

MARYSVILLE CITY COUNCIL MINUTES

MARCH 25, 1991

7:30 p.m.

Council Chambers

Present: Rita Matheny, Mayor  
Councilmembers:  
 Ken Baxter, Mayor Pro Tem  
 Dave McGee  
 Dave Weiser  
 Donna Pedersen  
 Donna Wright  
 Lee Cundiff  
 Bob Lashua  
Administrative Staff:  
 Carolyn Sanden, City Administrator  
 Mike Corcoran, City Planner  
 Phil Dexter, Finance Director/City Clerk  
 Grant Weed, City Attorney  
 Dave Zabell, Public Works Director  
 Wanda Iverson, Recording Secretary

CORRECTED: SEE	4/8/91
MINUTES	

CALL TO ORDER:

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

ROLL CALL:

Finance Director/City Clerk Dexter called the roll with all members present/absent as indicated above.

MINUTES OF THE PREVIOUS MEETING:

Councilor Pedersen noted on page 3, in the first full paragraph, first line, of the March 11, 1991 minutes, there should be a comma after the word "Everett" and before "and Merton Gribble" in order to avoid confusion. She also noted that in the vote on page 5, in the third paragraph, the two against the motion were not named but no one could remember who was against, so no change was made.

Councilor Weiser moved and Councilor McGee seconded to approve the 3/11/91 minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Noreen Shirvally, 5628 66th Av. NE, addressed Council and explained her son is a Marine Corporal in Saudi Arabia right now. She said she is real pleased with all the yellow ribbons displayed in Marysville and flags, as well as the Wall of Honor however, she said she didn't think anyone would really notice these, coming from out of town and said she would love to see more yellow ribbons and flags on State. She said she would be happy to put up the yellow ribbons and/or flags in order for her son to see them when he returns home.

City Administrator Sanden pointed out that flags are still hard to come by--a 3x5 flag is about \$32 and lasts only six months and a bracket would also have to be mounted on the pole at a cost of \$100 per pole (with permission from PUD). She suggested Mrs. Shirvally work with the Chamber and merchants regarding the flags but the City has yellow ribbon and it could be put on City poles.

Councilor Pedersen said she would be in favor of this and she commented on how impressive the display of flags and yellow ribbons is in other cities she has been through recently.

Councilor Weiser said the Lions Club talked to merchants about two years ago and he believed they have flags--Mrs. Shirvally could contact them possibly.

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Mrs. Shirvally said she thought it would be nice for the City to have its own flags for Maryfest, etc. and she mentioned the possibility of a special fund being started.

Mayor Matheny mentioned that the City and the Visitor Information Center have had problems with vandalism and flags being stolen and City Administrator Sanden added that PUD requires that flags not flap, so the ends would have to be sewed down, but the City employees could help with yellow ribbons.

Mrs. Shirvally said she has a lot of people that will help also do whatever they can do. She asked if Marysville was planning its own 4th of July parade at all, beings as how the first 4th of July parade was held in Marysville in 1891.

Mayor Matheny said it's usually put on by the County; that she did not know what the plans were for this year.

Paul Shirvally, 5628 66th Av. NE, addressed Council and stated as far as the cost of the flags, he could get them at a cost of about \$11 for the 3x5 flag, including mounting. He was told to give that information to Mary and then he asked about having the I-5 freeway sign welcoming home the troops. He was told to get in touch with the State regarding that.

CONSENT AGENDA:

1. 3/25/91 Claims Checks in the amount of \$222,129.85.

Councilor Cundiff moved and Councilor Pedersen seconded to approve.

Councilor Pedersen made a couple comments regarding the City now dealing locally for office supplies and also, regarding the receptionist seminar.

The motion passed unanimously.

NEW BUSINESS:

**1. Northwest Annexation - 10% Petition.**

City Planner Corcoran described the boundaries for this petition as 136th on the north, following Smokey Pt. Blvd. down to Quil Ceda Auto Wrecking, west on the 100th alignment to I-5 and then north to 136th, to the point of beginning. He showed the area on the map, showing properties who are in favor of annexation and some that still need to be checked out. He noted that the Jones/Belmark annexation is still pending and also, there is an area south of 100th which should probably be included in the Northwest Annexation. He talked about logical boundaries, annexation covenants on file, the Boundary Review Board.

There were some comments regarding the east side of Smokey Pt. Blvd.--Kroeze Bros., Jack's Furniture, the fact that there's a lot of work that has to be done on that side, the fact that this 10% petition is immediately adjacent to the Quil Ceda Auto Wrecking 60% petition, creation of an island, what the valuation of the property on the 10% petition is, the total assessed valuation of the area being about \$47 million.

Councilor Weiser asked about the legality of the annexation covenants and City Attorney Weed stated they are counted as a signature on the 60% petition, it's their authority to include them in on the petition.

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City Planner Corcoran said he is looking for some direction here and would be happy to put together a tally sheet for whatever area is chosen in establishing boundaries by Council.

Councilor Cundiff asked about residents that have been contacted and City Planner Corcoran said he does keep hearing about people who are interested in coming in; that someone should approach the businesses as well as residents in the proposed annexation area.

Councilor Pedersen asked how we can move forward without jeopardizing the time already spent and there was a lengthy discussion regarding including Quil Ceda Auto Wrecking in this annexation or not, boundaries, property value support, approval can eventually be for all or any part of the boundaries submitted. If 60% petition supports the lesser boundary, that would be an alternative to the whole area, it was noted.

Councilors Weiser and Wright both mentioned the possibility of annexation over to 51st.

Councilor Baxter noted the City has tried going north of 100th several times in the past and have not made any headway.

Councilor Lashua said he felt this is one of the most important annexations City Council will have to consider--it's an important area to Marysville and he said he felt the Council needs to look at what's best for the petitioners.

Councilor Pedersen said she would like to see it made easier for Quil Ceda Auto Wrecking to come into the City but City Administrator Sanden pointed out they cannot be included in this 10% petition without their permission.

There was further discussion regarding the 60% petition not having been submitted as yet, commercial property on the east side of Smokey Pt. Blvd. who have already indicated they want to come in.

Steve Leifer, 12709 Hwy. 99, addressed Council and said they have talked to Nobach at J&L and they are interested in coming in but they didn't want to submit "chopped up" boundaries in the proposed 10% petition. He stated their thought was to come in with this and then those that are contiguous, J&L, for example, would have an easier time to annex in.

City Planner Corcoran suggested he determine the assessed valuation and do it as a "Phase 2", as an alternative, also.

Councilor Lashua asked about the area south of the proposed area and how much property was in that that is unbuildable, wetlands, and whether there is industrial zoning there.

City Planner Corcoran responded that there is no industrial, the industrial is north of 100th and may carry the area south of 100th.

City Administrator Sanden noted the 10% petition could include the whole area but worded "all or part of" and can be reduced with the 60% petition, if necessary.

More discussion followed concerning the bridge and the county's portion if it is brought into the City. It was noted that the bridge project would actually have a better chance of being completed if it's in the City because it would be of high priority to the City and the County would participate in the project. There were comments regarding TIPs and UATAs.

The consensus was that City Planner Corcoran would bring back figures regarding valuation/assessment of the proposed area, including information regarding the area south of it.

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## **2. Sleasman Annexation - 10% Petition.**

City Planner Corcoran explained that Mr. Sleasman has requested a ULID, that his property is contiguous to City limits and directly north of Oakwood Estates, however there are not enough people in the area interested in annexation and this would require some staff time to go door to door, explaining the advantages of annexation. He stated he could make an assessment here also and if there is not a sufficiency for a 60% petition, the residents could be approached with regard to annexing. He stated the proposed boundaries for the 10% petition would be 100th on the north, 88th on the south, 55th on the west and 67th on the east.

There was discussion regarding the poor septic systems in the area, definition of boundaries, indebtedness and zoning to be conditions of annexation, non-protest agreements on file being used for the 10% and 60% petitions. (City Attorney Weed stated it is his understanding you can use covenants to count toward 60% petitions but not 10%, but certainly, that would be the conservative method.) City Attorney Weed said he would check further on the legality of the annexation covenants and in the meantime, only signatures obtained would count towards the 10% petition. Different boundary alternatives were discussed.

Councilor Pedersen moved to include the larger boundary (100th on the north, 55th on the west, 88th on the south, 67th on the east) if it's determined that covenants count toward a 10% petition, otherwise, to reduce the boundaries to 55th on the west, 88th on the south, 67th on the east, with the northerly boundary to be the 96th St. alignment including the Jubie Addition, Marion's Addition, Foxtrails and Cascade Estates. The annexation would be subject to acceptance of the City's bonded indebtedness and current zoning. The third alternative for boundaries would be Sleasman's original petition (the smallest area of the three alternatives). Councilor Wright seconded the motion.

Councilor Lashua stated that he would like to see the Northwest Annexation processed prior to the Sleasman Annexation and Councilor Pedersen agreed. The motion then passed unanimously.

Jack Sleasman addressed Council and explained this petition was in response to Council's request because of the ULID.

## **3. Utility Variance, 5201 - 142nd Pl. NE, Susan Morgan.**

City Planner Corcoran showed a map of the plat of Heather Glen and Public Works Director Zabell referred to the letter in the packets. He said there was an error in installing the original sewer line and it will have to be relayed 6' deeper out of the manhole on Shoultes Rd. They are eventually going to have to form a ULID and so he is not recommending frontage improvements at this time, he said. He added that the neighbors are willing to give Ms. Morgan a private temporary easement to bring in a sewer line to her property because of her dire situation and he asked about her future participation in a ULID.

Susan Morgan, 5201 142nd Pl. NE, addressed Council and said she knows all her neighbors have problems and she really needs to be hooked up to the sewer. She asked about financing and Public Works Director Zabell explained the temporary hookup would have to be financed on her own ticket, the ULID would be over 10 yrs. He explained a ULID is the most cost effective way to go; another alternative would be for her to put in a section of sewer on her own and hold a recovery contract.

Ms. Morgan asked about paying for it twice and Public Works Director Zabell explained that would basically be what would happen and in order to help her out right now, she could get the other

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four neighbors to help finance this particular temporary hookup which will cost \$25,000.

Ms. Morgan said she thought Lots 60, 5, 6 and 59 are all interested in participating at this time.

Public Works Director Zabell explained the process and Ms. Morgan said she has permission from the neighbor for the easement.

City Attorney Weed recommended that the easement be reviewed by him and when the ULID comes in, the temporary easement would be dissolved. He added that he understood her home would be condemned if she waits to go through the ULID process at this time and Ms. Morgan confirmed this to be true.

Councilor Weiser moved approval of both variances including staff conditions and recommendations and that the private easement be approved. Motion to include in the first staff recommendation, "temporary" hookup and also for the approval to be subject to a no protest agreement being signed. Councilor McGee seconded and the motion passed unanimously.

#### ORDINANCES & RESOLUTIONS:

##### **1. Ordinance Amending 1991 Budget.**

City Administrator Sanden explained that this is for

1. \$35,500 from the Growth Management Fund for property acquisition and
2. Community Information Officer/Ombudsman - Grade 3.

It was noted that the definition of "ombudsman" is basically someone who responds to complaints and Councilor Pedersen said that even though she was originally in favor of the term, she felt in fact now that the definition casts too negative a light on the position and would be in favor of simply "Community Information Officer".

Councilor McGee said he liked the term "CIO" but Councilor Cundiff said he was opposed to this half of the ordinance and asked if it could be split up.

City Attorney Weed said, yes, it could be bifurcated but the alternative to that would be for Councilor Cundiff to oppose the whole ordinance.

Councilor McGee moved to adopt/approve Ordinance #1837 with the name of the position under #2 changed to "Community Information Officer". Councilor Pedersen seconded and the motion passed with Councilor Cundiff opposed.

Councilor Cundiff commented that he is in favor of part 1.

##### **2. Resolution Denying Utility Variance - Plat of Cascade/51st Addition.**

Councilor Pedersen moved and Councilor McGee seconded to approve/adopt Resolution #1471. Passed unanimously.

##### **3. Resolution Declaring Intention to Initiate the Formation of ULID No. 17.**

Finance Director Dexter explained this would be to establish a public hearing date of 4/22/91 for the Sleasman ULID and directing the City Clerk to mail preliminary assessments to property owners.

Councilor Baxter moved and Councilor Cundiff seconded to approve/adopt Resolution #1472 establishing the public hearing date of 4/22/91. Passed unanimously.

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LEGAL MATTERS:

**1. Animal Control Interlocal Agreement.**

City Attorney Weed explained this would be an addendum to the interlocal agreement in force between Arlington and Marysville regarding animal control services for the City of Darrington.

Councilor Baxter pointed out this was turned down a couple years ago but City Administrator Sanden said Darrington is just looking for a couple of days and it's a temporary arrangement only. We are asking for a hold harmless agreement as well as reimbursement, she said and City Attorney Weed added the agreement runs on a year to year basis with 30 days termination notice by the cities of Arlington and Marysville together.

Councilor Baxter said he felt the County is in a better position to take care of Darrington than Marysville or Arlington and in the wintertime there's a lot of mileage.

Councilor Lashua said he agreed; the charges are very high, even for an on call person.

Councilor Pedersen said she felt \$2.50 per hour for the vehicle rate is low and discussion followed concerning this.

Councilor McGee said he would be in favor of the addendum to the interlocal agreement.

Councilor Weiser said he would be in favor if it is temporary only, with a \$2.50 per hour rate plus 30¢ a mile.

Councilor Baxter said he would not be in favor of the addendum because it is too long of a drive, bad weather conditions and the fact the county should take the responsibility, he said.

There was more discussion about liability issues, Darrington's collection problems, lack of effectiveness for Marysville and Arlington, Marysville and Arlington would both have to agree to termination, rewording so that either Marysville or Arlington could terminate, a three day assistance contract being drawn up separately.

Councilor Lashua moved to deny the request and Councilor Baxter seconded. The motion passed with Councilor McGee opposed.

CALL ON COUNCIL:

Councilor McGee asked about the Marysville Mall and Public Works Director Zabell stated the bank is still in control but a company by the name of Terranomics is running the mall for the bank. City Planner Corcoran noted that Terranomics also runs Eastgate Mall.

Councilor Weiser asked for an update on the water line EIS and Public Works Director Zabell said it is about completed, with anticipation that the City can proceed with construction Apr. 1.

Councilor Weiser asked about approval of lagoon engineering plans and Public Works Director Zabell said he is still trying to get in touch with Mike Dowd. As far as mitigation, they have offered some suggestions but Marysville can't submit a Corps permit application as yet until specific details are worked out. There is an upcoming meeting with Jones & Stokes concerning this and the consultants estimate 4-6 months for the Corps permit to be obtained. He said depending on the slow or fast sand filter, that is what will determine how much acreage will be needed and how much is going to have to be filled--it will be 1/2 acre to 4 acres by the Dike Rd. by the lab, he said, and the filtration will be



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good for 20 years--a population (predicted) of 85,000 to 92,000.

Councilor Baxter asked about the permit for City Hall and progress and City Planner Corcoran said three truss manufacturers have submitted bids and he will report further at next meeting.

Councilor Pedersen followed up on information regarding hookup fees for sewer and Public Works Director Zabell said he will be making a presentation 4/8/91 to Council regarding this.

There was confirmation that there will be four reservations for the AWC dinner at Wellers.

Public Works Director Zabell reported on a meeting with people on 94th. He said 11 people showed up and two more signed up (but Mr. Hammerly did not sign up).

Councilor Weiser brought up the subject of the Retreat and City Administrator Sanden took a count of who would be in attendance, as far as spouses of Councilmembers. She then discussed agenda items and other people who would be in attendance: Mike Corcoran, Grant Weed (on his own time), Mary Swenson, Carolyn Sanden, a representative from Jones & Stokes, an Economic Development Council rep as a Friday night speaker.

There was discussion about having a facilitator and if needed, who would be a good choice. Discussion about the planning consultants, Planning Commission needing direction, possible budget amendment to have a planning consultant on staff, other agenda items for the Retreat such as City Hall, identification of the City, annexation, review of policies, direction, the new CIO being present at the Retreat (if hired by that time), focusing on things not previously hashed out, Comp Plan to be reviewed, goals and policies from last year to be reviewed, annexation policies.

ADJOURNMENT INTO EXECUTIVE SESSION: 9:50 p.m.

1. Personnel.
2. Pending Litigation.

RECONVENE & ADJOURN: Approximately 10:50 p.m.

Accepted this 8<sup>th</sup> day of April, 1991.

*Lita Matheny*  
 MAYOR

*Phillip E. Dexter*  
 CITY CLERK

*Manda A. Swenson*  
 RECORDING SECRETARY

CORRECTED: SEE 4/8/91 MINUTES