

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

FEBRUARY 27, 1995

CALL TO ORDER:

7:00 p.m.

00044

MINUTES OF PREVIOUS MEETING:

2/13/95 Approved

AUDIENCE PARTICIPATION:

None

CONSENT AGENDA:

Approved:

1. Approval of 2/27/95 Claims in the amount of \$259,350.32.
2. Approval of Preliminary Plat/Rezone; Foothills East; PA 9409032.
3. Approval of Rezone; IDK Truck & Auto Repair; PA 9409035.
4. Authorize Purchase of Remote Control & Basket for Boom Truck.
5. Authorize Mayor to Sign 88th St. NE Easement to Snohomish County for Fill Slope Purposes.
6. Authorize Mayor to Sign Interlocal Agreement with WSDOT; Water and Sewer Improvements on 88th St. NE.
7. Authorize Mayor to Sign Interlocal Maintenance Agreement between the City of Marysville & Snohomish County.
8. Approve Conditional Use Permit; Harvey Jubie; PA 9411040.
9. Authorize Mayor to Sign Contract for Irrigation System.

STAFF'S BUSINESS:MAYOR'S BUSINESS:

1. Mayor's Appointments. Approved.
2. Workshop 3/4/95 from 9-2 - Water & Sewer and 1st & 4th St. Bypass - Public Works Bldg.
3. Workshop re potential parks acquisition 3/20/95 (Monday nite) Time TBA.

CALL ON COUNCILMEMBERS:REVIEW BIDS:

1. Bid Award - Library Shelving & Furniture - Approved 3 bids

CURRENT BUSINESS:

- |   |   |
|---|---|
| 1. Reclassify ULID 19 as LID 65                 | Resolution 1721 Approved                        |
| 2. Y-Zone Review.                               | 1 Police Officer Approved for remainder of 1995 |
| 3. Bonnell Annexation; 60% Petition; PA 9411042 | Public Hearing set for 3/27/95                  |

NEW BUSINESS:

- |  |                       |
|--|-----------------------|
| 1. Smokey Point Venture Annexation                   | 10% Petition accepted |
| 2. Public Safety Building Remodel.                   | Approved.             |
| 3. Conditional Use Permit; Robert Jeske; PA 9412043. | Approved              |

ORDINANCES & RESOLUTIONS:

- |  |                      |
|--|----------------------|
| 1. Ord. ordering improvement of portion of 67th Av. NE & 88th St. NE & establ. LID 64. | Ord. 2016 Approved   |
| 2. Res. granting utility var. for WSP property at 2700 116th St. NE, Msvl.             | Res. 1722 Approved   |
| 3. Res. granting utility var. for Roberts, 13715 58th Dr. NE, Msvl.                    | Res. 1723 Approved   |
| 4. Res. granting utility var. for Kloster, 9025 67th Av. NE, Msvl.                     | Res. 1724 Approved   |
| 5. Res. establ. 4-way stop at 51st & Grove   | - Res. 1725 Approved |

LEGAL MATTERS:

- |  |                            |
|--|----------------------------|
| 1. Borseth Recovery Contract                         | Rec. Contract 178 Approved |
| 2. Announcement re Real Est. Purch. & Sale Agreement | Mayor auth. to sign        |

ADJOURNMENT:

10:28 p.m.

## MARYSVILLE CITY COUNCIL MINUTES

FEBRUARY 27, 1995

7:00 p.m.

Council Chambers

Present: Dave Weiser, MayorCouncilmembers:

Donna Pedersen, Mayor Pro Tem

John Myers

Ken Baxter

Donna Wright

Mike Leighan

Otto Herman

Shirley Bartholomew

Administrative Staff:

Dave Zabell, City Administrator

Steve Wilson, Finance Director

Ken Winckler, Public Works Director

Grant Weed, City Attorney

Gloria Hirashima, City Planner

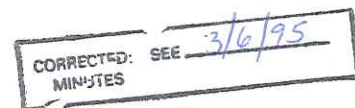
Lt. Dennis Peterson, MPD

Bob Dyer, Police Chief

Jim Ballew, Parks &amp; Recreation Director

Doug Buell, Community Information Officer

Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Weiser called the Council 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 THE PREVIOUS MEETING:

Councilmember Myers noted in the minutes of 2/13/95 on page 3, 6th paragraph, last sentence, that he indicated "someone should attend" but not necessarily Mayor Weiser.

Councilmember Bartholomew noted at the top of page 2 it should be Representative Jeri Costa, not Buzz Costa. On page 5, last paragraph, Richard's last name is "Staats" not "Elvingstadt".

There being no further corrections to the minutes, Councilmember Bartholomew moved and Councilmember Myers seconded to approve as corrected the minutes of February 13, 1995. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

CONSENT AGENDA:

1. Approval of 2/27/95 Claims in the amount of \$259,350.32.
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8. Approve Conditional Use Permit; Harvey Jubie; PA 9411040.
9. Authorize Mayor to Sign Contract for Irrigation System.

After discussion about lead based paint used for street striping, the fire department's requirements that homes beyond 600' from the road be sprinklered, irrigation at Hickok Park, utilizing released prisoners for community work such as at City Parks and Library, Councilmember Herman moved to adopt Consent Items 1 through 6. Councilmember Bartholomew seconded.

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Councilmember Leighan had a question on Item #2 which City Planner Hirashima explained. He also noted he would be abstaining from voting on Voucher #23397 under Item #1.

The motion passed unanimously.

Councilmember Herman moved and Councilmember Leighan seconded to authorize the Mayor to sign the interlocal maintenance agreement between the City of Marysville and Snohomish County (#7) with the added condition that if the equipment/materials are not compatible or if county crews are required, the Council would be consulted. Passed 6-1 with Councilmember Baxter against.

Councilmember Bartholomew moved and Councilmember Wright seconded to adopt Consent Agenda Item #8, with the address correction as noted. Passed unanimously.

Councilmember Myers moved and Councilmember Baxter seconded to approve Consent Agenda Item #9. Passed 5-2 with Councilmembers Pedersen and Bartholomew against.

STAFF BUSINESS:

City Attorney Weed stated he had some information regarding professional services procedure: Municipal Research Services Bulletin #485.

City Planner Hirashima reported the county council discussed the Urban Growth Boundary proposals today and Eric Thompson attended the hearing. She put up an overhead and highlighted several areas that were discussed including the area just south of the Arlington Airport, 108th & 67th, the Lakewood area. She stated she will be including an updated map in the weekly briefing.

Public Works Director Winckler reported there will be a neighborhood meeting from 7 to 8:30 p.m. 3/1/95 at the Pinewood School regarding the 88th St. & 45th Dr. LID. There will be a RUSA meeting this Thu. at 7:30 a.m. as well as a Wheeling Agreement meeting at 2 p.m. in the Public Works Building. Also, a Comp Plan Review Hearing Friday at 2 p.m. in the Public Works Bldg.

Parks & Recreation Director Ballew reported last week they received a claim from Mr. Cleveland who had a cottonwood tree fall in his property. Staff visited the property and inspected and would propose 11 alders be taken out and wood made available to the neighbors, he said. Further, he reported on a large Norwegian maple in Comeford Park whose root structure is posing a threat and the tree needs to come out; it's dying from the inside out and the Parks Dept. is securing bids to have the tree removed. He added that the park is being renovated with a 12" base of chips to replace the sawdust and they may want to remove the tree at the same time while the park is closed.

Councilmember Pedersen asked about giving the wood away and City Attorney Weed noted the City should be receiving some kind of compensation.

Parks & Recreation Director Ballew reminded Council of a surplus tree agreement which entitles people to have wood from trees the City has deemed surplus as these trees are as it is very expensive for the City to haul off the wood and dispose of it.

Councilmember Bartholomew asked about other trees that need to be removed and Parks & Recreation Director Ballew stated they have no inventory at this time; they would like to have this done and there is a grant in the process. He noted developing the inventory would cost about \$15,000.

MAYOR'S BUSINESS:

**1. Mayor's Appointments.**

As per the agenda bill, it was noted the Mayor has asked that the following appointments be affirmed:

PARK BOARD: Rita Matheny.

Councilmember Bartholomew moved and Councilmember Pedersen seconded to affirm Rita Matheny's appointment to the Park Board. Passed unanimously.

LIBRARY BOARD: Bob Graef.

Councilmember Myers moved and Councilmember Bartholomew seconded to affirm Bob Graef's appointment to the Library Board. Passed unanimously.

LIBRARY BOARD: Kathy Roon.

Councilmember Pedersen moved and Councilmember Myers seconded to affirm Kathy Roon's appointment to the Library Board. Passed unanimously.

PARK BOARD: Margaret Natterstadt.

Councilmember Myers moved and Councilmember Pedersen seconded to affirm Margaret Natterstadt's appointment to the Park Board. Passed unanimously.

MARYSVILLE COMMUNITY TELEVISION ADVISORY COMMITTEE: Dick Walsh.

Councilmember Myers moved and Councilmember Bartholomew seconded to affirm Dick Walsh's appointment to the Marysville Community Television Advisory Committee. Passed unanimously.

MARYSVILLE COMMUNITY TELEVISION ADVISORY COMMITTEE: Mike Howard.

Councilmember Myers moved and Councilmember Herman seconded to affirm Mike Howard's appointment to the Marysville Community Television Advisory Committee. Passed unanimously.

- 2. Workshop 3/4/95 from 9-2 - Water & Sewer issues and First and 4th St. Bypass - Public Works Bldg.**
- 3. Workshop re potential parks acquisition - 3/20/95 (Monday) time TBA.**
- 4. AWC Legislative Conference 2/22 & 2/23.**

The Mayor reported DOT is possibly to start a study regarding the 136th interchange and IAC funding issues were discussed.

CALL ON COUNCILMEMBERS:

Councilmember Myers reported Friends of the Library will be selling bricks this weekend as a fundraiser for the new library.

Councilmember Bartholomew noted an agreement between the county and the City regarding prisoners has been formalized and the county also has an electric leg band program if the City would like to utilize it.

Councilmember Herman talked about a Computer Link set up at the AWC Legislative Conference and said he would distribute more information about this.

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Councilmember Leighan referred to a memo regarding a second channel and said we need to make it more clear to TCI that the City is making the request for a second channel. He asked about the money from Viacom to be for the Community Information Officer budget; whether that is where the money is coming from for the Newsletter and he said he would like the newsletter and second channel funds to stay separate. He asked about a City ordinance concerning adult entertainment establishments.

Councilmember Wright also reported on her attendance at the AWC Legislative Conference and stated she had information regarding the water resources and local government services agreements workshops.

Councilmember Pedersen asked about the Purchasing Manual and when it can be actually implemented, having the consultant come back to City Hall, etc.

Mayor Weiser stated he would follow up on this.

Councilmember Baxter reported he had dinner the other night with John Garner and he pointed out that not many people are aware that Marysville is one of the smallest cities that has a full service government. Councilmember Baxter brought up the Public Works Building roofing project.

Public Works Director Winckler stated they have received a bid with a number of suggestions; he said he understood they had authority for a not to exceed figure from City Council.

Councilmember Baxter stated it was mentioned to him that when the reroofing is done would be a very good time to add insulation in the roof. He talked about timing, moisture, doing the work in a cost effective manner, keeping the building heated and cool.

REVIEW BIDS:

**1. Bid Award - Library Shelving and Furniture.**

City Administrator Zabell reviewed the agenda bill, noting MJ Industries' bid of \$115,632.05 was the lowest out of three for shelving. Commercial Office Interiors' bid for \$89,275.61 was the lowest received for furniture and HBI Office Interiors' bid for \$47,785.46 was the lowest received for Base Bid B furniture.

Councilmember Baxter moved to accept the shelving bid from MJ Industries in the amount of \$115,632.05 plus tax. Councilmember Pedersen seconded and the motion passed unanimously.

Councilmember Baxter moved to accept the bid from Commercial Office Interiors for miscellaneous furniture (Base Bid A) in the amount of \$89,275.61 plus a \$3,213.91 performance bond and sales tax. Councilmember Herman seconded and the motion passed unanimously.

Councilmember Baxter moved to approve the HBI Office Interiors bid for Base Bid B furniture in the amount of \$47,785.46 plus performance bond for \$955.71 plus sales tax. Councilmember Pedersen seconded and the motion passed unanimously.

It was noted that the county/state program for released prisoners could be used for moving of shelving and books to the new library.

CURRENT BUSINESS:

**1. Reclassify ULID 19 as LID 65.**

Finance Director Wilson reviewed the agenda bill and noted bond counsel and the Finance Dept. recommends this reclassification.

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Councilmember Bartholomew moved and Councilmember Myers seconded to approve and adopt Resolution 1721 reclassifying ULID 19 as LID 65. Passed unanimously.

## 2. Y-Zone Review.

Mattie Metzger and Troy Hewitt made themselves available for questions.

Mayor Weiser asked about smoke breaks, noting the state law prohibits those under 18 smoking in and around the buildings.

Troy Hewitt explained the only time smoking was allowed was at the "Battle of the Bands" which was not originally a Y-Zone program; it included many older youth and they allowed a smoke break on this night only. He said they normally don't allow smoking and don't anticipate any more conflicts.

Councilmember Bartholomew asked about turnout and Mr. Hewitt stated they are extremely happy with the turnout and it is increasing every Saturday.

Councilmember Leighan asked about changes in hours/scheduling and Mr. Hewitt stated they were well accepted. He explained they are providing food, basketball, pseudo Sumo wrestling events, tutoring programs, they have an advisory committee and volunteer staffing and have experience a very positive response from the community, he said. He added they have about 20 volunteers in the "pool" and are working with the Globe to do more advertisement.

Ms. Metzger noted the Rotary is supporting the Y-Zone as far as providing volunteers, also.

Councilmember Baxter asked about changing schedules/programs and who has the authority to do this.

Mr. Hewitt explained Gary Vangen is now aware of the Y-Zone every Saturday night and gliches have been worked out and they feel confident this will work out well.

Councilmember Herman asked about benefit of having the police in attendance and Ms. Metzger stated because of the police being there, they have had no problems with the kids except for the night of the Battle of the Bands.

Mr. Hewitt added there is a lot of interaction with the officers playing foosball with the kids, etc. and he said he sees it as a tremendous benefit.

Ms. Metzger stated they feel one officer would be sufficient, if that's allowed.

Councilmember Myers said he had attended the Y-Zone and found it a very positive program overall with good interaction with the police officers. He said he would amend the "No Smoking" rule, however, to "No Tobacco."

Chief Dyer addressed Council and noted the funding mechanism for the Y-Zone officers is unbudgeted. He added they don't have much of a line of communication between the MPD and the Y-Zone because there apparently was no dance last Saturday night and that cost MPD 3 hours of overtime to have officers available. He said they agree one officer would be sufficient for 70 kids, 2 officers for 100 kids.

CORRECTED  
 MINUTES  
 2/6/95  
 by Mattie  
 Metzger-477

Councilmember Bartholomew asked if the Police Chief was generally satisfied with the way the program is working and Chief Dyer said generally, yes, but there are still some things that need to be addressed such as funding, drug and alcohol programs to be made available. He added that MPD charges the MJHS for officers and possibly there will be a point where the Y can pay for officers; he said he believes funding is coming out of the Human Resources budget at present. He said he would like to have better communications.

Discussion followed concerning anticipated summer participation, continuation of the program, funding for 1 vs 2 officers, \$4,000 would cover 6 mos. for one officer, allowing Chief Dyer discretion, need to have a meeting regarding clarification of communications, getting monthly/quarterly reports from Y-Zone, getting new programs, attracting more kids, advertising, funding for another year, what fund the money will come out of: Human Services, Gaming, Police Dept., General Fund.

Councilmember Baxter moved to approve one officer for the remainder of 1995, funding to be determined by the Finance Director and quarterly reports to be made. Also, the Police Chief and Y-Zone people to meet to come to agreement on issues. Councilmember Bartholomew seconded and the motion passed unanimously.

**3. Bonnell Annexation; 60% Petition; PA 9411042.**

City Planner Hirashima reviewed the agenda bill, recommending a public hearing be set for 3/27/95.

Councilmember Bartholomew moved and Councilmember Myers seconded to set a public hearing date for March 27, 1995 with the annexation to be subject to the City's bonded indebtedness, zoning and comprehensive plan. Passed unanimously.

NEW BUSINESS:

**1. Smokey Point Venture Annexation (10% Petition).**

Councilmember Baxter left Council Chambers at 9:08 p.m.

City Planner Hirashima reviewed the agenda bill.

Councilmember Baxter returned to Council Chambers at 9:10 p.m.

City Planner Hirashima pointed out that Alternatives A & B, if based on 1995 valuations, would still come out to 17% sufficiency of petition for Alternative A and 11.45% of Alternative B. Alternative C would have 10% only, she stated. It was noted that a 10% petition has already been submitted to the City of Arlington and a 60% petition is in the process of being circulated at this time. Clarence Due is interested in annexation of property south of 152nd, it was also noted.

City Planner Hirashima reviewed the process for meetings and mailings, question and answer information sheets, especially for larger proposals and there was discussion about UGB, how the county has combined the three Urban Growth Boundaries for Marysville, Arlington and Smokey Point in their proposal.

There was further discussion about annexation north of 152nd, non-protest agreements, prohibition of an individual signing a petition for Arlington and Marysville at the same time; there is a procedure whereby a person could remove their name from one city and sign on the other city's petition; statute regarding overlapping territories which the BRB always modify and both cities can vie for overlapping areas.

Norman Penney, 16329 51st Av. NE, addressed Council. He said in general at today's hearings the county executive concurred with decisions and findings and the hearing will reconvene Wednesday regarding natural resource lands and ag lands. He said he felt based on the way things went today, John Garner had control of is area and there are some grey areas in urban reserve south of the airport, the Steiner 182 acre property, eg. with property adjacent to the BN property to be made "rail related industrial property". The triangle to the east is not in urban reserve; it was recommended as a special area and he said he thinks the hearings will be in concurrence with the county executive's recommendations. He added that with the Smokey Point Area, there could be some problems with population projections (115%), eg.

Keith Biever, 4126 77th Pl. NW (??), addressed Council. He said he called Bruce Foster and he said they are very close to their 60%. Mr. Biever said he knows personally that there are several interested in annexation to Arlington but no one is really aware of the Marysville petition at this point.

Councilmember Baxter moved and Councilmember Bartholomew seconded to accept the 10% petition and to set boundaries as per Alternative A & B with a northern boundary of 164th and to hold the usual meetings and mail outs to property owners in that area.

Councilmember Herman asked about UGB and City Planner Hirashima explained the maximum density proposed for that area would be rural at this time.

City Attorney Weed added that the annexation should be subject to the City's bonded indebtedness and comprehensive land use designation. This was included in the motion.

It was noted perhaps a new fact sheet should be developed for this area as it has some unique features and will probably have people asking a little different questions.

The motion passed unanimously.

## **2. Public Safety Building Remodel.**

Chief Dyer reviewed the agenda bill with the aid of an overhead. He noted his proposal would require an additional \$8600 in unbudgeted funds plus architectural fees for the new storage area add on proposed.

Councilmember Myers mentioned the cost of doors can be brought down from \$3,000 to reduce the overall cost and there was discussion about space utilization.

Councilmember Pedersen moved and Councilmember Myers seconded to approve the expansion project with funding of \$8600 to be researched by the Finance Director. Plus approval for architectural fees up to \$2500. The motion passed unanimously.

## **3. Conditional Use Permit; Robert Jeske; PA 9412043.**

City Planner Hirashima reviewed the agenda bill and there was discussion about surface water runoff, drainage ditch to be reviewed by City Engineer/Public Works Dept., wetlands in the area, adequate drainage for the entire short plat, water detention plans, shared driveways so that vehicles are not backing out onto 67th, setbacks.

Councilmember Baxter asked about requirement of hard surfacing and there was further discussion.



Councilmember Wright moved and Councilmember Myers seconded to approve the conditional use permit as per the hearing examiner's recommendations and conditions. Passed unanimously.

ORDINANCES & RESOLUTIONS:

- 1. Ordinance Ordering Improvement of a Portion of 67th Av. NE & 88th St. NE in accordance with Resolution No. 1711; Establishing LID No. 64 and Ordering the Carrying Out of the Proposed Improvements (cont. from Jan. 23, 1995).**

Councilmember Myers moved and Councilmember Baxter seconded to adopt Ordinance 2016. Passed with Councilmember Herman against.

- 2. Resolution Granting Utility Variance for the Washington State Patrol for Property located at 2700 116th St. NE, Marysville.**

Councilmember Bartholomew moved and Councilmember Baxter seconded to adopt Resolution 1722. Passed unanimously.

- 3. Resolution Granting Utility Variance for Charles E. Roberts Property located at 13715 58th Dr. NE, Marysville.**

Councilmember Herman moved and Councilmember Wright seconded to adopt Resolution 1723. Passed unanimously.

- 4. Resolution Granting Utility Variance for the Karl A. Kloster Property located at 9025 67th Av. NE, Marysville.**

Councilmember Bartholomew moved and Councilmember Pedersen seconded to adopt Resolution 1724. Passed unanimously.

- 5. Resolution Establishing a 4-Way Stop at Intersection of 51st Av. NE & Grove St.**

Councilmember Pedersen moved and Councilmember Wright seconded to adopt Resolution 1725.

Councilmember Myers submitted an accident count at intersections with 4-way stops, traffic signals and 2-way stops and there was discussion.

The motion passed 4-3 with Councilmembers Myers, Bartholomew and Leighan against.

LEGAL MATTERS:

- 1. Borseth Recovery Contract.**

City Administrator Zabell explained this is for an 8" gravity sewer main for which Borseth paid \$20.51 per foot. Staff recommends approval, he said.

Councilmember Wright moved and Councilmember Herman seconded to adopt Recovery Contract #178. Passed unanimously.

- 2. Announcement.**

City Attorney Weed announced the Mayor has been authorized to sign a real estate and purchase sales agreement on property previously discussed in executive sessions.

ADJOURNMENT: 10:28 p.m.

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Accepted this 6<sup>th</sup> day of March, 1995.

David Weiser  
MAYOR

Mary P. Swenson  
CITY CLERK

Standa A. Swenson  
RECORDING SECRETARY