

MINUTES RECAP

00138

MARYSVILLE CITY COUNCIL MEETING

JULY 6, 1993

CALL TO ORDER:

7:00 p.m.

ROLL CALL:

Councilor Wright excused

MINUTES OF PREVIOUS MEETING:

6/28/93 Approved

AUDIENCE PARTICIPATION:

Fred Messmer, Joani Hiatt

STAFF'S BUSINESS:

MAYOR'S BUSINESS:

CALL ON COUNCILMEMBERS:

CORRECTED: SEE 7/12/93
MINUTES

PRESENTATION:

None

PETITIONS & COMMUNICATIONS:

Letter from Fred Messmer
re 4th St. Bypass Interch.

PUBLIC HEARINGS:

None

REVIEW BIDS:

None

CURRENT BUSINESS:

- | | |
|--|----------------------|
| 1. Assessment Fee for SR 528; 67th St. NE to 83rd Av. NE/SR 9 | Continued |
| 2. Utility Variance, Water & Sewer Hookup Outside RUSA - Faucett | Continued to 7/12/93 |
| 3. Sign Code Ordinance Amendment | Continued to 7/26/93 |

NEW BUSINESS:

- | | |
|--|------------|
| 1. Reid Middleton Engineering Contract | - Approved |
| 2. Perteet Engineering Contract | Continued |

CONSENT AGENDA:

- | | |
|--|----------|
| 1. (7) Liquor License Renewals | Approved |
| 2. Interlocal Agreement w/Snohomish County Housing & Community Dev. Block Grant Consortium | Approved |
| 3. Resolution to be prepared re Traffic Safety Items/Stop Signs, etc. | Approved |

ORDINANCES & RESOLUTIONS:

- | | |
|---|--------------------|
| 1. Ord. Amending Chap. 6.79 of the MMC relating to Burglar Alarms | Ord. 1954 Approved |
|---|--------------------|

LEGAL MATTERS:

None

ADJOURNMENT INTO EXECUTIVE SESSION:

10:45 p.m.

1. Litigation

RECONVENED AND ADJOURNED:

11:12 p.m.

MARYSVILLE CITY COUNCIL MINUTES

00139

JULY 6, 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 (excused)
Mike Leighan
Otto Herman
Administrative Staff:
Grant Weed, City Attorney
Dave Zabell, City Administrator
Steve Wilson, Finance Director
Ken Winckler, Public Works Director
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 Wilson called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilor Herman referred to page 5 of the June 28, 1993 Council minutes, paragraph 2, noting the words "proponents of the" should be inserted just before "boat launch".

Councilor Pedersen referred to page 2, second paragraph, and asked that the words "another tirade, accusing" be replaced with "to accuse".

Councilor McGee then moved that the minutes of the 6/28/93 meeting be approved as corrected. Councilor Pedersen seconded and the motion passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Fred Messmer, 332 Gays Drive, Marysville, addressed Council regarding the proposed 4th St. interchange/bypass. He stated he has lived in Marysville 42 years and has used the boat launch extensively for 35 years and has personally gotten funds for improvements of it. He read his letter (which had been distributed to Council) regarding users, possible alternatives, etc. He said he had spoken with Ed Geddes regarding dredging for an alternate location for the boat ramp and said he felt the alternatives of not having a launch would be that people would have to go to Langus Park or Tulalip Bay 5 miles away. He added he is in the process of gathering signatures of users of the ramp and he concluded he hopes the City can work out a solution that's viable to all concerned.

Mayor Weiser stated this was discussed at last Council meeting and he said he would like to see the merchants get together as well as Welco and users of the boat launch. He noted the State does not claim it as part of their right of way, Welco maintains the road and actually, the City leases the land from Mr. Sam and he said he agrees an alternative launch site should be looked at.

Joani Hiatt, 5728 Grove, addressed Council, representing the 8th Annual Homegrown Fair to be held this year August 5th through 7th and requested the closure of 3rd St. starting on the Thursday evening. She said they may also need an additional block on 3rd but won't pursue this if the neighbors object, however. Also, they would like to put up a 3'x16' banner across 3rd from Cascade

CORRECTED MINUTES SEE 7/21/93 slh solicited

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Music to Hilton Pharmacy, she said. She said they would like to put the banner up this week, to advertise the fair and the subject merchants are all in favor of these requests.

There was discussion about what was done in the past, no problems with the MPD, height restriction (16' minimum from the ground for the banner), booth placement in case of emergency, getting input from MPD and the fire dept. for the additional block in the event of emergency, having them acquire a (free) right of way use permit, 80% of applications come in just before the event, closing of Columbia & 3rd, anticipating 80 applicants this year, houses on 3rd would still be accessible by alleys.

Councilor Pedersen moved to allow the Downtown Merchants to close 3rd St. from August 5 through 7 and place a 3'x16' banner, with a minimum of 16' clearance, and barring any negative input from the police or fire dept., closure of 3rd St. being extended one block with residents' approval and they need to go through the Public Works Dept. for a right of way use permit. Councilor Leighan seconded and the motion passed unanimously.

STAFF BUSINESS:

Finance Director Wilson noted the first 6 months of 1993 closed 6/30/93 and the financial report for that period should be out by the first week of August.

City Administrator Zabell report on the high speed tilt train ride he took today, along with Councilors Herman and Baxter. He said it gave him a good opportunity to view the west side of Geddes Marina which has been cleaned up now.

City Attorney Weed reported there are various matters pending before the Growth Management hearings board and he has prepared a two page memo regarding the status of these various items, which Council should be receiving very soon.

CORRECTED: SEE 7/12/93
MINUTES slb reported

MAYOR'S BUSINESS:

Mayor Weiser reported he will be meeting with Mr. Seguin next Monday; that he took a submarine trip/tour aboard the USN's trident submarine "Henry M. Jackson" recently; that 20 sailors worked on the petting zoo today; that there was another meeting with the county regarding Marysville extending deadline on our interim annexation area and urban growth boundaries. He stated the county is working on a schedule and hopes to have it out soon; they will be working towards resolving the urban growth boundary, to be then reviewed by the Growth Management Coordinating Committee, to be finalized in August with public hearings in Sept. and finally county approved by October 1. He said the two main areas of concern for Marysville and the county are the vacant land analysis and whether the population projections are minimum or maximum.

CALL ON COUNCILMEMBERS:

Councilor McGee asked how the Council can go about overriding the Sno-Isle Regional Library Board's decision and ban "Rap: The Lyrics" from the Marysville Public Library.

City Attorney Weed stated he has not researched this but the Council could lobby members of the Sno-Isle Regional Library Board but that body's jurisdiction does go beyond the corporate limits of Marysville; they represent people from two counties, in fact. He said the City could decide against continuing membership in the SIRL system (deannexation), but the City at this point does not have any legal jurisdiction over what they have in the library.

Councilor Pedersen asked if, as the library's landlord, ~~if~~ the

CORRECTED: SEE 7/12/93
MINUTES omit

City could force the issue and City Attorney Weed said that could possibly be presented under a new lease for the new building.

Councilor Pedersen pointed out there was a resolution at a prior Council meeting concerning this and Councilor McGee asked that the City Attorney present alternatives with regard to banning this book for an upcoming City Council meeting.

Councilor McGee also noted he had received several complaints from local churches about youth making a lot of noise in the church parking lots in the evenings and Councilor McGee asked about progress on a City noise ordinance.

City Attorney Weed explained there are two types of ordinance: one requires decibel readings and the other tries to define "unreasonable noise" which requires witnesses, etc. He noted the City does have on the books a public nuisance ordinance and loud noise late at night can also give rise to other citations, eg. drinking, but he said he doesn't see any sure fire solution with what the City has on the books right now. He offered to bring back some ideas to a future Council meeting.

Councilor McGee asked about a time limit, an hour after which loud noise can be reported to the police.

City Attorney Weed said some ordinances (which were in force under DOE/state funding) came up with different decibels for different times of the day but they were very hard to enforce and he said he thinks Seattle's noise ordinance, for example has been repealed because it was too difficult to enforce. He said a good starting place for Marysville might be to look at Everett's noise ordinance.

Councilor McGee asked about three new single family dwellings going in at 70th & 60th where the resurfacing on 70th has been done but there's no striping on the street as yet.

Public Works Director Winckler said he would follow up on this.

Councilor Baxter noted striping needs to be done in several areas if it ever stops raining. He commented on the train ride today which was a very comfortable ride, he said. He then proposed a tour of the wetlands, water line and WWTF in and around the City.

City Administrator Zabell suggested a two hour workshop for the whole Council on a Saturday morning and it was the consensus to have it on July 31 at 8 a.m. with everyone to meet at the Public Works Dept.

Public Works Director Winckler noted a tour of the public works projects was going to be scheduled for 7/15 but did not include the Wastewater Treatment Facility and Mayor Weiser asked if that could be rescheduled for a Saturday, also, instead of Thursday.

Public Works Director Winckler said yes, but it would have to be in August or else combine everything on the 31st, say at 7 a.m. (To be discussed with Council further.)

Councilor Pedersen stated she was also disappointed with the Sno-Isle Regional Library's lack of action regarding the Rap book. She noted TV shows are now indicating whether or not they contain violence and this might be an appropriate time to indicate to the Library what the City Council would like to see on the library shelves. She said she also read an article regarding cable rate regulation (deregulation?) effective October and said she would like more information on that. She asked about the City Engineer position.

Public Works Director Winckler stated 6 applications were received

and they will be interviewing 5 of the 6 applicants in the next week or so.

Councilor Pedersen referred to a copy of a fax she sent out regarding video taping of council meetings, noting that she is not promoting same but rather sharing information that some of the liability is removed if the cable company ~~dies~~ the videoing versus a City employee and thought it interesting the ways videoing could be used. She asked about receiving a copy of the Comp Plan draft prior to upcoming public hearings and Mayor Weiser stated the draft Council now has is the latest one.

CORRECTED: SEE 7/12/93
MINUTES s/b does

Councilor Leighan stated that with regard to signage for plats, he notes the issue of a definition for "subdivision" and "plat" needs to be clarified. For example, are 4 lots owned by the same person a subdivision, he asked.

City Attorney Weed stated a draft amendment to the sign ordinance is in the packets and appears later on the agenda.

There were comments with regard to the different names for plats, noting some plats have had three different names.

Councilor Herman commented on the fact that there has been some misinformation concerning high capacity transit and CT's position. They did not, in fact, take a position either way with regard to the county participating in the RTA, he stated and he passed out some information sheets covering various issues such as JRPC, RTA, the county council's voting. He asked about the fireworks restrictions and said he would be interested in knowing of any problems this year. He noted this might be the best time to start developing policy and procedure regarding fireworks restrictions for next year. He asked about Marysville owning "water rights" as referred to in a couple utility variance requests and asked if this affects ownership of private wells.

CORRECTED: SEE 7/12/93
MINUTES

City Attorney Weed clarified that water rights refer to the City's right of appropriation to water, and the possible value this "right" could have.

Councilor Baxter added there are some rulings with regard to the aquifers; they are going to put more control on well permits to control withdrawal from the aquifers and to record those withdrawals, he said.

Councilor Herman asked about restricting a person from owning their own well and City Attorney Weed stated the rules are now changing with wells that serve more than one lot as well as rights of appropriation of water out of aquifers. He said there's a case in court now with the Yakima Indians but he doesn't think there's any restriction on having your own well, per se.

Councilor Baxter said at some time in the future, if you want to drill a well and a major water supply is close, they might restrict you from drilling in order to conserve the aquifer.

Councilor Herman said on the issue of the Sno-Isle Regional Library decision, he continues to support their choice of library materials; he doesn't think freedoms should be curtailed through labeling, he said. He noted they (SIRL) send out a letter to parents which seems to be an adequate warning in his mind on this issue. He added that he appreciates the fact that he was able to testify on behalf of the library board and appreciates the efforts that were contributed overall.

CORRECTED: SEE 7/12/93
MINUTES

Councilor Herman explained a little about the X2000 tilt rail technology (European) and how they can use existing rails and tilt the cars into turns. He noted in Europe, they have electric

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trains, the trip today (from Seattle to Bellingham and return) was using diesel engines. He added that one of the main limitations, besides the diesel engine, was the slower speeds required going through the different towns, but overall, it was a very nice, smooth, quiet ride and the tilt was barely discernable.

Councilor Baxter added that Amtrak's best coaches are not as quiet or comfortable as this system was today.

CURRENT BUSINESS:

1. Assessment Fee for SR 528; 67th St. NE to (83rd Av. NE End of City Limits) SR-9.

Public Works Director Winckler reviewed the agenda bill, noting a considerable amount of interest has been shown for developing the roadway but there are many problems associated with this and a decision needs to be made before allowing further development on that section of 528. He said the State has run out of funds for that section of roadway so an alternative would be to set up an mitigation fund and possibly the State would review it at a later date. Assessment fees are difficult to determine but compared to other projects, they have come up with a front foot cost of \$90.75, he said. Because of elevation problems the total project must be done all at the same time and also there would be several aspects: storm drainage, curbs, gutters, sidewalks, stream crossing that developers would have to cover but a TIP could be possibly developed for the center two lanes at \$82.50 per front foot, he said.

He stated John Baldwin (a developer) has sent a letter to the City and Public Works Director Winckler read the letter into the record. It indicated Mr. Baldwin feels the \$90.75 is out of reason and is 200% of what was anticipated for the frontage cost. Also, Mr. Baldwin said he feels a state highway should be funded by all those areas that use it, not just the few adjacent to it.

Mayor Weiser asked about setting up a TIP and identification of trips and usage of 528 and City Administrator Zabell stated most of the trips generated, it is believed, go out of the City, however some kind of traffic study would have to be done to verify this.

Mayor Weiser stated he would be interested in knowing where the traffic is coming from or going to -- Lake Stevens, for example? He said in the past, the developers have just been charged for curbs, gutters and sidewalks in front of their property and not for the whole roadway.

City Administrator Zabell cited the property to the west where there was a deceleration land/pedestrian path, widening, storm drainage, overlay, etc. paid for by the developers. He noted that once mitigation fees start to be collected, it attracts state funds, eg. 4th & I-5 resulted in the developers paying \$200,000 out of a total \$800,000 and also, other funds are generated other than TIP mitigation fees, he pointed out.

Councilor McGee said he was in favor of the \$181.50 per lineal foot option.

Mayor Weiser noted there's a lot of traffic not generated locally and it was the same problem on 67th where the City was willing to come up \$600,000 but the local property owners did not want to foot the bill for the balance of the improvements. He added that on 67th, it's not even a state highway and with 528, he thinks the cost needs to be spread out; there has to be some allowance for the state and county to help us out, he said.

Councilor Leighan asked if the county could participate in a TIP.

City Administrator Zabell stated the county's responsibility would be determined through SEPA.

Councilor Pedersen asked about Option 2, noting the developers pay twice under this option.

Public Works Director Winckler noted Transpo has not submitted a proposal as yet with regard to a TIP in that area and that information could be very useful.

Councilor Pedersen speculated front footage may not be a fair way to assess the developers as opposed to trips and she asked about other options.

There was discussion about option 1 vs option 2, methodology for pooling funding for traffic mitigation, total project costs, developers having to give right of way as well as paying mitigation, overlay, storm drainage improvements in addition to a TIP, participation in the TIP, county contributing, other funding sources, giving sufficient lead time for budget requests to the county.

Public Works Director Winckler explained how assessments were derived for the two options on the agenda bill and said option 3 would be no action at all.

There was more discussion about what the project would actually involve: cut and fill, overlay of one lane which would be normal development costs, major arterial vs. regular City street (actually both 44' wide), arbitrarily coming up with figures for improvement, collection process should be started in order to attract state/county funds, traffic movement.

Councilor Herman said he would like to see a TIP formed as soon as possible and stated he feels the TIP should exclude adjacent property owners dedicating right of way or at least deduct compensation that should be paid for the right of way.

There was more discussion regarding county participation and/or interlocal agreement with them, traffic counts determining peak trips, formula used for calculation of TIP contributions, the developer not having to pay for the whole process.

Bill Roberts, 4210 63rd Av. NE, addressed Council. He said one solution might be for developers to pay for storm drainage, overlay, curbs, gutters and sidewalks, which would probably average between \$40 to \$60 per lineal foot depending on grade and width of road and he said he thinks that's what people on 67th should be assessed, then calculate the number of peak hour trips on 528 in order to satisfy frontage improvements on 528. In other words, average it out and then form a TIP, he said. He talked about equity between frontage foot assessments for different developers and a per lot assessment. TIP 3 was done by traffic distribution, he pointed out, controlled by the state and averaged \$600 per lot and he said he would be willing to work with Dave further on this.

City Administrator Zabell noted Mr. Roberts was comparing 528 with projects that had a different width, no prevailing wage requirement, etc. and that is why 528 is higher. Mr. Roberts agreed.

Councilor Pedersen said she would like to see a group brainstorm some ideas on this and Mr. Roberts said he wants to see everyone pay their proportionate share but doesn't think they should build 528. He added that on TIP 3 they couldn't get much going until the City contributed \$100,000.

Councilor Herman said he concurred with the input from developers

but thinks the City would have more accurate figures at hand.

City Administrator Zabell pointed out that it's spelled out in the ordinance what to include in the costs: overlayment, curbs, gutters, sidewalks, etc., but in order to take care of the other two lanes, you might want to treat that separately, he said.

Mr. Roberts stated that on the right of way issue, that can go to 80' and in that case, he would think a credit should be given for over 40', which is the standard that developers would give.

City Administrator Zabell said on ingress and egress improvements the question should be considered whether it is fair to ask the developer to put in a center lane only to have it torn up 5 years later, as well as paying full boat mitigation fees. On the west (Sound Ridge View), the City gave a credit with the Council's concurrence, he noted.

Councilor Pedersen asked if this should be continued with input from neighbors, etc. She said she thinks interim improvements should be given credit towards the final mitigation figure.

Councilor Pedersen then moved to continue this matter in order that the developers and neighbors be given an opportunity to meet and also to give credit for interim improvements towards the final mitigation figure. Councilor McGee seconded and the motion passed unanimously.

2. Utility Variance - Water & Sewer Hook Up Outside RUSA; Jack & Mary Faucett; UV 93-010. (Applicant has requested this be continued to 7/12/93.)

Councilor Pedersen moved and Councilor McGee seconded to continue this variance request to 7/12/93 as per the applicant's request. Passed unanimously.

3. Sign Code Ordinance Amendment.

Councilor Pedersen moved to set this item aside until later this evening and proceed with the next agenda item. Consensus.

NEW BUSINESS:

1. Contract for Engineering Services: Reid-Middleton; Grove St. at Munson Creek: 67th Av. NE to 71st Av. NE Improvements.

Public Works Director Winckler reviewed the agenda bill, noting the amount of the contract for engineering services is \$116,102.

Councilor Pedersen asked what the current allowance is by the IRS for mileage and Councilor Herman said it is 28 cents, as opposed to 35 cents per mile in this contract.

Wendell Johnson of Reid Middleton addressed Council and stated they could reduce it to 28 cents per mile, no problem.

Councilor Myers asked if this was the only bid received and Public Works Director Winckler said no, there were three received.

Mr. Johnson explained the way the fees were derived and what it includes, start to finish.

Public Works Director Winckler talked about inhouse inspections reducing the Reid Middleton fee somewhat.

Councilor Pedersen asked if this is something the City Engineer (when that position is filled) could do and Public Works Director Winckler said he didn't think so; the City Engineer would be able to do some projects but this is a very substantial project and involves a considerable amount of work, he said.

CORRECTED: SEE 7/12/93
MINUTES sl/b bore

CORRECTED: SEE 7/12/93
MINUTES sl/b other interested parties

Councilor Herman noted that if the work load is more than one engineer can handle, there's a question of whether the City should have the staff to handle this.

Councilor Pedersen asked if this was the lowest of the three bids and Public Works Director Winckler said no, this was based on scope of project and Reid Middleton was the only firm who submitted the total cost for the project. He handed out a list of jobs that are involved in the scope of work.

City Attorney Weed stated he has reviewed the contract but has a couple concerns: Section 6 - Allocation of Risk would limit Reid Middleton's liability to the amount of the contract (\$116,000, eg.) and insurance does not seem to be included in the contract. He said he would like to see the City named as an additional insured under their insurance during the life of the contract.

Mr. Johnson stated they have \$1 million coverage and can provide the City with a copy of an insurance certificate, naming the City as an additional insured. He said generally there are changes to the standard contract for different jurisdictions and they can make these changes from city to city, including the needs of the respective City they are serving.

City Attorney Weed asked about right of way acquisition negotiations and if Reid Middleton would be involved in any of that.

Mr. Johnson stated he has done quite a bit of right of way acquisition negotiation in the past, working with the City Attorney, etc. in putting final documents together, however on this project it's fairly straight forward right of way acquisition with no special negotiation required or anticipated. He explained also that estimates may be on the high side and so that way it's very possible the actual figures will be lower when billed. He talked about culverts on the stream, improving sight distance, storm water filtration/swales, working with DOE and DOF, stream overpass, road base, some flexibility in working with staff/fees, etc.

Councilor Baxter moved to authorize the Mayor to sign the contract based on staff recommendation and subject to modification and approval by the City Attorney and City Administrator, also with the change in mileage rate to 28 cents per mile. Councilor Herman seconded and the motion passed with Councilor Pedersen against.

2. Contract for Engineering Services: Perteet Engineering; State Avenue: 88th St. NE to 94th Pl. NE.

Public Works Director Winckler reviewed the agenda bill, noting they followed the LAG manual, identifying concerns of City staff and included jobs that could be accomplished by City staff. He stated staff recommends approval of the contract.

Councilor Herman asked about the difference between this engineering contract and the one with Reid Middleton.

City Attorney Weed explained a cost plus fixed fee contract, noting it is fairly "boiler plate" language and this is a draft agreement to be modified. He said he would like to develop a standard engineering contract for the City, similar to that developed for the City of Snohomish.

Public Works Director Winckler stated Mr. Perteet is amenable to the City's using its own standard contract.

Councilor Pedersen said she would like to see the City Attorney's recommendations included on all agenda bills so the Council has a little more information at hand, prior to Council meetings.

City Administrator Zabell said he agrees professional service contracts should be signed off by the City Attorney before they are put into the packets and on the agenda.

City Attorney Weed agreed and said he thinks with the City having its own agreement wording, that would be very advantageous and time saving at Council meetings as well as time saving for the City Attorney to review.

Councilor Baxter asked about Mr. Perteet's credentials and City Administrator Zabell said he specializes in street transportation projects and he used to be Wendell's boss!

Councilor Herman commented on the hourly rate and formula used in the contract.

Councilor Pedersen moved to review this under the City's own contract form, to be brought back before Council at a later date. Councilor Herman seconded and the motion passed unanimously.

CONSENT AGENDA:

1. (7) Liquor License Renewals.
2. Interlocal Cooperation Agreement with Snohomish County Housing & Community Development Block Grant Consortium.
3. Resolution to be prepared for Proposed Traffic Safety Items/ Stop Signs as Outlined in Agenda Bill.

Councilor Herman moved and Councilor Myers seconded to approve Consent Agenda items 1 through 3. Passed unanimously.

ORDINANCES & RESOLUTIONS:

1. Ordinance Amending Chap. 6.79 of the MMC relating to Burglar Alarms.

City Attorney Weed explained the problem with false alarms the police have been having and stated this ordinance cleans up the code so it's easier to enforce, with up to \$200 fines. He introduced Officer Lee from the MPD.

Councilor Pedersen asked about what other cities are doing in this regard, noting she heard about Tacoma's having a permit process for burglar alarms which gives them some control.

Officer Lee said MPD talked with Everett Police Dept. and the Snohomish County Sheriff's Dept. regarding this and the ordinance basically combines the best of both of their ordinances. The change would require people to notify MPD that they have an alarm system in place and MPD will have more control with the ordinance as far as a responder available, limit to how long the alarm goes off, etc. He said they have experienced a reduction in false alarms: down to about 100 a month now vs. no actual "real" alarm calls this year at all. He reviewed the change regarding a new form people are required to fill out registering their alarm system with the MPD. He said after the first false alarm, it's a \$100 fine each time and they have added in more responsibility on the part of the alarm responder, forcing them to respond and it also takes liability off the City for not inspecting the premises in every situation.

Councilor Pedersen asked if the information will be computerized and if not, how will they know whether they have been responded to before, as far as tracking the number of false alarms.

Officer Lee said it would be done manually and he explained how he logs in all the addresses of businesses with burglar alarms. He said they feel the form is going to simplify the process enormously, compared to how they used to do it.

Councilor Pedersen moved to approve/adopt Ordinance 1954 and Councilor McGee seconded.

Councilor Baxter asked about the fining process and in whose judgement it is to determine response "in a reasonable amount of time".

Officer Lee explained the commitment that people have to make on the form, for example, they say they will respond within 35 minutes.

The motion passed unanimously.

CURRENT BUSINESS:

3. Sign Code Ordinance Amendment.

City Attorney Weed reviewed the exhibits and draft of the ordinance amendment. He said there are several issues involved and he left a lot of blanks to be filled in with regard to decisions that need to be made regarding

- scope and definition of a subdivision/project
- in what areas would directional signs be allowed
 - SR 528 & 47th
 - 67th & 528
 - Grove & 67th
 - 52nd & 67th
- how far from the right of way should they be located

Councilor Baxter left Council Chambers at 10:12 p.m.

- getting property owner permission for directional signs to be placed on their property (lease?)
- changing signs, how many entities per sign

Councilor Baxter returned to Council Chambers at 10:15 p.m.

- how large should the directional signs be
- who would be represented/names
- should burden be placed solely on applicant with permit as far as liability, etc.
 - maintenance of sign
- when should the sign go up/come down
- performance bond requirement
- sunset provisions

Councilor Leighan talked about a concept of the developer selling space on the sign and whether all parties named on the sign should participate in the permitting process.

City Attorney Weed said one company he would think would come in to apply for the original permit and then they would be the main company responsible, with the cost being shared with the others.

Councilor Pedersen asked about companies that want to be included on the sign "after the fact" and how that would be handled.

City Attorney Weed asked how many new neighborhoods would be anticipated.

There was discussion regarding someone filling up one sign and then another development wanting to be included, plats being developed in the county wanting to have signs in the City (Glen-eagle of Arlington already has directional signs up in Marysville), City might want to consider a design so that other companies can be added, have no date for taking down the sign as the neighborhood will always be there, how to include all the businesses who are eligible, trying to clean up the look of the

current signs, the proliferation of A-signs at present, 24 hour real estate signs, Code Enforcement Officer enforcing a franchise/permitting system, pretty soon you are back to the same "proliferation" problem when you give equal time to all subdivisions, this stage would be an interim step between preliminary plat and full development, other cities/examples of uses of directional signs, this possibly being too complex of an issue/ordinance--too many issues involved at one time, problem of timing for receiving City Attorney's comments between staff meeting and Council meeting, Councilor Myers mentioned he is totally against the concept because most people would go by actual address vs. project name, Councilor Herman in favor of postponing this issue, another idea was to have a large City map showing all the subdivisions, posted on the Caboose/Chamber office.

Councilor Baxter moved to "scrap" the ordinance amendment. Councilor Myers seconded but there was a 3-3 tie. (Councilors Pedersen, Leighan and Herman against.)

Councilor Herman moved to continue this matter to 7/26/93. Councilor Pedersen seconded and the motion passed 4-2, with Councilors McGee and Baxter against.

ADJOURNED INTO EXECUTIVE SESSION: 10:45 p.m.

1. Litigation.

RECONVENED & ADJOURNED: 11:12 p.m.

Accepted this 12th day of July, 1993.

David Weiser
MAYOR

Mary P. Swenson
CITY CLERK

Standa A. Swenson
RECORDING SECRETARY