

MARYSVILLE CITY COUNCIL MINUTES

JUNE 1, 1992

7:00 p.m.

Council Chambers

Present: Dave Weiser, MayorCouncilmembers:

Donna Pedersen, Mayor Pro Tem

Dave McGee

John Myers

Ken Baxter

Donna Wright

Mike Leighan

Otto Herman

Administrative Staff:

John Garner, City Administrator

Tim McMahan, City Attorney Pro-Tem

Phil Dexter, Finance Director/City Clerk

Eric Thompson, Associate Planner

Dave Zabell, Public Works Director

Jim Ballew, Parks & Recreation Director

Cindy Lyons, Marysville Public Library

Sue Jensen, Municipal Court Administrator

Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Weiser called the meeting to order at 7:00 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 PREVIOUS MEETING:

Councilor Pedersen noted that in the minutes of the 5/26/92 meeting, on page 3, regarding the 57th St. Committee, the Mayor is actually working on a meeting date, not the committee makeup.

Councilor McGee moved and Councilor Pedersen seconded to approve the minutes as corrected. Passed unanimously.

STAFF BUSINESS:

Finance Director Dexter brought to Council's attention a small packet referred to as the Elway Poll and said they wished response from elected officials as soon as possible; that it is a state-wide survey of elected officials.

City Administrator Garner reminded Council of the following four meetings tomorrow: Solid Waste Committee at 4 p.m. at City Hall, the RUSA Committee meeting at 5 p.m., a public hearing regarding the 88th St. Interchange at MPHS and a DARE graduation tomorrow night.

Parks & Recreation Director Ballew stated they received 6 applications for the position of caretaker and he recommended David Bisby be hired under a contractual arrangement. He explained that Mr. Bisby has served as a temporary caretaker/City employee in the past and a draft contract has been drawn up and approved by Grant Weed already. He explained that the caretaker's rent is reimbursed for services, that there is a 30 day escape clause so that either party can cancel the agreement and the agreement is annual.

Councilor Baxter moved and Councilor McGee seconded to hire David Bisby on a contractual basis as caretaker at Jennings Park, as recommended by staff. Passed unanimously.

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City Parks & Recreation Director Ballew then brought up the Golf Course Restaurant Facility's need for plumbing retrofitting and repairs. He explained that three quotes had been received, with Pyramid Plumbing (Marysville) coming in with the lowest quote of \$1700. He stated the Golf Board has concurred with staff recommendation to have Pyramid Plumbing do the work, which will take about a week to complete. He also noted this work has been budgeted.

Councilor Baxter recommended this work be done as soon as possible for safety and health sake. (Consensus)

MAYOR'S BUSINESS:

Mayor Weiser stated that there will be an Item #3 under New Business - Court Computer and also there will be a short Executive Session on real estate. He then made his presentation for Employee of the Month for May: Charlene Byde. He explained how she has often gone "above and beyond" and is a very resourceful person.

In accepting the award, Charlene thanked the rest of the "team" at City Hall and her family for all their support.

Mayor Weiser then explained at length his position and concerns regarding creating urban growth boundaries, county council directives, concerns/letters from the cities of Monroe and Lynnwood, Snohomish County Tomorrow goals and agendas. He noted that the county is concerned with a loss of revenue by relinquishing areas to the respective cities and through annexations by the various cities. Also there is a fear that the planning process will be interrupted and they cited 52 annexations going on in the county at this time with 10 of these being from Marysville, although some of these are city property and some have already been approved. He said that with regard to interim urban growth boundaries and annexation policies, more meetings will be held at the county level and he also mentioned the meeting regarding the 88th St. Interchange, Marysville's role/participation in the bridge over the Quil Ceda Creek and other issues related to the 88th St. Interchange. He said he feels the Growth Management Act should be looked at as a whole and he said he would like to see some negotiations because he is not sure cities need interim Urban Growth Boundaries, but we do need to meet the final Urban Growth Boundary deadline of July, 1993. He noted that revenue sharing issues have been discussed and still needs to be discussed, along with shared library services, other urban services, cost sharing of 88th St. Interchange on the unfunded portion, EIS on the Interchange, tax issues, GMA mandates, ag land, sensitive areas ordinance, transfer of development rights, population forecasts with growth to be projected for 20 years with urban services to be paid for by the increased population. He stated one of the main purposes he sees of the Urban Growth Boundaries is to somehow decrease traffic flow and there is a need for a larger commercial/industrial base in areas that are not wetlands or sensitive areas, he said. He said he would be happy to talk further with City Councilmembers on an individual basis about these issues.

CALL ON COUNCILMEMBERS:

Councilor Herman stated that with regard to the 88th St. Interchange, there will be a public hearing soon with regard to relocation of the park and ride on 88th St. With regard to traffic problems, the planning consultant in 1989 did a study and Councilor Herman said he would like to see costs checked further in terms of the replacement of the bridge, etc. Public Works Director Zabell said he would check into this and report back.



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Councilor Herman said that with regard to the cutting of trees in the stream area (Brookwood Heights), he was very disappointed in the way this was proceeded with and that he would be outlining his concerns in a letter to the Mayor. He said further that he would like to clarify whether the City is bound to follow any specific procedure or if it is in fact "exempt" from adhering to the rules and regulations of the stream ordinance which others must follow. He suggested the possibility of drafting a resolution which would in fact be a strong enforcement for everyone to adhere to the ordinances, especially the City.

Councilor Baxter pointed out that the Parks Director was following present policy.

Councilor Wright asked about the 94th St. project and Public Works Director explained what was going to be done.

Councilor Wright said she had received 4 complaints by phone and letter regarding KSER on Channel 18.

Councilor Pedersen stated she was also disappointed in the way the Brookwood Heights park situation has been handled and she said she thinks the City ought to set a high standard and "walk the talk". She asked about the clean up and who would get the wood.

Parks & Recreation Director Ballew stated the clean up started Mon. or Tuesday; it would take 45 days maximum. He said they would be meeting with the Dept. of Fisheries for a plan formation and wood under 8" will be given to neighbors.

Councilor Pedersen asked about the 45 day window, noting that the Fourth of July will soon be upon us and that it would be a good idea to have all dry wood removed by then, if there was any way to speed up the process.

Parks & Recreation Director Ballew said that would basically take more money, to get more people working on the clean up project and not to minimize the hazard, but he pointed out there are numerous other areas in the City where there will be a lot of dry wood, also such as Jennings Park. He stated he met with the neighbors for an hour or so and at that meeting, they identified plans for the wood. He said most of the neighborhood has asked for reevaluation of the height of the trees to be replanted and once they have the meeting with the DOF, time lines will be finalized, etc. He also stated the lot has been ordered resurveyed by an independent surveyor because there was a discrepancy on that and in the meantime, the stream bed is being cleaned up slowly but steadily. He added that he could talk to DOF about an acceleration of the time frame.

Councilor Pedersen asked about watering restrictions and Public Works Director Zabell stated the mandatory once-every-three-day restriction went into effect as of today and there have been two City mailings informing the general public of this.

Mayor Weiser pointed out that apparently some people think that with the water coming from Everett, it's not necessary for Marysville to conserve, which is not the case.

Public Works Director Zabell pointed out that Everett was the major player in sending out the mailer for water conservation a week or so ago, they paid for it.

Councilor Baxter said that with regard to the trees, there's real value in what has happened because this will cause the City to take a look at how much of a corridor we can afford. He pointed out that there are liability issues any time you have a strip of trees and he said he hopes there is some value in determination of park size, usable land, fire hazard during the dry time of year, liability during windstorms.

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Councilor Myers said he also has concerns about the Brookwood Hts. situation. He asked about the aid car fees for transporting someone to Arlington and City Administrator Garner said he would look into this for him.

Councilor Pedersen stated she got two positive and one negative calls regarding the radio station (KSER).

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Greg Bean, 7030 67th Pl. NE, addressed Council, stating he lives near the tree cutting. He said he first became aware of it when he saw some trees down and he called the City. He said the City staff was very helpful and basically he said he feels this is a good project, started wrong. He pointed out that new trees should not be planted until fall and he said he doesn't understand why the small trees weren't left in, they would have prevented major impacts to the stream and aesthetics, he said, and apparently the City failed to get a hydraulics permit and unfortunately, this sets a very bad example for private developers. He stated he has seen agencies in the past doing this and it's just not a good example but with the project as planned, it will provide the cooling of the stream and erosion protections with the replanting. He added that he does favor a nature related neighborhood park and is eventually looking forward to enjoying the park when it is completed. He said he feels this is a positive project with hopefully a good long term goal, but he cautioned against projects of this nature being done too fast or too slow. He concluded that he hoped the City and the neighbors can get past the current "hurdles" and get on with the creation of an enjoyable park.

Bob Graef, 7311 69th Av. NE, addressed Council and asked about whose responsibility it is for dredging detention ponds.

Public Works Director Zabell explained that the City would empty them in the dry season.

Mabel Crowley, 7332 73rd St. NE, addressed Council, stating she is still trying to find out what's going to happen to the property at 73rd & Grove. She read a statement and questioned why other corners in the near vicinity are maintained but this corner is just going to get worse and is an eyesore. She also noted that the tall grass could also present a fire hazard in the summer.

Public Works Director Zabell presented some pictures of the Cedarcrest Reservoir and noted that there is some tall grass, but it's not maintained like a park although one of the neighboring developers has put some landscaping in.

Councilor Baxter pointed out that the reservoir was put in back when there were no homes in the vicinity, it does have to be kept fenced and it's one of the types of problems the City got into and another potential insurance liability. He talked about the Washington Insurance Authority and how the City saved many hundreds of thousands of dollars because of our excellent record for no claims, with the City being aware of liability issues such as this and being careful.

Mrs. Crowley said she realizes what is being said but asked about who would take responsibility for the tall grass in the gully in the event there is a fire this summer.

Mayor Weiser stated the City could take another look at it and Public Works Director Zabell said they could try and take the mower in there but this reservoir site is about 7 acres, which is larger than other reservoirs, he noted.

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Rex Walker, 7214 67th Pl. NE, addressed Council, stating he and the neighborhood would like to be kept informed as to what's going on with regard to the park going in, etc.

Mayor Weiser explained that area was dedicated to the City for a nature trail/park and yes, the City can keep the neighbors informed, for example, next Monday, Jim Ballew will report regarding the meeting with the Dept. of Fisheries, he said.

Councilor Pedersen stated that recognizing that this could have been done in a better way, she feels the neighborhood has accepted the process well.

Councilor Leighan said he would like to see the neighborhood included in the planning process and Mayor Weiser said that can be reviewed once the meeting is held with the Dept. of Fisheries.

Councilor Baxter asked about the possibility of utilizing some of the ground around the reservoir for park and incorporating it into the Brookwood Heights park by possibly moving the gate up the road.

Gary Petershagen, 505 Cedar (Belmark Industries), addressed Council and asked about the interim Urban Growth Boundary maps.

Mayor Weiser said the State Growth Management Act goes by natural barriers such as roads and streams but the County generally feels the UGB should follow RUSA and property lines. Mayor Weiser said he suggested roads and streams at the Snohomish County Tomorrow meeting.

Mr. Petershagen asked about a piece of property that they had approached Council about before regarding being included in the Urban Growth Boundary and Mayor Weiser said the request was sent on to the County and that he was given to understand that Marysville's boundaries were scaled down, but he is not sure where or by how much at this point.

Roger Hall, 7301 67th Pl. NE, addressed Council and asked if the neighborhood was going to be able to give their input as far as scope, size, design of the Brookwood Heights Park.

Parks & Recreation Director Ballew said that at the last neighborhood meeting, a site plan was shown and the City is now looking at a reevaluation of the size and scope of the park. He noted they are complying with certain types of playground equipment, also.

Mr. Hall said he was very surprised at how large the park was planned to be originally and would definitely like to see the neighbors be able to have some input about the size and scope of the park.

Councilor Leighan noted this is the first park to be developed within an existing neighborhood and it makes sense to have a round table discussion with the neighborhood.

Mr. Hall said they would be very receptive to that idea/meeting.

REVIEW BIDS:

1. Utility Dept. Vehicle.

Public Works Director Zabell explained that \$13,000 has been budgeted and staff is recommending awarding of the bid to Olympic Ford who was the low bidder at \$13,072.72 including sales tax. The vehicle would meet all specifications, he stated and he ex-

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plained the necessity for a 4x4 pickup--for inspections at locations with poor roadway, for hauling chlorine bottles, etc.

Councilor Baxter moved and Councilor Herman seconded to award the bid to Olympic Ford as recommended by staff in the amount of \$13,072.72. Passed unanimously.

CURRENT BUSINESS:**1. Approval of Junior Golf Pass; Cont. from 5/26/92 City Council Meeting.**

Parks & Recreation Director Ballew stated all the Golf Board members were in favor (Scott Darling was the only one not present at the last Golf Board meeting) and they also received a letter of support from MJHS, he said.

Councilor McGee moved that the increased rates for the junior golf pass go into effect 6/10/92. Councilor Leighan seconded and the motion passed unanimously.

2. Hearing Examiner's Recommendation; Rezone from R-7200 to Community Business; Michael and Sarah Leighan; PA 9202006.

Councilor Leighan stepped down.

Mayor Weiser disclosed he is part owner of property within 300' however Grant Weed had indicated that poses no problem.

Associate Planner Thompson explained that the Hearing Examiner has recommended approval of the request, at 1208 6th St., with 6 conditions; there have been no appeals and staff recommends affirmation of the Hearing Examiner's recommendation, he said.

Councilor Pedersen asked about the Fire Marshal's memo not in the file and Associate Planner Thompson explained that the memo was concerning existing fire hydrants which need a spin on fitting and it was the Fire Marshal's recommendation that the applicant do the upgrading to the fire hydrants.

Public Works Director Zabell said he feels that's something the City should be doing on all existing City fire hydrants.

Councilor Myers asked about the drawing/fencing/parking and Associate Planner Thompson explained that is access.

After brief discussion, Councilor Myers moved that the Hearing Examiner's recommendation for approval be affirmed with the exception of the fire hydrant fittings. Councilor Pedersen seconded.

Sarah Leighan, 7722 77th Av. NE, addressed Council and stated the Fire Marshal actually said the City would do it but at the applicant's cost, which was estimated at under \$100 per fire hydrant, she said.

Councilor Pedersen asked if this modification would require another public hearing and City Attorney Pro Tem McMahan stated because this is a fairly minor modification, there would be no problem.

It was noted that reference to the fire hydrants was under the Hearing Examiner's condition #5. The motion passed unanimously.

It was the consensus that a memo would be sent to the Fire District regarding upgrading of City fire hydrants and the responsibility of the City to do this.

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3. Library Bond Issue.

Cindy Lyons addressed Council and passed out an information sheet explaining that they wish to put the library bond issue on the ballot again, that it only failed by two votes last November. She noted that the voters have approved an annexation into the Sno-Isle Regional Library District which approves funding of \$372,000 per year but at this rate, it will take 10 years to save for a new library building and that is why a bond issue is needed at this time, she explained. As far as how the money will be repaid, she said they are going to be having some brainstorming meetings and are certainly open to suggestions, endorsements, etc.

Councilor Pedersen talked about the proposition being reworded to emphasize "Without imposing any additional tax" and asked if that wording can be put at the beginning, legally or whether there are any disadvantages not obvious at this time.

Ms. Lyons stated one of the disadvantages may be a very large turnout in November because of the Presidential election and it's possible the library bond issue may get lost in the vote.

Councilor Pedersen asked if there are any legal obligations in the wording of a proposition and City Attorney Pro Tem McMahan said he presumed there are and he would have to check on that further.

Ms. Lyons stated this is the first time that there has been a bond issue that hasn't involved an additional tax so there's no precedent.

Councilor Pedersen stated she would support putting the emphasis on "no new tax".

Mayor Weiser explained that publicly, the City can't ask people to vote "yes" but the City can ask them to vote.

Councilor McGee moved and Councilor Pedersen seconded to support the bond issue being put on the 9/15/92 ballot, with a resolution to be adopted. Passed unanimously.

NEW BUSINESS:

1. Utility Variance; Duaine and JoAnn Holcomb; UV 92-03.

Public Works Director Zabell referred to the agenda bill and said basically the staff's recommendation is for denial.

Mayor Weiser asked about the route of the sewer line and Public Works Director Zabell did not know, stating it may be irregular because possibly they could not get an easement originally.

JoAnn Holcomb of Snohomish addressed Council, stating she has owned the home at 8403 55th Ave. NE since 1977 and when Mr. Mulligan built the Wicklow Apartments, they hooked up to the sewer illegally and had to pay a hookup fee. The Holcomb septic system was damaged when they dug for utilities, she stated and she added she has tried to keep the system intact but it's becoming saturated and with no real room to put in another septic system or expand. She said she wants to continue owning the home, it has Marysville water, it's one block out of City limits.

Councilor Herman asked what would happen if the sewer line is eventually extended across her property and Public Works Director Zabell said he would assume a ULID would have to be formed.

CORRECTED: SEE 6/8/92 MINUTES

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Councilor Wright noted there could very well be a health hazard with this situation soon.

Councilor Myers asked about approval with a condition that she would have to participate in any LID, pay hookup fees, etc.

Public Works Director Zabell said the frontage fees would run about \$20 per foot times 75' of frontage and there was discussion about frontage fees.

Mrs. Holcomb said she is willing to pay the fees, however, her need is now.

Councilor Baxter pointed out that this area really needs to be annexed into the City and there would be no question, if that were the case, that Marysville would allow her to hook up to the sewer.

Councilor Myers moved to grant the variance with the stipulation that when the sewer main comes in, she must pay frontage fees with the City Attorney drawing up a document reflecting this. Also, the approval would be on the condition that she sign a no protest agreement. Councilor Baxter seconded.

After brief discussion, Councilor Myers amended his motion so that if any party puts a sewer line across the property they would pay a portion of it, as per Dave Zabell 5/19/92 memo). Motion seconded and passed unanimously.

2. Utility Variance; Monica and Wilbur Baker; UV 92-04.

Public Works Director Zabell stated this is in an area located outside the City of Marysville CWSP boundary, however, the applicant has obtained written permission from the City of Arlington to allow the City of Marysville to service this project. He referred to a memo in the packets and noted that the City does own and operate an 8" diameter water line along Smokey Pt. Blvd. and a connection of the four proposed lots could be accommodated. He noted that she previously received a variance for one connection and is now requesting 5 connections to make it more cost effective.

Councilor Herman asked about the property across the street and Public Works Director Zabell stated it is Poeschel & Schultz' preliminary plat/Longhorn Estates which will be served by City of Marysville water.

Monica Baker, 3423 188th St., Arlington, addressed Council and stated one of the connections would be for a duplex and they have just received a letter from the county and they have tested the well and it's not drinkable. She explained that two connections are required for a duplex.

There was discussion concerning the actual location, how many connections would be required, findings of fact, criteria, etc.

Councilor Herman referring to finding #1: "That there are exceptional or extraordinary circumstances....." and Councilor Wright pointed out there are no wells in the immediate vicinity.

Mrs. Baker stated that everybody in the area practically is on Marysville water because with the shallow wells and the Longhorn Tavern close by, they contribute a lot of sewage and that's a real concern and problem for people.

There was discussion about the four criteria (findings) and City Attorney Pro Tem McMahan stated these four criteria are applicable

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to land use and the main thing to consider would be whether there would be a hardship condition not of her doing and is this something she can live with.

Councilor Herman said it's not clear to him whether the other properties are relevant and City Attorney Pro Tem McMahan said they wouldn't be.

Councilor Baxter said he doesn't like the vagueness of how many hookups are being requested and Mrs. Baker explained they received a variance in 1989 but they stayed on the well.

Public Works Director Zabell pointed out that that variance was only good for 6 months.

Mrs. Baker explained she is trying to split the total of \$6,000 over 5 connections. She said she is confident this is a good location for a duplex--12,500 lot, close to senior citizens center, transit.

There was discussion about how many hookups, future subdivision, extensions on variances, granting of a variance for one hookup per residential unit up to a maximum of 5.

Councilor Pedersen moved to grant the utility variance for water hookups without sewer to include one hookup per unit developed, up to a maximum of 5 hookups, with the following findings of fact:

1. That there are exceptional or extraordinary circumstances or conditions applying to the subject property or as to the intended use thereof that do not apply generally to other properties in the same vicinity.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same vicinity.
3. That the authorization of the variance will not be materially detrimental to the public interest, welfare or the environment.
4. That the granting of the variance will not be inconsistent with the long range plans of the City utility system, or jeopardize utility availability for properties within the City limits.

Councilor Wright seconded the motion and it passed 6-1, with Councilor Leighan in opposition.

3. Court Computer System.

City Administrator Garner gave a little history, explaining the system was budgeted for \$46,000 and at that time, the State was developing a computer system which would probably be offered to Marysville in the year 2000, but last month, the City got word from the State that we would have to get the hardware for the State system by October, if we still wanted to go with that system. He noted that this would entail training, conversion, etc. in order to have the system all set up and on line by 1/4/93 and what has happened is the State system actually has some glitches in it and the City would rather wait until these get ironed out, however, according to Olympia, there is no guarantee there will be any money available for funding the State system, say in two years, so we have a situation where the system is costing \$6500 per year to maintain and if we go to the State system, we will save the \$6500 per year but in order to get ready for the new system, there will be more staff needed, overtime, and a lot of problems between now

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and January, he said. He stated a decision has to be made for which system we want to go with. He explained the current one was developed by the south county court system and there's a letter in the packets regarding the advantages to the CITE system. He said he also has a report from the State auditor which is very critical of the DISCIS system, but the Judge says those problems have been taken care of. He said the decision would be between the State system or stay with our system which is working quite well.

Sue Jensen, Court Administrator, addressed Council and introduced Craig Hughes of Data West. He stated he is the Vice President of Data West and has no monetary interest in the City staying with the present system or going to the new, although he noted Sue Jensen supports the current system. He presented a handout and explained there are 3 DISCIS advantages, as per the State:

1. Cost free.
2. Information sharing.
3. Ability to link with Dept. of Licensing.

As far as #1 goes, to go with the State system, he pointed out that there would be conversion costs and they figure approx. 50 person days, plus training. As far as sharing information ability, he pointed out that it is policy only that there's no interface between systems but he knows the technology is there and there may possibly be a change in policy soon with regard to this. With regard to #3, both systems have the capability of linking with the Dept. of Licensing, he said.

He pointed out that the present CITE system is working flawlessly with 100% uptime vs. DISCIS' frequent down time and response time is very slow during the day with DISCIS, resulting in additional clerk time at night. The present system is able to keep up with court proceedings, he pointed out and further, there was state auditor participation throughout the investigation, so they were very well aware of the advantages and disadvantages of both systems. He noted that Mount Vernon is very happy with their CITE system.

Councilor Pedersen asked about the possibility of downloading data from the CITE system to the DISCIS system and Mr. Hughes said the lack of budget is the major hurdle there.

Councilor Herman asked about the advantage of DISCIS being a central data base and Mr. Hughes explained the technology of interface does exist but software needs to be developed and DISCIS will not provide the data field information to make that feasible.

Councilor Herman asked about capability and time frame and Mr. Hughes said DISCIS is saying it probably won't be this year but maybe next year they can provide the data fields. There are 14 courts currently where the cost can be spread out, he explained and Data West can probably do it for a few thousand dollars for 14 courts, he said.

Councilor Herman asked about the time frame and City Administrator Garner said a decision needs to be made tonight.

Mayor Weiser asked how much it would cost to switch systems if the City were to buy the DISCIS system and Mr. Hughes said he thinks the present hardware could be used and is in fact, more powerful than is needed, so you could sell it and easily pay for the new system, he said. Selling the used CITE system, it would keep its value fairly well, he said and he reiterated the auditor's concern about the DISCIS system.

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There was discussion about costs of interfacing, whether the Council could expect a presentation from DISCIS.

Councilor Pedersen moved to keep the present computer system and ask that the City of Marysville be taken off the DISCIS waiting list. Councilor Leighan seconded the motion.

Councilor Herman stated he would like some costs and more time to make these major decisions in future. Councilor Pedersen pointed out that the Council can still be open to listening to any future presentation from DISCIS.

The motion passed unanimously.

BREAK: 9:45 to 9:55 p.m.

ORDINANCES & RESOLUTIONS:

1. **An Ordinance Rezoning Property Owned by Thomas and Norma Ling, Amending the Official Zoning Map Previously Adopted in Ordinance No. 772, and Approving the Preliminary Plat and Preliminary Site Plan for the Subdivision of Serenity Park.**

Councilor Herman moved and Councilor Wright seconded to approve/adopt Ordinance 1892. Passed 6-0. (Councilor Baxter not present)

2. **An Ordinance Affirming the Decision of the Hearing Examiner and Rezoning Property Owned by Gary and Jan Carter, Amending the Official Zoning Map Previously Adopted in Ordinance No. 772, and Approving a Side Yard Setback Variance.**

Councilor Wright moved and Councilor McGee seconded to approve/adopt Ordinance 1893. Passed 6-0. (Councilor Baxter not present)

3. **A Resolution Supporting an Effort to Encourage the Sno-Isle Regional Library Board to Provide Financial Assistance to Cities and Towns for the Construction of Public Libraries.**

Councilor Myers moved and Councilor Leighan seconded to approve/adopt Resolution #1549. Passed 6-0. (Councilor Baxter not present)

4. **A Resolution Opposing the Siting of a Regional Airport within Snohomish County at Paine Field Airport.**

(Councilor Baxter returned at 9:57 p.m.)

Councilor Wright expressed concerns regarding financial contributions, Paine Field being an integral part of the community and the fact that Council has only really heard Arlington's side of the story.

Mayor Weiser said that with respect to financial contributions, SOC does not plan on asking the cities for monetary support as they fully expect the first legal proceeding will be only \$50,000 out of \$250,000 they have raised.

Councilor Herman stated he has talked with a number of people about this issue and there was a concern about a transit organization using Paine Field as a viable trade off. He said he thinks land uses should be based on criteria other than public opinion as there are some significant arguments on both sides.

There was more discussion about Paine Field being removed from the resolution adopted a couple weeks ago, discussion about flight

plans, impacts that have not been addressed, noise impacts, some questions that need to be asked, flight path changes.

Councilor Myers moved to adopt Resolution #1550 without change. Councilor Baxter seconded and the motion passed 6-1 with Councilor Wright opposed.

5. A Resolution Amending Resolution No. 1528 and Adopting Fees for a Junior Golf Pass for Cedarcrest Municipal Golf Course.

Councilor McGee moved and Councilor Myers seconded to adopt/ approve Resolution #1551. Passed unanimously.

6. & 7. Resolution Stating the City's Intention to Annex Certain Unincorporated Areas into the City Known as the Robert Aldridge, Charles Fay and Glen Light Property and the Robert Aldridge Property and Transmitting these Matters to the Snohomish County Boundary Review Board for Approval.

Associate Planner Thompson said that under Section 3 of the Resolution, it should probably be clarified with regard to Comp Plan designation and zoning in terms of the different zoning designations within the annexations. He stated one of the annexations is all 7200 but there are three designations in the other one: 7200, 9600 and community business.

City Attorney Pro Tem McMahan stated that when this is annexed, it would be appropriate to be designated at that time, which is the usual process.

There was discussion about Mr. Aldridge's specific wish to retain the community business, future development/zoning, original application for annexation designation, it would come into the City with existing zoning, this merely being a resolution to initiate BRB approval and after the BRB hearing, another ordinance will be brought before City Council.

Councilor Pedersen pointed out this is to come in at current designations and City Attorney Pro Tem McMahan agreed, stating it would not change unless the City chooses to change it.

Associate Planner Thompson explained the intent was to have it specifically stated so it is established when it is finally approved.

City Attorney Pro Tem McMahan said that is normally done at a later time and with the language as it is, it will come in at the county zoning but it can be changed from this boiler plate language, if the Council wishes, at this time.

There was further discussion about past actions where a different kind of building has been put in from what was designated, possible postponement.

Councilor Myers moved to postpone the adoption of these two resolutions to next week to clarify item #3. Councilor Leighan seconded and the motion passed unanimously.

LEGAL MATTERS:

1. Recovery Contract - James C. Klein.

Public Works Director Zabell noted this is for an 8" water line.

Councilor Wright moved and Councilor McGee seconded to approve/
adopt Recovery Contract #161. Passed unanimously.

2. Recovery Contract - Esther Zelmer.

Public Works Director Zabell said this is for a 50% sewer line
recovery but it was brought to his attention that side sewers had
not been included in the calculation so he said he would have to
redo it and bring it back next week.

3. Recovery Contract - Harvey R. Jubie.

Councilor Leighan moved and Councilor Myers seconded to approve/
adopt Recovery Contract #162. Passed unanimously.

CORRECTED: SEE
5/8/92
MINUTES

ADJOURNED INTO EXECUTIVE SESSION: 10:25 p.m.

1. Real Estate.

RECONVENED AND ADJOURNED: Approx. 11:00 p.m.

Accepted this 8th day of June, 1992.

David Weiser

MAYOR

Phillip E. Dexter

CITY CLERK

Manda K. Iverson

RECORDING SECRETARY