



MARYSVILLE CITY COUNCIL MINUTES

AUGUST 8, 1994

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor  
Councilmembers:  
Donna Pedersen, Mayor Pro Tem  
John Myers  
Ken Baxter  
Donna Wright  
Mike Leighan  
Otto Hermann  
Shirley Bartholomew  
Administrative Staff:  
Dave Zabell, City Administrator  
Janet Berg, Asst. Finance Director  
Ken Winckler, Director of Public Works  
Tom Graafstra, City Attorney Pro Tem  
Wanda Iverson, Recording Secretary

00116

CALL TO ORDER:

Mayor Weiser called the Council 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 THE PREVIOUS MEETING:

On page 4, 3rd paragraph, the word "contract" should be "contact" Councilmember Pedersen pointed out. On page 8, she noted the vote under Resolution #1702 was 4-1 because Councilmember Bartholomew did not participate and Councilmember Myers was absent. She asked about the JAK Engineering matter that was under Current Business on 8/1/94, supposedly continued to 8/8/94 but it is not on tonight's agenda. Public Works Director Winckler explained that had to be deferred to 8/22/94.

Councilmember Herman noted on page 2, 4th paragraph, "they" should be the developer who should be notified.

There being no further corrections, Councilmember Bartholomew moved and Councilmember Herman seconded to approved the minutes of the 8/1/94 Council meeting as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Martha and Katie Graves (young girls), 6224 83rd St. NE, addressed Council. They stated they are students at Cedarcrest School and worried about the forest fires in Eastern Washington. They said they would like to see a banner across 4th St. thanking the firefighters who went over from Marysville, a banner like the City does for the Strawberry Festival.

Mayor Weiser said he thinks they have a great idea but pointed out the price of a banner could be anywhere from \$200 to \$2,000.

City Administrator Zabell noted the width from pole to pole across 4th is about 60-65'.

Councilmember Bartholomew asked about funding and whether this would be setting a precedent if the City paid for it. She also said she questioned the legality of using City funds.

Councilmember Leighan pointed out that the Maryfest and Sights & Bites banners are basically paid for out of their own budgets, not the City's.

Councilmember Bartholomew said she likes the idea; Marysville and the State owe a great debt to the firefighters but she is concerned about using municipal funds to pay for the banner.

8127

Councilmember Baxter said he likes the idea of a proclamation and thinks the funding should be through contributions from the community. He said he would also recommend the kids send a letter to the Fire Dept. thanking the firefighters.

Council at that point started a collection cup going around and there was discussion about welcoming the firefighters and trucks home, a community rally, someone to check with the MFD on exact timing that would be appropriate.

Dan Robbins, President of the Children's Company, Marysville Mall, addressed the Council. He noted they have flown balloons for some time and recently received a letter that they are in code violation. He asked if this was because the City has a new code enforcement officer, noting the Children's Company has been a member of the Chamber of Commerce, Downtown Merchants and active member of the community and questioned why they were targeted when there are many other code violators around such as the Moose Lodge and the Marysville Mall for not providing enough parking places. He noted they have been flying balloons for 6 years and all of a sudden this has just come up; he said he was told this was not because of any complaints to the City.

Mayor Weiser stated several businesses on State received letters this last week. Also, he said he understands there is a petition to try and change the sign code. He said someone from City staff would be in touch with him and Mr. Robbins gave his phone number as 671-9991 (Bellingham).

Tom Krett, Business Representative of the Teamsters Local Union 763, addressed Council on behalf of approximately 35 City employees seated in the audience. He noted that last Thursday the bargaining unit voted against the City contract by 84% because of the increased medical insurance premiums the employees would have to pay, for one thing. He said only 10% has been paid in the past by employees which is fairly common and he said he has a number of copies of contracts where cities pay 100% and the employees pay nothing toward medical. He noted that at a time when insurance premiums are going down, for example, the AWC announced a rate decrease recently, the City is asking for an increase in participation from the employees and this is unfair, especially in light of the low wages being paid to the employees by the City of Marysville, he said.

The second item in dispute, he said, are the wages offered by the City and he had a visual display depicting a comparison over the last 4 years of wage increase (13.5%), CPI increase (20%) and Population of Marysville increase (84%). He said it's not surprising that the employees are asking for at least to be able to regain their lost buying power. He pointed out that the Council has a responsibility to the citizens and employees of Marysville; the employees need a decent wage and without these employees, there are no services to the community performed. He said he will be the negotiator and the bargaining unit demands to be treated fairly; they will be back as often as necessary until they feel their demands are justly met.

Councilmember Pedersen pointed out that if the insurance premiums are decreased and the percentage is increased, it works out about the same that the employees are paying but Mr. Krett argued that the employees should not be asked to pay an increased percentage and asked why the employees should be asked to pay a higher share than other cities.

Mayor Weiser noted Council will be discussing the union issue under Executive Session.

Mike Papa, 8127 54th Dr. NE, addressed Council. He noted that last time he came before Council, they directed the staff to compile a list of projects and data regarding landscaping and he said he would like a copy of that information.

00128

STAFF BUSINESS:

City Administrator Zabell explained the cellular phone and chair costs for the Lieutenant Position. He explained the City can get an annual government rate after the first year on the phone. He stated they will probably use about 3 hours per month air time.

There was discussion about the move to 800 MHZ radio frequency, redundancy with having the cellular phones, not knowing when the higher frequency/more channel radio service is going to come about, the usefulness of the cellular phone to the police in an emergency. City Administrator Zabell noted the price on the chair was actually \$200 not \$600.

Councilmember Herman moved and Councilmember Leighan authorized payment of the phone and reduced cost of the chair for the Lt. position. Passed unanimously.

City Administrator Zabell reported he recently attended the PSRC board meeting in Seattle with regard to the airport issue; Arlington and Marysville East sites were both on the agendas and he explained Marysville's opposition to the PSRC board. He said this situation will be continued to be monitored and he has some information/materials for Council.

Mayor Weiser stated Bill Brubaker suggested Marysville have a representative from PSRC or TAMS come to the next public airport meeting 8/16.

Councilmember Bartholomew said she would like to see employment base figures for Arlington Airport; it's very important that 2000 plus employees are not disrupted (some of whom are from Marysville), she said.

**Update on Pilchuck Estates Temporary Water Line.**

Public Works Director Winckler reported the project has been completed with 900 lineal feet of 2" pipe installed with a pump. He said they got the necessary permits, etc. and a map has been included in the Council packets. He noted they did have some minor backflow problems so they will be installing another valve and may have to install a bladder reservoir system to accommodate the subdivision for the next 2 years, but they now have 40 to 60 lbs. of pressure, he said. He added the City is now in the process of seeking written easements from the property owners. He noted there was a line breakage in another part of town which had to be taken care of, in addition to Pilchuck Estates.

Councilmember Bartholomew asked about lawn sprinkling in Pilchuck Estates and if they could be asked to cut back in view of the situation here. Public Works Director Winckler said they indicated to the residents that sprinkling is going to make their problem worse so have encouraged them not to sprinkle.

Public Works Director Winckler said in response to the landscaping plan that Mike Papa was referring to, he is still gathering information such as tree growing policies, maintenance, safety regulations, funding sources, species evaluations, hazards, liability issues; these are things staff still has to find out information on and will also be doing some cost estimates with regard to right of way acquisitions, coming back before Council on 8/22/94. He said they also have a list started of projects that would benefit from additional landscaping but they have not checked into the right of way and need to do a field review on that.

Councilmember Pedersen said she knows of one business that will be redoing their parking lot and she would like information from the south Everett K-Mart or Albertsons regarding landscaping policies.

CORRECTED: SEE 8/22/94 MINUTES  
Can't get gov't rate until after 1st yr if purchased under promo price

Councilmember Bartholomew asked about the insurance carrier covering liability for trees that overhang and other liability issues and Public Works Director Winckler said if there is a site hazard the City would have a potential liability and he knows the county has had a number of problems with this.

Councilmember Bartholomew said she also knows the county ran into a lot of lawsuits with threes that overhang, sight distance problems, etc.

Public Works Director Winckler reported Rick Dillon, a present City employee, has been promoted to replace Jim Kinder who has had to retire because of his health problems.

With regard to Jim Kresge's extension of contract, he reported staff was unable to get the information together within the time limit (there are approx. 8 projects in process at this time) and they hope to have the information for Council 8/22/94. He reported the Traffic Advisory Committee's next meeting is Thursday at 10:30 in the Public Works Conference Room.

City Administrator Zabell reported a local business is going out of business and has 300 padded stackable chairs available for \$25 each, which would be ideal for the new library. It was suggested he get in touch with Bob Graef, New Library Furniture Chairman.

CALL ON COUNCILMEMBERS:

Councilmember Leighan said he checked into the discontinuance of the FM station and TCI is adamant they do not have to provide the service. He said City Attorney Weed was in attendance at the meeting and he reviewed the contract carefully and agreed. Apparently TCI is in the process of increasing the number of channels very soon however they recently discontinued several FM channels and heard no comments from people who missed it, he said.

Councilmember Myers stated he has since spoken with Bob Graef who is now satisfied with the situation.

Councilmember Wright reported numerous illegal garage sale signs posted on utility poles this past weekend and asked about MSAC picking them up. Mayor Weiser said yes, that was being done, but as far as citing people, the most that can be done is giving them a warning.

Councilmember Pedersen reported a Library Building Committee meeting at 3 p.m. on Wednesday, with the Furniture Committee meeting at 1 p.m. on Wednesday. She asked if the Consent Agenda could be put higher on the agenda in deference to people in the audience that sometime have to wait for hours for the Consent Agenda to be heard.

City Administrator Zabell offered to move it up before Public Hearings unless there is an item that needs discussion under Consent Agenda. It was the consensus to move it up.

Councilmember Baxter said his family went to Jennings Park yesterday and he received a lot of positive comments and they really appreciated it.

Councilmember Myers said MSAC is picking up garage sale signs. He suggested "Post No Bills" signs but City Administrator Zabell said that's even illegal because they detract from the stop signs.

It was noted there was a nice article in the paper about the subdivision without water but Councilmember Myers said he would like to see something in the paper about how Marysville is using 3 million gallons more per day now. Public Works Director Winckler agreed, stating we would have been in a maximum capacity situation with 7 million gallons per day so with the Everett water we are doing OK.

CONNECTED SEE 8/22/94  
MINUTES  
s/b trees

CONNECTED SEE 8/22/94  
MINUTES  
s/b pot

There was discussion about the school watering schedule because they are now watering every day although their justification will be that there has been a long period of no watering.

PUBLIC HEARINGS: None

REVIEW BIDS: None

CURRENT BUSINESS: None

NEW BUSINESS:

**1. Request to Form U.L.I.D. for Sewer; 8500 Block of 45th Dr. NE.**

Public Works Director Winckler reviewed the agenda bill, noting this has been requested by the residents. City Administrator Zabell explained the benefit area map and stated staff recommends a formal petition with the City Attorney drawing up a resolution. Another caveat, he stated, would be that they sign an annexation petition also, he said.

Councilmember Myers left Council Chambers at 8:09 and returned at 8:10 p.m.

There was discussion about annexation at the same time as forming the ULID, this being a reasonable thing to do, working with current homeowners, this being the logical time to annex, possibility of enlarging the annexation area because the BRB would probably want that, the areas immediately to the west already have sewer, City Administrator Zabell to check into annexation covenants.

Councilmember Bartholomew moved and Councilmember Myers seconded to proceed with necessary paperwork to form the ULID, including the preliminary assessment roll. Passed unanimously.

It was noted the intent was for the annexation petition to be distributed at the same time as the ULID petition.

CONSENT AGENDA:

1. July 1994 Payroll in the amount of \$501,659.08.
2. 8/8/94 Claims in the amount of \$382,810.34
3. Acceptance of Public Works Project R94-02; SR 528 from 53rd Av. NE to 67th Av. NE & Begin 30 day Lien Period.
4. Authorize Mayor to Sign Final Plat Mylar, subject to conditions, for Beverly Lane; PA 9207029.

Councilmember Bartholomew moved and Councilmember Pedersen seconded to approve Consent Agenda Items 1,2,3 & 4. Passed unanimously. (Councilmember Baxter abstained from voting on Vouchers 20762 & 20824.)

ORDINANCES & RESOLUTIONS:

**1. Resolution Granting Conditional Use Permit and Variance for Property Leased by Doris Pierce, Subject to Conditions.**

After discussion and agreement to change the word "Owned" to "Leased" and agreeing that this should be changed by the City Attorney, Councilmember Bartholomew moved and Councilmember Pedersen seconded to adopt/accept Resolution 1703. Passed unanimously.

LEGAL MATTERS: None.

ADJOURNED INTO EXECUTIVE SESSION: 8:20 p.m.

1. Personnel. (No Action)

RECONVENED & ADJOURNED: 9:28 p.m.

00131

Accepted this 22<sup>nd</sup> day of August, 1994.

David Weiser

MAYOR

Lillie Leno

DEPUTY CITY CLERK

Wanda A. Iverson

RECORDING SECRETARY