

ORIGINAL

000177

MARYSVILLE CITY COUNCIL WORK SESSION

June 5, 2006

7:00 P.M.

CITY HALL

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the June 5, 2006 work session of the Marysville City Council to order at 7:03 p.m. He then led those present in the Pledge of Allegiance.

ROLL CALL

Chief Administrative Officer Mary Swenson gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Dennis Kendall

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

Staff: Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Sandy Langdon, Finance Director; Gloria Hirashima, Community Development Director; Paul Roberts, Public Works Director; John Turner, Chief of Police; Jim Ballew, Parks and Recreation Director; Greg Corn, Fire Chief; and Laurie Hugdahl, Recording Secretary.

COMMITTEE REPORTS

None.

PRESENTATIONS

A. Puget Sound Regional Council – Sheila Rogers. (To be rescheduled)

DISCUSSION ITEMS

APPROVAL OF MINUTES.

A. Approval of May 22, 2006 City Council Meeting Minutes.

B. Approval of June 5, 2006 City Council Work Session Minutes.

CONSENT AGENDA

A. Approval of May 17, 2006 Claims in the Amount of \$891,782.83; Paid by Check No. 30737 through 30943.

- B. Approval of May 24, 2006 Claims in the Amount of \$672,471.42; Paid by Check No. 30944 through 31110 with Check No. 29316 Void.**
- C. Approval of May 31, 2006 Claims.**
- D. Approval of June 7, 2006 Claims.**
- E. Approval of June 5, 2006 Payroll.**
- F. Authorize Mayor to Sign Amended Community Work Crew Contract Schedule A with Department of Corrections effective July 1, 2006 through June 30, 2007.**

Parks and Recreation Director Jim Ballew pointed out one change requiring that no public employee would be displaced as a result of this contract.

G. Authorize Mayor to Sign Final Plat Mylar for Palisades; PA 03030.

Councilmember Seibert requested information about Tracts 101, 102 and 103. Ms. Hirashima indicated that one is for access. She will come back with more information about 101 and 102.

Councilmember Rasmussen asked about the Hearing Examiner's reference to Tract 997 because she could not find it. Director Hirashima explained that they had been renamed.

REVIEW BIDS – None.

PUBLIC HEARINGS

A. Sunnyside/Whiskey Ridge Annexation; PA 06005.

Community Development Director Hirashima explained that they have mailed out approximately 1000 notifications about the hearing and have been receiving phone calls in response. This annexation was recently certified for 60% certification.

She noted that this would be the south portion of Whiskey Ridge. The western portion would be zoned Single Family Residential Medium Density and High Density. The eastern section has a Master Plan designation from 83rd to Highway 9.

Councilmember Phillips asked about costs involved with taking over the water systems. Ms. Swenson replied that they are currently in negotiations with Snohomish County PUD about that. He then asked about the costs associated with the overlay. Ms. Hirashima responded that the cost shown was for the 2006 estimate, but it was identified as a five-year need.

B. Sunnyside Elementary School Annexation; PA 06015.

There were no comments or questions regarding this item.

CURRENT BUSINESS – None.

NEW BUSINESS

A. Public/Institutional Zone Code Amendment; PA06023.

Ms. Hirashima commented that the Planning Commission had held a public hearing regarding the Public/Institutional Zone. She added that this would be a fairly limited use. There are two sites at this time that the zone would apply to.

Councilmember Seibert wondered why churches were combined with government buildings and other facilities. Ms. Hirashima replied that they are institutional-type facilities. The Public/Institutional Zone would permit them outright.

Mr. Seibert asked about the other types of uses that would be permitted. Ms. Hirashima reviewed those.

Councilmember Seibert asked about the tax benefit to churches in this zone. Ms. Hirashima explained that one church had indicated that it had concerns about losing its tax exempt status upon annexation into the city and the subsequent change in zoning to Urban. They felt that a Public/Institutional Zone would help them.

Councilmember Seibert asked about churches that have other business uses. Ms. Hirashima explained that those uses are typically done as an incidental/accessory use to the church. It would not be permitted outright in a Public/Institutional zone.

B. 2006 Comprehensive Plan Amendments.

Ms. Hirashima reviewed the proposed Comprehensive Plan Amendments.

C. 2006 Code Revisions.

Director Hirashima reviewed the code revisions. She noted that this was an annual housekeeping exercise. She added that they had received a letter from an individual who operates a business on some acreage and had requested variance provision. His interest is in allowing more than one employee. Ms. Hirashima felt this would be acceptable in this instance due to the size of this site and the nature of his business. She suggested criteria within a variance provision to include acreage, location and scale of use. She noted that there is already a provision that states that the business cannot alter the residential look of the neighborhood.

Councilmember Seibert asked about P19 (on page 5 of 12 of the Staff Report dated March 24, 2006) Ms. Hirashima explained the intent to allow Home Occupations outright in these zones. Councilmember Seibert asked about the definition of Daycare 1 and 2. Ms. Hirashima reviewed those. Mr. Seibert expressed some concern about daycares being allowed in church facilities. Ms. Hirashima explained that churches generally have larger lots and the impacts are not as great as in residential areas. Mr. Seibert proposed that it be allowed as a conditional use in a residential area if there was a larger lot that was properly screened. Ms. Hirashima suggested a conditional use with some size standards.

Councilmember Vaughan referred to Home Occupations, page 2 of 12, 1G regarding "mail order and telephone sales with off-site delivery." He did not feel this accurately described the type of business being done by many individuals, including himself, today on the Internet. Ms. Hirashima indicated they would work on making that more clear and that they would add the work *Internet*. Councilmember Seibert cautioned against making it too broad. Councilmember Rasmussen felt that the Council should take a pro-business stance.

Councilmember Vaughan expressed concerns about the requirement of Home Occupations to be "open to inspection and review." Ms. Hirashima stated that it is a condition of the application and applies to the time of application.

Councilmember Soriano referred to Code Amendment Number 3 which would allow marinas, docks, boathouses, and boat launches in the Downtown Commercial zone. He wondered if this was contingent on any dredging. Ms. Hirashima said it was not because this amendment clarifies the intent of the zone in that area.

Councilmember Rasmussen asked about the definition of a racetrack. City Attorney Weed said it could be found at the beginning of the whole code.

D. Supplemental Agreement No. 2 to Professional Services Agreement with Gray & Osborne, Inc. for Lakewood Sewer Extension Project.

Public Works Director Paul Roberts stated that this was a date change only.

E. Professional Services Agreement with MWH Americas, Inc. for SR9 Reservoir Design.

Mr. Roberts explained that this was for the design work of removing an old reservoir and building a new larger one near Highway 9.

F. Professional Services Agreement with HDR Engineering, Inc. for Ingraham Boulevard.

Director Roberts stated that this is for the design and the environmental review of the extension of Ingraham Boulevard/88th Street corridor.

Councilmember Donna Wright expressed concern about how this connects to 84th Street. Councilmember Seibert referred the extensive studies that had been done on this connection. Mr. Roberts indicated that they would come back with more information about this next week. He stated that the completed connection with Ingraham Boulevard would help to take traffic off 84th Street. Ms. Swenson added that this would also take traffic up to the new high school.

Councilmember Seibert pointed out the potential for 74th Drive to become a cut-through. He suggested that they may want to be prepared to deal with traffic calming efforts. Director Roberts took note of that.

Council expressed their support and appreciation for this project.

LEGAL – None.

ORDINANCES AND RESOLUTIONS

- A. An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Kellogg Marsh Elementary School Annexation Area into the City of Marysville.**
- B. An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Mattson Annexation Area into the City of Marysville.**
- C. An Ordinance of the City of Marysville, Washington Establishing Standards for the Public/Institutional Zone, Amending MMC 19.04, Establishing a Zoning Designation; Amending MMC 19.08, Providing for Permitted Uses; Amending MMC 19.12, Instituting Density and Dimension Standards; and Amending MMC 19.14, Making Development Subject to Design Requirements.**
- D. An Ordinance of the City of Marysville, Washington Providing for Family Daycare Services to be Operated as Home Occupations In or Out of the Primary Dwelling Unit, Amending MMC 19.32.030.**
- E. An Ordinance of the City of Marysville, Washington Amending Residential Permitted Uses and Development Conditions, Amending MMC 19.08.030.**
- F. An Ordinance of the City of Marysville, Washington Amending Recreation/Cultural Permitted Land Uses, Amending MMC 19.08.040 to Allow the Following as Permitted Uses in the Downtown Commercial Zone: Marina; Dock and Boathouse, Private, Non-Commercial or Public; and Boat Launch, Non-Commercial or Private.**
- G. An Ordinance of the City of Marysville, Washington Amending Government/Business Services Permitted Uses and Development Conditions, Amending MMC 19.08.060.**
- H. An Ordinance of the City of Marysville, Washington Amending Retail/Wholesale Permitted Uses and Development Conditions, Amending MMC 19.08.070.**
- I. An Ordinance of the City of Marysville, Washington, Amending MMC 19.14.190 Requiring Screening of Mechanical Equipment and Placement of Noise Generating Equipment or Vents to be Situated to Opposite Building Side as Residentially Designated Property.**

- J. An Ordinance of the City of Marysville, Washington, Amending the Zoning Code's Definition of "Net Project Area" by Amending MMC 19.06.343 to Include "Underground Stormwater Detention Areas Also Used for Recreation" as Net Project Area and to Exclude "Nontransferable Critical Areas" as Net Project Area.**
- K. An Ordinance of the City of Marysville, Washington Amending Ordinance No. 2569 Relating to the Marysville Growth Management Comprehensive Plan and Approving the Recommendations of the Marysville Planning Commission for Map Revisions and Approving the Concurrent Rezone of Lands in Association therewith Relating to City of Marysville Staff Initiated Amendment No. 3 and Wenz/George/Kenekeberg – Staff Initiated Amendment No. 5 Pursuant to the City's Annual Amendment and Update Process.**
- L. A Resolution of the City of Marysville Initiating Annexation of an Area Contiguous to the City Known as the Sunnyside/Whiskey Ridge Annexation Into the City, and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.**
- M. A Resolution of the City of Marysville Initiating Annexation of an Area Contiguous To the City Known as the Sunnyside Elementary School Annexation into the City and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.**

INFORMATION ITEMS

A. Mayor's Business

July 3, 2006 Work Session. – Mayor Kendall pointed out that July 4th is on a Tuesday this year and July 3rd is the normal work session. He asked for Council's desire about how to handle that. After some discussion about various options there was consensus to eliminate the July 3rd work session, noting that Council can contact staff if there are any questions.

B. Staff Business

Paul Roberts - Lakewood Sewer Change Order #5. – Mr. Roberts was pleased to report that they did not spend as much money as they had initially thought they would.

Grant Weed had three items for Executive Session:

- One pending litigation matter with action to be taken
- One potential litigation matter
- One personnel matter with action taken.

These were expected to take approximately 30 minutes.

Mary Swenson thanked the Council for their kind words on the passing of her father.

C. Call on Councilmembers

John Soriano noted that he would not be able to attend the Salary Commission meeting, but encouraged other councilmembers to attend.

Jeff Seibert noted that September 9th, the date for Council's Public Works tour, conflicts with Touch-A-Truck. There was consensus to make a decision on the tour date at a later time.

Jon Nehring asked about the date for the Finance Committee meeting. Ms. Langdon stated that it would be on June 14th. Mr. Nehring stated that he would be out of town for training for work next week. He requested an excused absence at the meeting.

Jeff Vaughan referred to a previous discussion about renaming Ebey Slough for marketing purposes. Mayor Kendall indicated they would bring that matter back for discussion.

Carmen Rasmussen asked about the Homelessness Rally in Everett. Mayor Kendall and Mary Swenson indicated that they attended and would be pleased to pass on the information to her.

Ms. Rasmussen suggested inviting the North Marysville Little League team to come to a Council meeting for recognition of their fine representation of the City. Mayor Kendall agreed that this would be a good idea.

Lee Phillips noted that he would be participating in the Relay for Life this weekend.

ADJOURNMENT

Mayor Kendall recessed into Executive Session at 8:35 p.m.

Councilmember Donna Wright left the meeting at 8:36 p.m., and did not attend the Executive Session.

EXECUTIVE SESSION

Council met in Executive Session at 8:40 p.m. to discuss one pending litigation matter, one potential litigation matter, and one personnel matter.

Council reconvened into Regular Session at 9:05 p.m. and took the following action:

Motion by Councilmember Vaughan, second by Councilmember Soriano to authorize the Borseth/Cumberland Farms settlement as discussed in Executive Session. **Motion** carried unanimously (6-0).

Motion by Councilmember Seibert, second by Councilmember Vaughan to authorize the Mayor to sign the Commissioned Sergeant Contract with the Marysville Police Officers Association. **Motion** passed 5-0 with Councilmember Rasmussen abstaining.

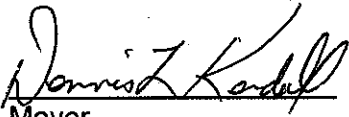
Motion by Councilmember Soriano, second by Councilmember Seibert to authorize the Mayor to sign the Commissioned Law Enforcement Officers Contract with the Marysville Police Officers Association. **Motion** carried 5-0 with Councilmember Rasmussen abstaining.

Motion by Councilmember Nehring, second by Councilmember Phillips to authorize the Mayor to sign the Communications/Custody Officers/Community Service Officer Contract with Marysville Police Officers Association. **Motion** carried 5-0 with Councilmember Rasmussen abstaining.

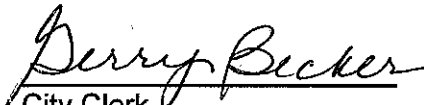
ADJOURNMENT

Seeing no further business, Mayor Kendall adjourned the meeting at 9:10 p.m.

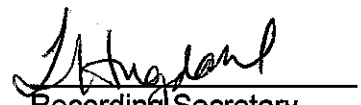
Approved this 12th day of June, 2006.



Mayor
Dennis Kendall



City Clerk
Gerry Becker



Recording Secretary
Laurie Hugdahl