnyside paving job had been done with the City's own paver. He commended the streets department for doing a great job.

Cheryl Beyer had no further comments.

Mary Swenson noted she had a personnel item for Executive Session.

Call On Councilmembers

Jeff Vaughan commented that:

- His kids are excited about taking out the trash with the new containers.
- His neighbor had praise for the building permit process – both speed and ease.
- Had a fantastic time in Fontana. He felt it was a great team-building time.

John Soriano agreed. He stated that it was an exciting event and really improved his attitude about the project. He commented on the wide diversity of attendees and how family-oriented the event was.

Lee Phillips noted that he had attended the outreach project in Everett and the ribbon cutting ceremony for State Avenue. He was pleased with the accomplishments of the TV Advisory Committee's last meeting.

Jon Nehring:

- Commended Sandy Langdon for the good job on the audit.
- Requested golf reports.
- Would like to recognize State Avenue businesses for their sacrifices during the State Avenue construction.
- Asked for Economic Development Committees timeline. Mary Swenson replied that meetings would resume in the fall, but some of the committees will be merging to avoid overlap.

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Jeff Seibert welcomed everybody back. He commented that:

- State Avenue looks great, especially from the freeway at night.
- Horizontal drill was very impressive.
- Commended Sandy Langdon for the audit report.

ADJOURNMENT

Seeing no further business, Mayor Kendall recessed the work session from 9:10 p.m. until 9:15 p.m. at which time the Executive Session would begin. The Executive Session was expected to last about fifteen minutes.

EXECUTIVE SESSION

Council convened into Executive Session at 9:15 p.m. to discuss personnel issues, and reconvened into Regular Session at 9:30 p.m.

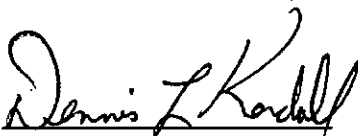
Motion by Councilmember Seibert, second by Councilmember Nehring to extend the meeting to 9:45 p.m. Motion carried unanimously.

Council reconvened into Executive Session to continue their discussion of personnel issues and convened into Regular Session at 9:45 p.m.

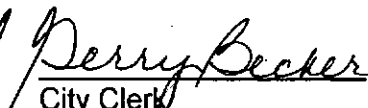
Motion by Councilmember Seibert, second by Councilmember Nehring to extend the meeting to 10:00 p.m. Motion carried unanimously.

Council convened back into Executive Session to continue their discussion of personnel issues, reconvened into Regular Session at 10:00 p.m.; took no further action and adjourned.

Approved this 13th day of September, 2004.



 Mayor
 Dennis Kendall



 City Clerk
 Gerry Becker



 Recording Secretary
 Laurie Hugdahl