

MARYSVILLE CITY COUNCIL MINUTES

AUGUST 7, 1989

7:30 p.m.

Council Chambers

PRESENT: Rita Matheny, Mayor
Councilmembers:
 Ken Baxter, Mayor ProTem
 Mel Schank
 Dave Weiser
 Bill Roberts
 Larry Hots (excused)
 Bob Lashua
 Lee Cundiff
Administrative Staff:
 John Garner, City Administrator
 Mike Corcoran, City Planner
 Jim Ballew, Parks & Rec. Supervisor
 Dave Zabell, Public Works Director
 Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Matheny called the meeting to order at 7:30 p.m. and led the flag salute.

ROLL CALL:

Secretary Iverson called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilor Schank moved that the minutes of 7/24/89 be approved as written. Seconded by Councilor Lashua and passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None

PRESENTATIONS: None

PETITIONS & COMMUNICATIONS:

1. Letter to Mayor William Moore from Mayor Rita Matheny.
2. Letter from Kristi K. Mead dated 7/24/89.
3. Letter from Madeleine Villa dated 7/17/89.
4. Letter from Snohomish County Sheriff Scharf.
5. Letter from Snohomish Health District.
6. Planning & Building Department Report.

There were a couple comments regarding how well written Mayor Matheny's letter was to Mayor Moore.

Under Item #6, City Planner Corcoran explained that funds have been depleted which were budgeted for professional services which included the funding for a building inspector to help Ralph Walker out. He stated that the Planning Dept. is requesting an additional \$15,000 to get them through the remainder of 1989 and referred to the information in the packets concerning revenue. It was noted that revenue for the first six months of 1989 was about the same as for the total 1988 year in the Compliance/Planning/Bldg. Dept. He assured Council that if the whole \$15,000 is not needed, it will not be used; that the expense is mainly for unanticipated building inspections.

Councilor Baxter moved that the additional appropriation of \$15,000 be approved, Councilor Schank seconded the motion with the comment that the \$15,000 will easily be covered with revenue coming into the Planning Dept. The motion passed unanimously.

Councilor Roberts commented that he felt the City Planner is being conservative in estimating his needs for the remainder of 1989 and said he felt there are a lot of areas that need attention. City Planner Corcoran agreed, stating that the Comp Plan is one area that's lagging behind and the Planning Dept. is at a point also

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where a random sampling as to what people really want in the community should/could be done. He said he has asked for quotes on a study such as this.

Councilor Cundiff suggested the "study" issue be brought back before Council at another time.

NEW BUSINESS:

1. Vacation of 10th Street - Establish Public Hearing Date.

(Councilor Roberts stepped down.)

Mr. Dave O'Connor, 9210 Evergreen Way, Everett, addressed the Council stating that he and his partner have entered into an agreement with Burlington Northern to buy a strip of land between 9th and 10th along Cedar and this request would complete vacation of 10th. This would serve as access to property which he is working with the Planning Dept. right now concerning use, he stated, and they are awaiting a response from the city attorney. He added that there's frontage on 9th & 10th and the portion on 10th that has not been vacated is the south side.

Councilor Schank stated that he understood that 9th has been completely vacated and there followed discussion regarding whether or not it was both sides of 9th that were vacated.

City Administrator Garner recommended a public hearing date be set at which time all details could be thoroughly investigated and the city attorney would also be present.

Councilor Cundiff moved that a public hearing be set for 9/5/89 and Councilor Lashua seconded the motion. Passed unanimously.

2. Street Width Variance Request, 1724 - 3rd Street.

Public Works Director Zabell explained that Mr. and Mrs. Dean Howell wish to participate in the City curb, gutter and sidewalk program on Quinn St. however are requesting a 60' road width vs. 75' in order that they can put in landscaping. This has been done in the next block, he noted and added that operationally, there is nothing wrong with their request except it may present problems in the future and it needs to be in concert with future plans as to whether it should be angle or parallel parking, etc.

Councilor Lashua noted that if Quinn is going to be required as an access for the 1st St. Bypass, then the 75' of right of way needs to be retained for City use. There followed discussion regarding off street parking, the fact that the Howells have maintained this right of way for years, and whether it would set a precedent. The time table for the 1st St. Bypass was also questioned and Public Works Director Zabell stated the City is starting to obtain right of way now.

Councilor Baxter said he felt strongly that the City should retain use of the complete 75' of right of way.

Councilor Schank moved to retain the 75' right of way design and Councilor Lashua seconded the motion. Passed unanimously.

3. Utility Variance, 2311 Tulalip Road, Gregory & Laura Kuehn.

Public Works Director Zabell stated that the Kuehns have an irreversibly contaminated well, that they do not meet all criteria but this case is not without precedent.

City Administrator Garner noted that the request is for water only, that they already have Marysville sewer service and are not within Marysville RUSA boundaries.

Councilor Lashua noted that the Kuehns have been turned down by the Tulalip Tribes for water and the City of Marysville is their only other alternative. It was also noted that they are in a fairly desparate situation, trying to care for a baby with no water available. (Mr. and Mrs. Kuehn and baby were in the audience.)

Councilor Baxter moved and Councilor Weiser seconded to grant the Kuehn's variance request. Passed unanimously.

4. Condemnation of Easement for Everett Pipeline Project.

City Administrator Garner explained that the absentee owner is in Seattle and Paula Morgan has been unable to contact them for negotiation regarding pipeline easement. The city attorney has recommended condemnation proceedings.

Councilor Baxter commented that time is of the essence and moved that Resolution #1368 be adopted allowing condemnation proceedings to begin. Councilor Schank seconded and the motion passed unanimously.

CURRENT BUSINESS:

1. City Hall.

City Administrator Garner noted that this issue has been discussed for some time and continues to generate dispute as to the location of City Hall. He stated that the Executive Dept. does want to see City Hall closer in location to the Public Safety Building but is will to delay this issue until after the elections in order that it doesn't become a political issue.

Councilor Baxter stated that he did not see how it could become "political" and as far as centralizing services, with City Hall located closer to the Public Safety Building, the Street, Parks and Utility Departments would still be downtown and certainly not centralized. He concluded that there really is no way to totally centralize everything.

Councilor Lashua pointed out that more people come to City Hall to pay their utility bills and deal with the Planning Dept. and there is not the same amount of traffic for the Street or Utility Depts.

Mayor Matheny added that having Council Chambers closer would also be of value.

Councilor Baxter said he doesn't agree with centralizing the departments and that council chambers could be in either location. He added that he didn't see how any time could be saved by combining the various city departments.

Councilor Lashua stated he didn't think it was a matter of time, but rather a matter of economics, more parking for employees, more office space for City Hall.

Councilor Roberts speculated that the price of the 3 acres north of the Public Safety Building could be as much as \$800,000.

Councilor Baxter pointed out that the Public Safety Building parking lot could not be used for additional departments without being in violation of the City's own parking ratio ordinance.

After further discussion, Councilor Lashua moved to postpone this hearing until after the elections in November but there was no second to the motion.

Councilor Roberts expressed a concern regarding financing and said property and a new building would have to be financed through a

general levy which will need the voters' approval.

Councilor Weiser agreed, stating that in the interim, perhaps the City should look at using some dollars now for refurbishing the present City Hall location.

Councilor Baxter agreed, pointing out that he was given the impression that there was a definite urgency to create working area at City Hall. City Administrator Garner admitted that urgency still existed to some extent.

Councilor Schank pointed out that there will be more employees hired and he said he feels time is of the essence with regard to the purchase of property. Councilor Roberts agreed, stating that there should be a game plan for both the short and long term.

Councilor Cundiff said he agreed there needs to be a plan and it was his understanding that the majority were in favor of expansion of the Comeford Park location.

Councilor Lashua stated the Comeford Park expansion is probably more economically feasible at this time and Councilor Baxter suggested remodelling for the next few years' use and then that would provide a building that could be used by another dept. at a later date but also would serve the City purposes now.

Councilor Cundiff asked about whether utilization of all available space was looked into and Councilor Baxter stated that as far as he understood it, there are plans for all the available space and there was some discussion about moving the Planning Dept. into the Public Works building. Councilor Schank noted that the Public Works building is not handicapped accessible and the Planning Dept. is one of the integral departments which needs to be readily available to the public. He added that he felt Public Works should be in with the Planning Dept. at City Hall because it's all part of administration and should be accessible to the public.

Councilor Baxter said he would like to get some kind of quote from the architects and Councilor Schank reaffirmed the need for more room--it's inevitable and Marysville needs to accommodate the growth, he stated. Councilor Baxter added that parking was a major issue and the plan at Comeford Park allowed for more parking and was economically feasible. Future uses could be to house the Historical Society, the Parks Dept., etc., Councilor Baxter said.

Mayor Matheny asked more about the property to the north of the Public Safety Building and Councilor Schank stated that the full purchase price would probably be required within five years.

Councilor Baxter moved to retain Millenaar & Wicks for preliminary drawings for an additional 10-12,000 sq.ft. at the Comeford Park location, for a fee of no more than \$3,000. Councilor Lashua seconded the motion.

After further discussion regarding adequate public advertising and interior design work, the motion passed unanimously.

PUBLIC HEARING:

1. Hearing Examiner Proposal (continued from 7/24/89).

City Administrator Garner referred to information in packets, stating that the city attorney was unable to get more information prior to going on vacation.

Both Councilors Roberts and Schank indicated they would like more definitive information regarding hiring of a hearing examiner and City Administrator Garner explained that City Council should make a decision on the concept of having a hearing examiner first.

Councilor Baxter expressed agreement with the concept of having a hearing examiner, stating that one of the advantages is that a hearing examiner need not be used all the time but rather on an as needed basis. Also, he said he likes the idea that the City would not be "stuck" with a hearing examiner but could use one at least until the Comp Plan is done and that would be a good time frame in which to measure results.

Councilor Roberts stated he felt a time frame of about a year would give a better idea as well as allowing the hearing examiner the luxury of having a little more "experience" with City issues and decisions and being able to establish a relationship between the City and hearing examiner also.

After a couple more comments from Council, George Wilcox of the Planning Commission addressed the Council and noted that he is in disagreement with Pat Glein's views that decision making on rezones, plats, etc. should be separated from policy development. He said he feels strongly that the people who work with the Comp Plan and in developing ordinances should also work with implementing that text. At some point down the line, the Planning Commission may not have the time for both activities, he said, but until that time, he said he felt the total responsibility should be with the Planning Commission. He added that the Comp Plan review is really accelerating at this point and also noted that after discussing different areas of the City, land use, etc. in the Comp Plan workshops, he has found decision making much easier in the hearings.

Councilor Roberts stated that as far as a group doing both activities there is a fair turnover on the Planning Commission and attendance has not been that good.

Mr. Wilcox stated that with volunteers, time is a commodity and that in the future it is very likely that help in the way of a hearing examiner will be needed.

Councilor Cundiff noted that the Planning Commission members have unanimously said they will take the time to work on Comp Plan and Planning Commission decisions as well as the City Planner having more time to support the Planning Commission and Councilor Cundiff said that he would be in favor of waiting to hire a hearing examiner. He added that he feels it would be a mistake to hire a hearing examiner without a Comp Plan in place first.

Councilor Roberts pointed out that there has been a tremendous amount of activity under the current Comp Plan (1978) and said he thinks it's the quality of the decisions that are important--they would be based on the Comp Plan and the hearing examiner would have to stay within the boundaries of the Comp Plan. The Planning Commission is a very influential body in the planning process, he continued, but their role is more in the area of development of land use policies in order to accommodate growth in the community, development of PRD ordinances, etc.

Councilor Schank said he sees the summertime as a lull, that the pressure will be returning on the Planning Commission come September probably. He said he agrees the Comp Plan will not be done for some time and there is also a lot of revision that needs to be done to the code book, ordinances to revise--they have a lot of work to do, he concluded.

Councilor Cundiff pointed out that the Board of Adjustment issue still needs to be resolved also and noted that there are some very skilled people who are volunteering their time to the City. He said he feels the system is working well for now and perhaps a hearing examiner could come in at a later time, when needed, but not at present.

Councilor Baxter stated he would like to hear from Mike Corcoran.

City Planner Corcoran stated that he thought there would be more consistent decisions with a hearing examiner but you lose the personal touch, he noted. He said there's a difference in giving a presentation to a Planning Commission vs. a hearing examiner and as far as developing policy, staff and hearing examiner recommendations would help formulate policy.

Councilor Baxter asked if a hearing examiner would have an effect one way or the other on the Planning Department's workload and City Planner Corcoran stated that they are in a lull right now but it is difficult to predict the need for platting.

Councilor Weiser commented that he didn't feel a hearing examiner would relieve the Planning Dept. at this point at all. City Planner Corcoran pointed out that staff would have to prepare the same documentation for presentation with either a hearing examiner or Planning Commission.

Councilor Roberts stated that a hearing examiner's review process is very thorough and that he sees the Planning Commission's role as working on mitigation policies, revision of ordinances (which is a big job), giving insight on interpretation--and that's an effective area to drive the right kind of development in the City, he stated. He added that a hearing examiner basically has a very mechanical decision making responsibility.

Councilor Schank suggested the possibility of setting up the mechanics for utilizing a hearing examiner when needed in order to dispell any further criticism from the developers and builders that the Planning Dept./Commission is too busy.

Councilor Cundiff pointed out that he has not heard that criticism in the last 3-4 months.

Councilor Roberts said he didn't feel the length of time in process in Marysville is a problem but the main need for a hearing examiner as he sees it would be to render effective decisions.

City Planner Corcoran said that generally a hearing examiner can be used in the area of Board of Adjustment decisions more effectively than in a Planning Commission decision making process.

Mayor Matheny said it is imperative that the Comp Plan be in place by January 1 in order to be completed at the same time as the Transportation Study. With the tremendous amount of work that's involved there, including RUSA review, town meetings, etc., she said she felt that would be good justification for a hearing examiner.

Councilor Cundiff noted that a hearing examiner would probably put more pressure on the staff and that will mean less staff support time for the Planning Commission in reviewing the Comp Plan and Mayor Matheny stated that she would be in favor of whatever the City needs to do to get the Comp Plan review done.

Mr. Wilcox stated that with the present acceleration on the Comp Plan, he feels fairly confident that the review will be completed by January 1.

Councilor Weiser stated that he didn't feel the hearing examiner is a concept of time but rather a more consistent decision making process. He added that the Planning Commission will still be spending time on ordinances and other development policies, lot averaging, PRDs, sideyard setbacks, etc.

Mr. Wilcox said the landscaping and PRD ordinances may be done by committee but developing ordinances is kind of new to the Planning Commission--Council usually directs the Planning Commission and he concluded that he would prefer retention of the present system.

Councilor Weiser commented that the people on the Planning Commission and Board of Adjustment have very valuable experience and if the Board of Adjustment is eliminated, perhaps they could be included on the Planning Commission, in order not to lose expertise.

Mr. Wilcox noted that he didn't think a hearing examiner would be saving staff time but concluded that the decision was up to Council and that he wished to go along with whatever they decide, and not take the decision personally.

There was more discussion regarding the approval process and decisions that are made by both a hearing examiner and the Planning Commission. Mayor Matheny reiterated her concern about the Comp Plan review being completed by January 1st.

Councilor Lashua stated he could see both sides but feels the City will need a hearing examiner in the future, that the Planning Commission is doing a great job but a hearing examiner will probably be the next step.

Councilor Roberts moved to direct the city attorney to draw up an ordinance to accommodate a hearing examiner effective 11/1/89. Councilor Schank seconded the motion and a roll call vote was called:

Councilor Schank - in favor
Councilor Weiser - in favor
Councilor Baxter - in favor
Councilor Roberts - in favor
Councilor Lashua - in favor
Councilor Cundiff - against

The motion passed 5-1.

There was further discussion as to the duties/jurisdiction of a hearing examiner and Councilor Roberts commented that when the City attorney draws up the ordinance for the hearing examiner, that may be a good time to decide whether or not to retain the Board of Adjustment. It was suggested that a workshop be held, with input from Judge Wisman also.

CURRENT BUSINESS:

2. Parks & Recreation Office & Maintenance Facility Proposal.

Parks & Recreation Supt. Ballew referred to the information in the packets, complete with the reference to the fact that it got up to 109°F. in the present facility this past weekend. He noted that he sometimes has to send staff home because it is impossible to work in the heat in the summer and the cold in the winter. The modular building that he is proposing would be installed in Jennings Park with a delivery time of 6-8 wks. from date of order, at a cost of approx. \$35,000 for and 810 sq.ft. building. This cost is for a "turnkey" facility which includes carpeting, etc. and can be put together in 3-4 days, he said. He added that there are cumulative reserve funds available in the amount of approx. \$100,000 and this fall he will propose that the maintenance and personnel outbuilding be demolished. When asked about the specific location of the modular, he stated that the model railroad in the park would be relocated near the fitness court which would also provide handicapped access for the modular. He added that the modular is 54' wide, meets handicap codes and would fit well in the designated area.

City Administrator Garner noted that the funds may come from the Growth Management Account rather than the Cumulative Reserve and this is something the Finance Director should address.

Councilor Lashua stated he agreed heartily with the need for the facility and felt that anything that is less than \$50 per sq.ft.

for a finished building is a good price.

Councilor Baxter stated that there is a modular builder in Marysville and recommended getting a quote from them also. He said he agreed with the concept and need for the facility.

Parks & Recreation Supt. Ballew stated he likes the Timberland design because it accommodates the park as far as aesthetics but would be happy to talk with another builder. As far as how long this facility would be able to house the Parks Dept., he said it would probably be about 10 years and added that the concept of a modular is that it can be moved very easily and could be used in another department, for example, or sold.

Councilor Lashua said he agreed that a competitive estimate should be obtained. City Administrator Garner explained that it may have to go to bid.

Councilor Roberts asked if the request was out of the 1990 budget and Parks & Rec. Supt. Ballew stated yes, for the maintenance shop.

Councilor Weiser reminded Council that the name of the dept. is Parks & Recreation and the public is expecting more and more services. The need is there and he said he agreed the model railroad in Jennings Park should be relocated as it is in a dangerous place right now, right in the midst of vehicles entering, exiting and parking.

Parks & Recreation Supt. Ballew added that the Parks Board would also be able to hold their meetings in the new facility.

City Administrator Garner stated that the Finance Director should take a look at this to see whether money would come from the Growth Management or Cumulative Reserve Fund.

Councilor Schank moved to approve purchase of the modular subject to the Finance Director's approval, with the project going to bid or whatever is necessary according to the RCW and for the Finance Director to report back to City Council for final approval. Councilor Lashua seconded and the motion passed unanimously.

3. Annexation Policy Resolution.

There was considerable concern and discussion over item #1:

"Annexation areas should be within the City's duly adopted Rural Utility Service Area boundaries. Conversely, properties seeking to connect to City utilities should be first annexed to the City, or should sign an annexation covenant, as specified in Section 14.32.040(2) of the Marysville Municipal Code."

Councilor Baxter said he wasn't sure he liked it defined only to the RUSA boundaries and Councilor Roberts said he felt several "good" annexations have been in violation of this paragraph. He added that he was not sure an annexation policy should be in resolution form, it's a good policy and felt perhaps it should be adopted as a policy rather than a resolution.

Councilor Schank agreed, stating he felt it too restrictive, that paragraph 1 is "anti-growth" and should be completely deleted.

City Planner Corcoran suggested the possibility of using the phrase "sphere of influence" under #1, similar to wording the County is trying to designate/use. Someone mentioned the possibility of the use of Fire District 12 boundaries rather than RUSA boundaries.

There was further discussion regarding whether this should be a resolution or a policy and it was the consensus (with the help of

an attorney in the audience) that a policy would be more flexible than a resolution.

After discussion regarding the need to infill some areas and whether or not small parcels should be considered for annexation, Councilor Schank moved and Councilor Cundiff seconded that a revised version of the annexation policy be brought back before Council 8/14/89. City Administrator Garner noted that the revisions would include no restrictions in boundaries, "sphere of influence" wording. The motion passed unanimously.

LEGAL MATTERS/ORDINANCES & RESOLUTIONS:

1. Boston Pizza - Order to Suspend Business License.

City Administrator Garner explained that the judge requires the mayor to sign.

Councilor Schank moved and Councilor Lashua seconded. Passed.

2. Ordinance Increasing Fees for Shoreline Development Permits.

City Planner Corcoran noted that the old fee was \$150.00.

Councilor Weiser moved and Councilor Cundiff seconded that Ordinance #1709 be adopted. Passed unanimously.

3. Ordinance Increasing Fees for Subdivisions/Boundary Line Adjust.

After discussion regarding the per lot fees, inspections, definition of final field inspections and the comment that the City has no short plat ordinance (but does have a fee schedule for short plats), Councilor Roberts moved that Ordinance #1710 be adopted increasing fees for subdivisions, Binding Site Plan Reviews and Boundary Line Adjustments. Councilor Weiser seconded and the motion passed unanimously.

4. Ordinance Restricting Parking on Public Highways.

City Administrator Garner explained that this would enact a 48 hr. rule and there followed some discussion regarding parking at 4th & State and the logging trucks on Cedar.

Councilor Weiser moved that Ordinance #1711 be adopted, Councilor Cundiff seconded and the motion passed unanimously.

5. Bartlett/Stanton Rezone.

Councilor Schank moved and Councilor Lashua seconded that Ordinance #1712 be adopted, approving the Bartlett/Stanton multiple family rezone. The motion passed. (Councilor Roberts didn't vote.)

6. Resolution Authorizing Additional Tax Levy Election.

City Administrator Garner explained that this would be for additional life support equipment for the fire dept. at a rate of 25¢ per \$1,000 of property valuation and he noted that the city attorney has recommended a public hearing. He said this has to be in the auditor's office by 9/22 and there was discussion regarding the RCW, this issue being put on the ballot, and determining that 9/5/89 would be an appropriate public hearing date.

Councilor Weiser moved and Councilor Schank seconded that a public hearing be held on 9/5/89. Passed unanimously.

7. Resolution Denying Rezone/Preliminary Plat for Meadowcreek.

Councilor Lashua moved that Resolution #1369 be adopted. Councilor Cundiff seconded and the motion passed. (Councilor Roberts didn't vote.)

8. Resolution Accepting Petition for Hickock Annexation.

Councilor Schank moved and Councilor Weiser seconded that Resolution #1370 be adopted, setting a public hearing date of 8/14/89 for the Hickock Annexation. Passed. (Councilor Roberts didn't vote.)

9. Resolution Accepting Petition for Bertilson Annexation.

Councilor Roberts moved that Resolution #1371 be adopted and Councilor Baxter seconded the motion. Passed unanimously.

10. Library Board Appointment.

Councilor Baxter moved and Councilor Cundiff seconded that Robert Graef be appointed to the Library Board. Passed unanimously.

11. Executive Session - 6:30 p.m. 8/14/89 - Fire Training Room.

City Administrator Garner reminded Council of the Executive Session next week with Helen Terry to go over criteria for the City Administrator position.

CALL ON COUNCILMEMBERS:

Councilor Cundiff stated that he had been contacted by a couple of ladies interested in setting up a memorial for veterans. City Administrator Garner stated that he had referred some other people to contact different service organizations and present Council with some proposals.

Councilor Lashua stated he has a definite interest in attending the upcoming PSCOG meeting and Councilor Baxter said he would like to see the City pay Councilor Lashua's way.

Councilor Lashua asked about Assessment Centers for sergeants in the police department and City Administrator Garner noted that they cost about \$2500 and said some cities do that if they can afford it.

Councilor Roberts expressed a concern with regard to drainage in Marysville and noted that he would like to see some guidelines/policies set up similar to what the County is doing where they are charging a \$22.00 per lot per year mitigation fee. He said he would like to see a fund such as this started in Marysville which may also be needed in anticipation of problems that might arise out of the Water Quality Act rulings on untreated water being dumped into Ebey Slough, for example. He noted that Marysville is experiencing increasing problems and issues such as flooding, retention ponds, tide gates, protection of streams and creeks, and dyking all need to be addressed. He said he would be in favor of the \$22 per lot per year assessment which would give Marysville a basis to go in with the County on drainage problems, for example, which have no boundaries. He said he would like to see some active discussion on this.

Public Works Director Zabell stated that a lot of new regulations are going to be coming out and Marysville does need to assess a fair share fee.

Councilor Roberts noted that so far all Marysville is doing is retaining the water and it needs to be treated with biofiltration, for example and he said his concern is whether our treatment will meet 1993 standards.

Public Works Director Zabell stated there may be some matching funds/grant money available and there may also be funds for maintenance of drainage, etc. A lot of staff time is being used at present resolving drainage complaints, he noted.

As far as mitigation fees, Councilor Roberts cautioned against overcharging commercial entities such as the mall where fees can

add up to quite a substantial amount.

There was discussion regarding the mall's drainage as well as drainage from State and 76th Streets. Councilor Roberts reiterated that he would like to see a meeting held to discuss filtration, etc. but would be agreeable to bringing this issue up again in a couple weeks.

Councilor Baxter commented on the water supply meetings being held and noted also that he has been hearing some very favorable comments about Cedarcrest Golf Course because of the recent improvements.

Public Works Director Zabell added that the City is also saving money on the 76th St. improvement by taking the fill to Cedarcrest Golf Course for improvements there.

Councilor Baxter asked about the 64th St. improvements and Public Works Director Zabell admitted that project is not going as well as hoped, that there is a real bad section of about 400 yds. but hopefully it will be resolved soon with more fill. In answer to Councilor Roberts' query, he stated that he had no idea of the amount of the overrun at this point.

Councilor Weiser commented on the upcoming picnic.

Councilor Schank commented on the traffic congestion that still plagues the intersections of 4th & State and 3rd & State. He noted that people will not leave the intersections clear and also, left hand turns out of the mall on Delta should be eliminated onto 4th, he said.

Councilor Roberts said they are hoping that 4th & Delta will improve once the light is put in at 4th & Cedar. Public Works Director Zabell added that they will be starting construction of the lights later this month.

Councilor Lashua asked if that includes channelization and Public Works Director Zabell said it does.

Councilor Schank asked about the new street name signs and Public Works Director Zabell stated he has \$4,000 worth on order.

Councilor Schank asked about the possibility of getting Board of Adjustment meeting times changes from mornings to evenings and City Administrator Garner stated that he has never had any input to have that time change. Councilor Schank stated he has--that a lot of people work and it is difficult for those that sit on the Board of Adjustment as well as those who are expected to attend the hearings to do so. He added that now that the City has a facility available, this should be looked into. Councilor Roberts agreed that he had also heard input from people (neighbors) who would like to attend Board of Adjustment meetings but are unable to take time off work.

Councilor Schank said that with regard to the microphone problem, there is a microphone available now that can be placed in the center of the room and it will pick up everything that is said, with that being the only microphone required in the room. City Administrator Garner noted that there is a cost factor involved with that type of mic and if the Councilmembers would simply speak directly into the mics, there would be no problem.

Councilor Baxter mentioned that he has a bunch of fir trees to be donated to the Parks Dept. that can be transplanted from the acreage that he is clearing.

City Administrator Garner announced that the citizens committee that has been studying fire issues would like to meet with City Council Saturday, 9/16/89. Councilor Baxter asked if the meeting could be during the week rather than on a weekend but City Admin-

istrator Garner pointed out that a lot of the citizens committee work during the week but that they would probably be willing to start the meeting early on Saturday morning, say 8:00 a.m. so it would not use up too much of the day. He also reported that copies of the 1987 audit are now available at City Hall.

Councilor Baxter asked about an update from Tom Husely of Montgomery & Company regarding the water pipeline and Public Works Director reported that Tom is on vacation at present.

ADJOURNMENT:

There being no further business to come before City Council at this time, the meeting was adjourned at 10:50 p.m.

Accepted this 14 day of AUGUST, 1989.

MAYOR



CITY CLERK

