

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING JUNE 14, 1993
CALL TO ORDER: 7:00 p.m.
ROLL CALL: All Present
MINUTES OF PREVIOUS MEETING: 6/7/93 Approved
AUDIENCE PARTICIPATION: Rex Walker

~~00105~~ JJ

00108

STAFF'S BUSINESS:
MAYOR'S BUSINESS:

CORRECTED: SEE 6/28/93
MINUTESCALL ON COUNCILMEMBERS:PRESENTATION:

- To Caldie Rogers City Motto Winner

PETITIONS & COMMUNICATIONS:PUBLIC HEARINGS:

- Perkins/Armstrong Variance; PA 9303006 - Variance Denied
(Hrg. Exam. recommendation/decision affirmed)

REVIEW BIDS: None

CURRENT BUSINESS:

- Update from Chamber re Brochure Approval of addl. \$5,280
- Jess Darling 60% Annexation Pet. Public Hrg. set 7/12/93
- Sno. Co. Waste Reduction Mayor auth. to sign
Recycling Grant Cycle 3 Scope of Work

NEW BUSINESS:

- Amendment Request to Sign Code - Polygon - Approved
- Petition for St. Vacation - Olson - P.H. set for 7/26/93
- Purchase of Computers & Related Equip. for RMS Approved - up to \$5,000
- Havenwood Care Center Revised CUP - Approved (see below for Resolution No.)
- Centex Homes Sign Variance Denied

CONSENT AGENDA:

- Sno. Regional Narcotics Task Force Interlocal Agreement Approved
- May 1993 Payroll - \$460,894.82 Approved
- 6/14/93 Claims - \$992,161.07 Approved
- Fireworks Stand Permits (5) Approved

ORDINANCES & RESOLUTIONS:

- Ord. Amending Petty Cash Fund Ord. 1951 Approved
- Res. re notice of intent to Annex O'Brien Prop. & send to BRB Res. 1628-A Approved
- Res. granting CUP for Havenwood Res. 1629 Approved

LEGAL MATTERS:

- Deed of Right to Use Land for Public Recreation Purposes Mayor auth. to sign

ADJOURNMENT INTO EXECUTIVE SESSION: 10:30 p.m.

- Litigation

RECONVENED AND ADJOURNED: 11:01 p.m.

MARYSVILLE CITY COUNCIL MINUTES

00109

JUNE 14, 1993

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
Donna Pedersen, Mayor Pro Tem
Dave McGee
John Myers
Ken Baxter
Donna Wright
Mike Leighan
Otto Herman

Administrative Staff:
Grant Weed, City Attorney
Dave Zabell, City Administrator
Janet Berg, Asst. Finance Director
Ken Winckler, Public Works Director
Gloria Hirashima, City Planner
Sue Jensen, Court Administrator
Heather Earnheart, Recycling Coordinator
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:

Asst. Finance Director Berg called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilor Wright noted on page 2 of the 6/7/93 minutes, in the to last paragraph, Councilor Wright's concern was with a single family residence, not a business on Cedar.

Councilor Pedersen noted on page 12 that it should be clarified with regard to the City Motto, she had been concerned that the vote should have been put before the public.

Councilor Herman said also on page 12, he would like to see added in the second*paragraph under the City Motto item, the words "the possible need to have an open meeting" after the words "with regard to". Also, on page 4 in the fourth paragraph from the bottom, City Attorney Weed stated there is no requirement to send out notices to adjacent property owners. On page 5, first paragraph, he asked that "along 528" be deleted as the four signs were put up in different locations, not all along 528. On page 11, second paragraph, he clarified that he asked if this extension was limited to one year and Councilor Baxter answered no.

CORRECTED: SEE #28/93
MINUTES

There being no further corrections, Councilor McGee moved and Councilor Pedersen seconded to approve the minutes of the June 7, 1993 Council Meeting as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Rex Walker, 1714 67th Pl. NE, addressed the Council with regard to a variance coming before Council soon. He stated it was heard before the hearing examiner and held open administratively and he would like to bring some things to the Council's attention with regard to the situation.

City Attorney Weed stated that because this will be coming before Council from the Hearing Examiner, any input should be held until then as arguments tonight might prejudice the case with the Council.

Mayor Weiser explained that when it's brought before Council, the decision is made at that time whether or not to have another public hearing.

City Planner Hirashima stated Mr. Walker is welcome to come into the Public Works Dept. and give his input before the memo from the Public Works Dept. goes to the hearing examiner.

STAFF BUSINESS:

City Administrator Zabell reported on the petting zoo, stating the framing is up and the siding will be done by the end of the week. He commented on a letter from DOT regarding TIP 3 of which he had handed out copies, stating they are no longer asking for collection of mitigation fees for this project and anything that has been collected inadvertently will have to be returned. He reported that he attended an ag land public hearing today and he related at that meeting that Marysville City Council supported Option D in 2/93 however other information has come to light since then, it was noted, in addition to our WWTF and RUSA changes.

City Planner Hirashima reminded everyone of the upcoming Growth Management Coordinating Committee meeting next Mon. at 7 PM in the Log Cabin Room at the Marysville Public Library.

Public Works Director Winckler reported the TIA Board has granted Snohomish Co. \$417,910 in total funding for the 528 project between 63rd & 67th. This was one of the grant applications submitted several months ago. He also reported the 83rd transmission project is well under way and scheduled to be completed by mid July.

Mayor Weiser asked about closing of State tomorrow and Public Works Director Winckler stated there are signs up to that effect however the City was no contacted by DOT about this, so he doesn't know what it is about.

MAYOR'S BUSINESS:

Mayor Weiser stated he had received a thank you card from Police Reserve Officer Deb Soren and he passed the card around for everyone to see.

CALL ON COUNCILMEMBERS:

Councilor McGee reminded everyone of the upcoming Library Board Public Hearing Wednesday night, with the RAP lyrics book issue on the agenda. He asked about the status of the Liberty & Grove sidewalk project and Mayor Weiser stated the City is in contact with the property owner regarding this.

Councilor Baxter commented on the traffic situation at 4th & Columbia during the busy part of the day and how congested and possibly dangerous it becomes because there is no continuation of the lane going east (on the right), people are supposed to turn right but don't, they merge into the center lane. He said he would be interested in knowing the number of accidents that occur at this corner and noted it's definitely got the potential for accidents there.

Mayor Weiser said he would follow up on this.

City Administrator Zabell remarked that the next block would lack a better opportunity for people to merge.

Councilor Wright commented that the congestion at 4th & State has cleared since making the changes, including creating the problem at 4th & Columbia.

Mayor Weiser admitted it can be a little dangerous and City Administrator Zabell stated there are a couple of things the City needs to follow up with DOT on that whole project.

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Councilor Baxter asked about a possible accident that occurred at 4th & Delta but nobody seemed to know anything about it.

Councilor Pedersen followed up on the Adopt-A-Street Program and Public Works Director Winckler said he would get back to her.

Councilor Wright asked about the "rusty" finish on the bridge in the nature park and City Administrator Zabell said he was concerned about that also and would follow up for her.

Councilor Leighan reported on some grass clippings in a fish ladder and City Planner Hirashima said she would follow up on this. She also commented on a Quil Ceda/Allen Creek watershed meeting and a Snohomish County tour of various areas including Northpointe where it was noted a lot of improvements had been made to prevent erosion, pollution of the watersheds, etc.

Councilor Herman reported on the annual Stillaguamish Sr. Center meeting where he presented them with the City's \$3,000 check for their Elderscreen program. The grant was received very enthusiastically, he noted. He also reported that a couple weeks ago a citizen had some confusion about their property and options and he referred them to the Planning Dept. He subsequently heard back from this person that the Planning Dept. had been able to help out and provide the information sought in a very timely and helpful manner. He also reported that the county is working on a noise ordinance and he said he would be interested in seeing what they develop, to possibly have Marysville model.

Councilor Myers asked about the Code Enforcement Officer position and Mayor Weiser stated 61 applications had been received.

City Planner Hirashima stated they will be interviewing next week.

PRESENTATION:

1. Presentation to City Motto Winner.

Mayor Weiser presented Caldie Rogers with a plaque and a check for \$100 for submitting the winning entry: "Marysville: Where Quality of Life is Our Way of Life". Ms. Rogers signed the check back over to the City, to be used toward the Petting Zoo.

PUBLIC HEARINGS:

1. Perkins/Armstrong Variance; PA 9303006.

City Attorney Weed swore in those wishing to give testimony in this case.

City Planner Hirashima reviewed the agenda bill, noting this is a variance of the rear yard setback from 20' to 10'. She stated the Hearing Examiner is recommending denial and one letter has been received from the owner of Lot 43 asking the City to affirm the Hearing Examiner's recommendation to deny the variance, because of the privacy issue. (See letter from Donald Jones, 5806 74th Dr. NE, Marysville, WA 98270.)

Councilor McGee asked where Lot 43 is in relation to the subject property and City Planner Hirashima stated it is south of this proposal.

City Attorney Weed noted the letter from the adjacent property owner should be made part of the public record.

City Planner Hirashima also noted the owner of Lot 41 stated they would not be opposed to the larger deck. She noted there are 2 vacant lots and she read the four criteria. She stated no special

circumstances were found to exist, but the applicant feels his property has a view which could be best taken advantage of with the 320 sq.ft. deck; he would be allowed to build a deck about half that size without a variance, she noted. She added the applicant has installed a patio door which is boarded off pending tonight's decision.

Brian Perkins, 5810 74th Dr. NE, the applicant, addressed Council. He stated City Planner Hirashima covered a lot of this, however, they would like the variance, based on several things: One of the criteria is no special privileges being granted, no unusual circumstances but his contention is that their lot, as well as the lots on either side of them do have special circumstances--the slope and topography is different from a lot of other lots in the subdivision, he said and they have a view of the Olympics, the reservation and park. He noted the builder said they could only put one floor plan on this lot, so they had no choice, but they do have a daylight basement with no choice as to model of the home, which they were told was as a result of dictates of the City, he said, the size of the footprint, for example. He added they feel the best use and return on their investment would be the larger deck and they don't feel it would be granting of special privilege and because many of the homes in that PRD are in relatively close proximity, with a smaller deck they would actually be forced to look directly down on their neighbors, whereas the larger deck would go beyond that as well as the fact that they will be putting up a privacy rail around the deck, he contended. He noted he is very sensitive to the privacy issue and sees a lot of homes that look into others' yards and rear living space. Lots 47 & 48 are so much lower that the larger deck would be well above seeing into their rear yard and he said he thinks they (the applicant) are rather restricted with what they can do with their rear yard. He said they feel the larger deck would be the most appropriate use. He added he understands the builder was forced to build smaller floor plans which they went along with because of the deck they could put in with a view of the water, mountains, etc. He concluded they like the location in Marysville, with the small town feel.

Councilor Pedersen said she is assuming the deck is on the northwest part of the lot and Mr. Perkins stated it's actually on the southwest corner.

Councilor Pedersen asked if the other decks in the subdivision were already installed and Mr. Perkins said yes.

Councilor Wright asked if it would be placed closest to Lot 43 and Mr. Perkins said yes, but they have had comments already that their house looks like an apartment and to break up the "blockiness" it needs a larger deck and a feature of interest, he said.

As no one else wished to speak on this matter, the hearing was closed at 7:47 p.m., with the letter from Mr. Jones being made part of the record.

Councilor Herman referred to the criteria with regard to special circumstances existing and special privileges being granted as well as not being detrimental to others in the vicinity. He asked what constitutes granting a special privilege.

City Attorney Weed explained it's looking at other limitations, which other neighbors would be subject to also. Regarding being detrimental to others, you have some vacant lots and it's difficult to foresee whether there will be any problem in the future with respect to this applicant's deck, he said.

Councilor Pedersen asked if this variance is granted, if future owners/builder could have recourse in the event the lots can't be sold as a result of perhaps their view being obstructed by this deck.

CURRENT BUSINESS:**1. Update from Chamber of Commerce Brochure "Marysville Beckons";
Caldie Rogers.**

Marysville Chamber Executive Director Rogers stated that last week they received county funds and the City of Marysville support helped with that. She showed a front and back page prototype of "Marysville Beckons", noting the Economic Development Council will be donating work in kind in addition to the county's commitment of \$2,500. She said the publication will be similar to a book bind, the finished product being approx. 3/16" thick.

Councilor Herman asked about the overall cost of the project and Ms. Rogers said the planned run of 5,000 pieces will cost \$14,500 and the county, through hotel/motel funds will be granting \$2,500 leaving a balance of \$12,500 and the City of Marysville has committed \$5,000, so that leaves a need of \$6,500 right now.

Councilor Herman asked about what revenue would be brought in through the advertisement and Ms. Rogers noted the Chamber map brochure raised \$18,000 and they feel they could get \$1200 for a full page ad. She said they feel they can turn this into a marketing tool for the community and it will be distributed through visitor information centers, real estate firms, etc.

Councilor Pedersen asked if it will include demographics so a business wanting to locate here would have that information and Ms. Rogers said yes.

Mayor Weiser asked about the distribution of 10,000 vs. 5,000 and Ms. Rogers stated they want to make this a timely publication, i.e. with more than 5,000 they don't feel they can get it out before they would have to turn right around and work on the next publication. She added, however, she believed an additional 5,000 pieces would run about \$4,000 more. As far as a time line, over the next 8 weeks they will be selling ads and hope to have the publication on the streets by October, she said. She said they don't feel 10,000 is prudent with the time constraints they have at this time.

Councilor Wright asked for more information regarding the hotel/motel tax revenue and City Administrator Zabell said he believes Jim Ballew was using those funds for the Petting Zoo and the Chamber brochure was to come out of unbudgeted revenue. He referred to a memo in the packets regarding unbudgeted revenue.

Councilor Pedersen stated she would personally like to see more money in the Human Services fund and discussion followed about unbudgeted funds, ads to help considerably with the funding of the chamber brochure, this brochure accomplishing Council workshop goals.

Councilor Pedersen then moved to grant an additional \$5,280 to the Chamber out of unbudgeted revenue. Councilor Wright seconded.

Councilor Baxter said he would still like to know what the advertising revenue will be.

Ms. Rogers stated they just don't know at this point, considering their history of a few years ago.

Councilor Baxter insisted there should be some kind of a ballpark figure of how much this can bring in. He said to him that's a very poor business decision, to go ahead with a large expense, not knowing how much income will be coming in to offset it.

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Ms. Rogers explained they have about 900 names and addresses on the computer to work from but there are a lot of banks, etc. still to be added to the data, for example. She added that with a successful brochure it may have to go to a larger publication and they expect to make a profit but they can't figure on how much.

Councilor Pedersen asked what size of ad Councilor Baxter would normally buy and Councilor Baxter explained this brochure is a little different size to work with and he is not hearing any specifics.

Ms. Rogers said they would put the dimensions on the contract and how that relates to a full page, when they go around selling the actual ads.

Councilor Myers suggested it might be \$250 for a business card size ad and Councilor Baxter commented that that's not a good deal and he said he thinks that's going to be a problem for the Chamber.

Mayor Weiser said he knows the Chamber has been going through some economic problems and this project will go a long ways toward improving the Chamber and making them a strong chamber again.

Councilor Herman noted it's certainly desirable to have a strong chamber in Marysville but the City may not be able to give them the support in years to come and he asked how the Chamber would carry this on and make it an ongoing publication.

Ms. Rogers said she feels confident when it comes out the first year, it will give the Chamber credibility and with a top quality product such as this, it will sell itself year after year.

Councilor Baxter noted that for \$250 a person can buy an ad 3 to 4 times the size of a business card for a distribution of 40,000 (in the Globe).

Councilor Pedersen asked how many businesses are members of the Chamber and Ms. Rogers stated 250. She added that with reference to the ad in a newspaper, a newspaper is thrown away, compared to the Chamber's brochure having a shelf life of a year.

The motion passed unanimously.

2. Jess Darling 60% Annexation Petition; PA 9304012.

City Planner Hirashima reviewed the agenda bill, noting the petition actually represents 100% of the assessed valuation, staff recommends a public hearing be set for 7/12/93 with approval of annexation being subject to adoption of the City's bonded indebtedness and comp plan designation of Suburban 1-4 du/ac. She added that this was the annexation where Council had asked if the applicant would like to expand the annexation area.

Councilor Wright said she understands the majority of the neighbors apparently did not want to be included in the annexation area.

Councilor Herman said although the expanded annexation would have been preferred as far as squaring off boundaries, this does represent a reasonably regular boundary and it does have the support of the property owners. He then moved to set a public hearing for 7/12/93. Councilor Baxter seconded the motion and it passed unanimously.

3. Snohomish County Waste Reduction Recycling Grant Cycle 3 Scope of Work.

Heather Earnheart, Recycling Coordinator, reviewed the agenda bill

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and all the information in the packets. She noted that prevention/reduction of production as well as buying back recycled products are programs that are being given heavy emphasis. She stated the Cycle 3 Scope of Work has no effect on the City budget.

Councilor Pedersen referred to the graph on page 3 in the packets and asked about the garbage and recycling lines "meeting".

Recycling Coordinator Earnheart discussed projections, stating recycling is currently at 62% for multifamily complexes with a goal to make this 100% mandatory.

Councilor Wright asked about the Drop & Swap projects planned and Recycling Coordinator Earnheart said Marysville is working on something like that in the future in cooperation with the county: toys, paint, games, plastic nursery pots.

Councilor Herman said he finds it interesting there is still no way to viably recycle batteries.

Councilor Pedersen moved to approve the Cycle 3 scope of work, authorizing the Mayor to sign the amended interlocal agreement with the county. Councilor McGee seconded the motion.

Councilor Baxter asked about commercial recycling and Recycling Coordinator Earnheart said a program of going door to door to businesses will have to be implemented in order to introduce them to the recycling program. Usually it's to the benefit of the business to recycle, she said and it would include basically the same services offered in curbside recycling: cardboard, glass, cans, mixed paper and newspaper.

Councilor Myers said he would like to see a cardboard container provided for businesses and Recycling Coordinator Earnheart suggested a one yard container for cardboard.

The motion passed unanimously.

NEW BUSINESS:**1. Amendment Request to Sign Code Chapter 16.16 MMC; Polygon.**

City Planner Hirashima reviewed the agenda bill and gave some background about the requests, noting there is no provision for fixed directional signs in the sign code. She stated the builders felt it was unfortunate and have submitted a proposal; staff is recommending they be allowed to put up permanent directional signs, with some restrictions so there is not a proliferation of signs, for example, along State. Polygon language has been reviewed and the City Attorney has drafted wording for subdivision directional signs under the sign code, she said, which must be:

1. Outside public right of way
2. Spacing distance between signs, for example 3/4 to 1 mile apart or at specific intersections such as SR 528 & 47th, SR 528 & 67th, Grove & 67th, SR 528 & 83rd.

She added that the intent is for the signs to be directional only and not used as advertising.

Councilor Leighan asked about spacing and City Planner Hirashima explained it would be a single sign which would provide for 8-10 subdivisions.

Councilor Pedersen asked about the size of the signs that were not acceptable and she noted 4x8 is the same as the size of a plywood sheet. She asked about who would be paying for the signs.

City Planner Hirashima stated all the participating subdivisions would contribute.

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Councilor Pedersen said she would have some concern about aesthetics on 528 as well as height restriction concerns; she would prefer a monument sign, she said.

Councilor Myers asked about the maintenance of the signs and City Planner Hirashima said staff is recommending a one year permit, for example, with the sign being removed if no longer applicable. Also, if the property where the sign is located has changed ownership, this would be a way to get rid of the sign, she said.

Gary Young of Polygon Northwest addressed Council. He stated this is a program involving a number of builders. The dilemma is that home purchasers are coming to Marysville as a result of ads where thousands of dollars are being spent and people are having difficulty finding the different projects, he said. He explained they would like to make an effort to address the concerns of aesthetics with the directional signs: it would be very high quality, controlled, on leased property, signs to identify all projects in the area (30 or more homes each). He noted there are a number of projects on the east side and if the builders can't sell these homes this is going to create problems for the City; if people are buying, it's a lot better situation for the City as well as in the best interest of the developer, he said. He stated they support the one year permitting process suggested by the City, who would be totally in control of the requirements. He reviewed a hand out letter and colored copy of a sign depicting Northpointe, Uplands, Brighton Park, Eastwood Hills, The Foothills on a 4x8 blue and white monument style sign. He stated this is a wood post structure with the appearance of a monument sign.

Mayor Weiser explained the number of signs that have been put up at 528 & 67th, that there is a safety issue as well as an aesthetics issue, not to mention they are in violation of the sign code.

Mr. Young proposed to have one sign at 528 & 67th and one at 528 & 47th.

Councilor Myers noted there are still going to be a lot of real estate "A" boards for open houses, too.

Mr. Young agreed, but stated the real estate boards are mainly on weekends and taken in every night.

Councilor Baxter noted this tends to discriminate against someone who has built only one house and Mr. Young said they are mainly giving direction to a whole neighborhood, rather than featuring a particular builder.

Councilor Baxter noted that Brashler Industrial Park at 47th & 4th would fall into this category and perhaps should have a directional sign, too. He added he thinks everyone should be allowed to have an off premise directional sign if this is allowed.

Mr. Young argued this is a little different from the business community--it's just for neighborhoods, not businesses.

Councilor Wright said she felt Polygon is to be commended on the cooperation of the participants.

Mr. Young, in response to a query about a neighborhood being right on the border of 30 lots, said they can pretty well tell which neighborhoods are going to have 30 or more lots.

Councilor Pedersen admitted the pictured sign is nicer than she had envisioned.

Mayor Weiser commented that it might have to be opened up to any subdivision, not just those with 30 or more lots/homes in it.

Councilor Baxter suggested that a builder should not be any different from any other business trying to survive and Mayor Weiser said he agrees; we can't discriminate against a subdivision with less than 30 lots.

Councilor Herman stated that in addition to Councilor Baxter's point, he would like to make a few other points:

- a draft ordinance should be restrictive as to the name of the development and an arrow only
- letter size should be easily readable to the motorist
- perhaps a sign that's 6x3 would be adequate
- safety issues
- staff provisions/recommendations concerning spacing, time limits, 30 lot threshold should be considered.

Councilor Pedersen said with regard to opening up the sign code, it is not perfect but she doesn't feel the City should make any major changes to it until the comp plan is done, so Council may want to do something in the meantime for the issue at hand.

Mayor Weiser said he thinks the name and arrow is adequate, time limit should be up to the sign owner and property owner, a performance bond should be provided by the sign owner, provisions for more than one sign should be made, sight distance and safety factors to be considered as well as minimum distances between signs.

Councilor Herman said he feels the minimum size of the sign would be as it relates to lettering, the signs to be on private property and he added he would not be in favor of multiple signs.

Councilor Pedersen agreed that readability is important, but so is the size of the sign.

Councilor Baxter said he would like to see the sign code opened up again and Councilor Leighan pointed out this is merely a sign directing people to a neighborhood.

Councilor Baxter argued that if this type of sign is allowed, directional signs for small businesses will have to be considered.

Ed Kring, 11207 Dayton Av. N., Seattle, addressed Council. He stated Harbour Homes is building in Brighton Park, it's an affordable neighborhood and the quicker the homes are sold, the better and lower the prices.

Gary Petershagen, Belmark Homes, addressed Council. He stated he agrees the proliferation of signs is annoying and they are trying to clean up the situation and help the economic environment of Marysville. He said he sympathizes with Councilor Baxter's concerns and understands his point of view.

Bill Binford, Northpointe, Seattle, addressed Council. He explained people coming to look at these homes come from Arlington, Lake Stevens, etc. and he said he thinks everyone should be concerned with the appropriate growth of Marysville. Quite often you see a proliferation of signs and this is a more positive image for Marysville--people need to be able to find what they are looking for or else they are going to leave, he said. These signs will present a nice clean organized image and also, once the people get here, they are going to shop locally, but we need to get them here first, he said.

Councilor McGee moved to deny the amendment request until the entire sign code is further visited. Councilor Myers seconded.

A roll call vote revealed
Councilor McGee in favor
Councilor Myers in favor
Councilor Baxter in favor
All the rest against,
so the motion failed 4-3.

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Councilor Pedersen moved to direct the City Attorney to draft an ordinance regarding directional signs for subdivisions as per the preceding discussion. Councilor Herman seconded.

A roll call vote revealed
Councilor McGee against
Councilor Myers against
Councilor Baxter against
All the rest in favor, so the motion passed 4-3.

Councilor Pedersen commented that the sign should include plats of 4 or more lots: other comments included discrimination against other businesses.

2. Petition for Vacation of Street; Dale Olson; PA 9304011.

City Planner Hirashima reviewed the agenda bill, noting the vacation would include abutting property right of way and the Public Works Dept. has no concerns. Currently a driveway to the Burtons property which is not being utilized would also be included, she said and she referred to the map in the packets.

Councilor Baxter asked if the Burtons have been notified and City Planner Hirashima said yes but at the public hearing, it would have to be made clear that this would not be approved if Burtons are not in favor of the vacation.

City Attorney Weed explained the public hearing should be 7/26/93 to meet advertisement requirements as well as allowing time for the resolution to be drafted. Also, he noted the issue of compensation should be considered.

City Planner Hirashima stated the City has been using assessed value to base compensation on.

Councilor Baxter moved to set a public hearing for 7/26/93 with the City to base compensation on assessed value at that time. Councilor Myers seconded and the motion passed unanimously.

3. Purchase of Computers and Related Equipment for RMS.

Sergeant Winters of the MPD explained the records management system of the county's went on line as of 1/1/93 and the MPD needs to get upgrades in order to interface with them. He referred to the agenda bill and highlighted some of the benefits of tying in with the county system. Current equipment is 1985 & 1986 technology and a lot of "catch up" needs to be done, he stated.

Councilor McGee asked about anticipated revenue to cover the \$5,000 needed and Assistant Finance Director Berg stated the City will be receiving about double what was expected from the Tribes.

Discussion followed about revenue from the Casino, type of software required and the fact that the software is to be purchased from a firm in Kent.

Ron Wade, Soft Solutions, Kent, addressed Council. He explained what the package would include from Soft Solutions: 1-800 hotline, good service, dealing with a national company.

Marla Ringen of the MPD explained she did go to North Sound Computers of Marysville for a quote but they didn't have anything compatible with the Packard Bell and she said it is her understanding that the need was for something more name brand, not a clone. Other needs were for someone to install the system, a nationally based company, someone to give assistance when needed, which Ron Wade is able to do.

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Councilor Herman noted that the help lines are from the software companies vs. hardware companies, so he said he would suggest avoiding worrying about certain brand names and we should be concentrating on the software package, DOS, etc.

Ms. Ringen explained the compatibility needs of the RMS interfacing with the 911 system, eg. and the Novelle software and old computers have no links to the law enforcement data base. She noted there will be a need to keep the old system for 6-7 years, which is state law and she explained how the old system got established; she said they were told these files could be downloaded however that's not true now; only 200,000 records are going to be downloaded from SCORE, she explained.

Councilor Herman observed from her statement that if MPD wants to access old entries that's not possible, once the new system goes on line and Sgt. Winters said that's correct; entering of data has to start all over.

Councilor Pedersen asked some technical questions concerning the system, eg. why they were purchasing DOS 5.0 vs. 6.0, why EGA vs. VGA monitor and the Packard Bell navigator need.

Mr. Wade explained he too would recommend DOS 6.0 and also, his first submittal was for a clone, but the MPD wanted a name brand. He said with regard to EGA vs. VGA, VGA is state of the art. He added that expandability is a major consideration with the system and he feels a clone would be able to give the same support as a brand name.

Mayor Weiser commented that he purchased a clone one time, had a good experience with it, but then the fellow who serviced it went out of business.

Mr. Wade pointed out that these systems are very generic and any tech can come in and work on a clone; there are a lot more computers out there, he said.

Councilor McGee asked about the cost of the first quote and Ms. Ringen said it was \$1100.

Mr. Wade explained his quote is for a 486 DX for \$1600 and he explained the difference between a DX and an SX.

Councilor Myers said he would like to see more than one bid and Councilor Leighan commented this is the 4th computer in two months purchased by the City from 4 different vendors and he said he would like to see a vendor list put together so this isn't happening.

Councilor Pedersen said she agrees, we need to be consistent and possibly have a purchasing policy in order to get some price breaks, for example.

Councilor Herman commented that where he works, they have several different brands and they all work well together, so that should not be a major concern.

Councilor Pedersen asked about the time element here and Sgt. Winters stated the system is on line now and the MPD needs to get on line ASAP.

Councilor Herman stated he is also uncomfortable about only one quote although he sympathizes with the time constraints, but he would like to see some options, maintenance, service, etc.

Councilor Pedersen said he would like to see Mr. Wade's initial bid also.

Councilor Herman said he would like to see some specs, for example, a 486 would have faster response time, capacity, etc.

Councilor Myers asked if spec sheets could be provided for next Council meeting.

Ms. Ringen stated she had all that information but just went with the average bid and summarized information on the agenda bill.

Councilor Baxter left Council Chambers at 10:07 p.m.

Ms. Ringen stated they are just looking for approval as far as getting the money to go out and get the best deal and right now one of the computers is inoperable as of last Thursday.

In view of this, Councilor McGee moved to allow MPD to spend up to \$5,000 for 2 computers for the RMS, from funds to be received from the Tribal gambling tax. Councilor Myers seconded.

Councilor Baxter return to Council Chambers at 10:09 p.m. and the motion was repeated for his benefit.

The motion passed unanimously, after a brief discussion.

There was then further discussion regarding specs and having all the information available for the Council. Councilor Pedersen asked about a purchasing policy, volume discount, etc. and City Administrator Zabell said he would follow up with Finance Director Wilson regarding this.

Councilor Leighan added that he felt all paper products should be bought from the same vendor, eg.

4. Havenwood Care Center; Revised Conditional Use Permit; PA 9008037.

City Planner Hirashima reviewed the agenda bill for the third phase of expansion of Havenwood, noting the Hearing Examiner has recommended approval with three conditions:

- sight obscuring fencing
- signs to meet sign ordinance
- parking lot to be asphalted and comply with MMC.

Councilor Leighan declared his daughter does volunteer work at Havenwood but City Attorney Weed said that would not represent a conflict of interest.

Robert Pospisil, representing Havenwood Care Center, addressed Council. He stated they are also requesting an expedited approval on the building permit because they need to satisfy the State Health Dept. by September which means finishing the 24 bed expansion at the same time as the second phase. He stated what will happen if they don't get approval tonight for waiving of the two week waiting period before obtaining the building permit, there could be a displacement of 46 patients.

City Attorney Weed explained that this was in fact anticipated and so he has prepared a resolution reflecting the affirmation of the hearing examiner's recommendation, if that is the wish of the Council.

Councilor Baxter asked if the plans had all been through the Fire Dept., etc. and City Planner Hirashima stated yes, and if they have a resolution approved to night, he could get the building permit tomorrow.

(City Attorney Weed handed out the said drafted resolution.)

CORRECTED
MINUTES
SEE 6/28/93

MARYSVILLE CITY COUNCIL MINUTES

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Councilor Pedersen moved and Councilor Baxter seconded to affirm the Hearing Examiner's recommendation to approve the conditional use permit for Havenwood. Passed unanimously.

5. Centex Homes Sign Variance; PA 9304010.

City Planner Hirashima reviewed the agenda bill, noting two flag poles are requested to be present during construction.

Councilor Baxter moved to set a public hearing for 7/12/93 but there was no second to his motion.

Councilor McGee moved and Councilor Myers seconded to affirm the Hearing Examiner's recommendation to deny the request.

The motion passed with Councilor Baxter against.

CONSENT AGENDA:

1. Snohomish Regional Narcotics Task Force Interlocal Agreement.
2. May, 1993 Payroll Claims in the Amount of \$460,894.82.
3. 6/14/93 Claims in the Amount of \$992,161.07.
4. Fireworks Stand Permits for Knights of Columbus, Marysville Kiwanis #1, Marysville Kiwanis #2, Boys Club of Snohomish County, and Marysville/Tulalip Visitor Center.

Councilor Herman moved and Councilor Wright seconded to approve Consent Agenda Items 1 thru 4. Passed unanimously. (Councilor Leighan did not vote with regard to Vouchers 16031 and 16079.)

ORDINANCES & RESOLUTIONS:

1. Ordinance Amending the Petty Cash Fund.

Councilor McGee moved and Councilor Myers seconded to approve/adopt Ordinance 1951. Passed unanimously.

2. Resolution giving Notice of Intent to Annex O'Brien Property and Transmit Matter to the Boundary Review Board.

Councilor Wright moved and Councilor McGee seconded to approve/adopt Resolution 1628-A. Passed 5-2, with Councilors Herman and Leighan against.

3. Resolution Affirming the Hearing Examiner's Recommendation to Approve Conditional Use Permit for Havenwood Care Center.

Councilor Baxter moved and Councilor Pedersen seconded to approve/adopt Resolution 1629. Passed unanimously.

LEGAL MATTERS:

1. Authorize Mayor to Sign Deed of Right to Use Land for Public Recreation Purposes.

City Attorney Weed explained this is a precondition for IAC funding: to have land for public recreation purposes. He stated he has reviewed the document and would recommend the Mayor be authorized to sign.

Councilor Pedersen moved and Councilor Wright seconded to authorize the Mayor to sign the Deed of Right document. Passed unanimously.

OTHER/STAFF BUSINESS:

City Administrator Zabell announced Lloyd Taubeneck's retirement open house will be from 1 to 3 p.m. on 6/25 at the Lloyd Taubeneck Building and invited everyone to attend.

ADJOURNMENT INTO EXECUTIVE SESSION: 10:30 p.m.

1. Litigation.

RECONVENED & ADJOURNED: 11:01 p.m.

Accepted this 28th day of June, 1993.

David Weis

MAYOR

Mary D. Swenson

CITY CLERK

Danda A. Swenson

RECORDING SECRETARY