

MINUTES RECAP

original

MARYSVILLE CITY COUNCIL MEETING

AUGUST 25, 1997

00065

CALL TO ORDER/FLAG SALUTE:

7:00 p.m.

ROLL CALL:

Councilmember Pedersen
excused

MINUTES OF PREVIOUS MEETINGS:

City Council Meeting
Minutes 8/4/97 & 8/11/97
Approved

AUDIENCE PARTICIPATION:

Geo.Martin, Karen Dix,
Karen Elder

CONSENT AGENDA:

Approved:

1. Approval of 8/25/97 Claims in Amount of \$412,248.20; paid by check nos. 35417 through 35591 with voided check nos. 35312, 34772, 34778 & 35288.
2. Set Public Hearing date of 10/6/97 for Schei Street Vacation; PA 9610043.

STAFF'S BUSINESS:

MAYOR'S BUSINESS:

1. Commendation of Police Officer Mike Ingram for saving life of infant recently

CALL ON COUNCILMEMBERS:

REVIEW BIDS:

1. Janitorial Service. Bid Awarded to American Building Maintenance

NEW BUSINESS:

1. Planning Commission Recommendation Wireless Communication Facilities, Amendments to Zoning & Development Standards City Atty. to draft final ordinance consistent w/ recommendations
2. Planning Commission Recommendations - Parking Standards Approved - No Action
3. Utility Var. Belmark Ind. - 3028 83rd Ave. NE, Everett UV 97-010 Approved
4. Consultant Contract w/Perteet Engr. 60th St. NE Extension Project Mayor authorized to sign

CURRENT BUSINESS:

1. Council Meeting Reimbursement (cont. from 8/11/97) Continued to 9/22/97
2. Discussion regarding supporting Removal of Tobacco Advertising on AK Media Billboards Resolution 1857 Approved

ORDINANCES & RESOLUTIONS:

1. Ord. 2141 Approved relating to reimbursement of City Traffic Engineering Study Costs in Lieu of Site Specific Traffic Engineering Study & Amending MMC Chap. 15.05 by adding new Section 15.05.070.
2. Ord. 2142 Approved adopting the Small Farm Overlay Zone for Certain Real Property located within the City of Marysville, Amending the City's Official Zoning Map as Adopted in Ord. 772 and Adopting the Recommendation of the Marysville Planning Commission relating the Amendments to the City's Comprehensive Plan to include the Small Farm Overlay Zone Designations to Certain Real Property.
3. Res. 1855 Reaffirmed relating to Referendum 96-01 and Snohomish County Regulations relating to licensing and regulation of Adult Entertainment Dance Studios which will read as follows: Shall Ordinance No. 96-045, which amends existing County Code provisions relating to erotic dancers and erotic dance studios and adds new provisions providing for licensing and regulations of adult entertainers, adult entertainment dance studios and adult entertainment dance studio managers and employees, be ratified and approved?

ADJOURNMENT:

9:36 p.m.

EXECUTIVE SESSION:

Real Estate & Personnel

9:45 to 10:29 p.m.
No Action

MARYSVILLE CITY COUNCIL MINUTES

00006

AUGUST 25, 1997

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
 Donna Wright, Mayor Pro Tem
Councilmembers:
 John Myers
 Ken Baxter
 Donna Pedersen (excused)
 Mike Leighan
 Otto Herman
 Shirley Bartholomew (7:02 p.m.)
Administrative Staff:
 Dave Zabell, City Administrator
 Steve Wilson, Finance Director
 Thom Graafstra, City Attorney
 Ken Winckler, Public Works Director
 Gloria Hirashima, City Planner
 Doug Buell, Community Information Officer
 Lt. Dennis Peterson, Marysville Police Dept.
 Wanda Iverson, Recording Secretary

CORRECTED: SEE 9/2/97
 MINUTES

CALL TO ORDER/FLAG SALUTE:

Mayor Weiser called the City Council meeting to order and led the flag salute at approx. 7:00 p.m.

ROLL CALL:

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

MINUTES OF THE PREVIOUS MEETINGS:

1. Council Meeting Minutes from 8/4/97.

Councilmember Myers moved and Councilmember Leighan seconded to approve the 8/4/97 Council Minutes as presented. Passed unanimously.

2. Council Meeting Minutes from 8/11/97.

Councilmember Herman noted on page 4, second paragraph under "Review Bids", the words "After brief discussion concerning" should be struck and replaced with "Councilmember Herman noted his concerns about...."

Councilmember Baxter then moved and Councilmember Wright seconded to approve the Council Meeting Minutes of 8/11/97 as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

George Martin, 1006 118th St. NE, addressed Council. He stated he has been a member at Cedarcrest Golf Course for a number of years and understands there will be no more annual memberships.

Mayor Weiser explained the Council voted not to have them for 1997 and it will be reviewed at the end of the year; the golf course was only going to be open for 5 months and Council wanted to look at the number of rounds played, he said.

Mr. Martin said he was looking at this from a senior citizen's standpoint: They have been loyal to the course and suddenly they don't have a course at a rate that they can afford. They have brought quite a bit of revenue in over the years, in other memberships, he pointed out.

Mayor Weiser explained a number of people have stated the same concerns, a few have said they don't think there should be any passes. The golf pro reports the number of rounds and that will be broken down by category and these figures will be reviewed at the end of the year by Council to help them make the decision about annual passes, etc., he said. At that time an announcement

will be made about this being on the agenda; they want to look at the revenues since the golf course has reopened, he said.

Mr. Martin said he knows the men's club is actually considering going to another course. He pointed out that Marysville should have no problem recouping costs if the seniors come back but they are not going to pay high memberships as they are now. He gave a little background about the seniors' loyalty to the course, wading through a lot of much to play that course before.

Councilmember Baxter noted all the money that was paid into the golf course stayed at the golf course and in addition, the City now has to pay off the bonds that it took to pay for the renovation. He said the City needs to make enough money to make those payments.

Mr. Martin said he understands the need for revenue and looks forward to the Council's fairness and hopes the City will reinstitute the senior passes.

Mayor Weiser reiterated the renovation did create more costs and the overall situation is going to have to be reviewed. One of the issues/factors they will look at is what other courses are charging, he said.

Karen Dix, 5714 143rd Pl. NE, Marysville, WA 98271, addressed Council. She said she would like to see discussed water rates in unincorporated areas and would like this item put on an upcoming City Council Agenda. She explained she has a family of 6 and they use 5400 gallons plus. Also, they apparently got a flyer but didn't see it, so she thinks they were improperly notified.

Councilmember Baxter noted it does cost the City quite a bit to buy the water from outside sources, plus the cost it took to rebuild the system.

Ms. Dix said that is what they would like: Justification for the very high rates.

Mayor Weiser offered to talk with her tomorrow if she called City Hall. He also noted that when the rates were reviewed, it was Council's decision at that time to have an annual review of rates and they will be reviewed during the budget process upcoming.

Councilmember Herman said it's also worthwhile to note that the utilities money stays within its respective account. Also, Council waited too long actually before the rates were increased and regret the inconvenience but they did look at other jurisdictions, etc. and Marysville has still actually one of the lower costs for utilities, he said.

Ms. Dix said she just would like to see the rates be more equitable between residents within the City and outside the City.

Karen Elder, 5401 143rd Pl. NE, addressed Council and said she was also in shock over the rates with her water bill. She said she has not watered her lawn for the last few years but does water her garden and flowers and it's really no longer cost effective for her to do even that. She pointed out that the rates went up 54% up to 6000 gallons; \$2.60 is actually a 205% increase plus the 150% surcharge equals a 359% increase over last year, so her bill which should have been \$40, came in at \$91. She said she is very conservative but her garden won't grow unless it is watered. If the City is going to increase rates, it should be a little more equitable between people who live in and out of the City, she said. She compared different rates around the county, problems her neighbors are having, and how everyone in her neighborhood is using grey water for watering lawns & gardens, showering every other day, conserving generally. She noted people on fixed incomes are not able to keep up with the increase in water rates. She said she can understand a 50% to 60% increase but not 300%.

Ms. Elder continued that she knows City customers' rates increased too and she knows one person who is thinking of putting in a well as a result. She said the City has got to let people take pride in their yard, their garden, their community. This is not just her concern, she sees her friends who are on fixed incomes who just can't afford the water rate increase--a \$106 water bill sometimes means people can't eat, she said. She continued she has a Navy family next door; 6 people will use up to 15,000 gallons. This is their first house and they want to have it nice but they can't afford to water the lawns and she said she thinks it's awful that all the yards in her neighborhood look bad. She noted they can't vote for City Councilmembers, they can't fight City Councilmembers and she said she feels the City has stolen their life and their pride away. She said she knows what these people are going through, she can afford it but a lot of her neighbors can't--there are no green lawns or vegetable gardens, no nice place for kids to play, this is criminal and there is nothing they can do about it unless they move, she said.

She noted that Spada Lake (the source of Everett/Snohomish Co. water) is full this year and they should have been able to enjoy that but they have to fight City Hall. She said right now she is working but when she retires she will still want to water her garden and lawn--she has no more pride in her yard now and she thinks the City needs to rethink this, she said, because people are on budgets and have to decide between water, food, education, clothes. She reiterated that the area is not short of water right now and there really is no reason for the City to be charging so much.

Councilmember Baxter noted he has a brown lawn and no flowers as well, even though he is in the City or on City Council. He said if anyone can convince Everett to charge Marysville lower rates, Marysville could pass the savings on to the customers; Everett does supply the most water in Snohomish County and he said he doesn't expect they will lower their rates.

Ms. Elder pointed out that Everett did not increase rates double or triple like Marysville did and she asked why Marysville can't get the rates a little more equitable.

Councilmember Baxter explained the City has to have a certain amount of revenue to pay for the bonds and if Marysville hadn't increased their storage, the county folks would not have been able to get water from the City at all.

Mayor Weiser noted the difference was over 50% but it's actually less of a difference now between the City and County customers.

Ms. Elder said she knows the City had to revamp the sewage lagoon but now there seems to be a water problem.

Councilmember Baxter asked about the average City need for water and Public Works Director Winckler responded 6-9 million gallons a day, 15 million gallons peak flow a day.

Ms. Elder noted that most of the customers in her area didn't realize how the rate was going to affect them until they started watering in July and August.

Public Works Director Winckler explained the capacity is tied in with the growth potential for the area; there was a lot of effort put into trying to get public input and the overage use charge gives the homeowner some control of how much water they use. He added there was a tremendous amount of discussion from industry, public meetings, projected growth figures and it was set up to be reviewed every year. Citizens outside the City limits, north of 100th St., are benefitting from a reservoir installed recently, he noted.

Ms. Elder said her feeling is that those costs should be shared equally by all citizens.

00009

CORRECTED: SEE
MINUTES
8/2/97

Councilmember Leighan suggested an open house where figures are explained regarding rates, payments, peak rates, some comparisons with other jurisdictions.

Ms. Elder noted she uses 26,000 gallons as a single person in a billing cycle because she has a garden.

Mayor Weiser said he would be asking staff to set up a public meeting.

CONSENT AGENDA:

1. **Approval of 8/25/97 Claims in Amount of \$412,248.20; paid by check nos. 35417 through 35591 with voided check nos. 35312, 34772, 34778 & 35288.**
2. **Set Public Hearing date of 10/6/97 for Schei Street Vacation; PA 9610043.**

Councilmember Herman moved and Councilmember Wright seconded to approve Consent Agenda Items 1 & 2. Passed with Councilmember Leighan abstaining on Check #35578 and Councilmember Baxter abstaining on Checks 35520 and 35540 under Item #1.

STAFF'S BUSINESS:

Finance Director Wilson announced the state auditors will be at City Hall next week.

City Administrator Zabell reminded Council that next Monday is Labor Day so the Council will meet Tuesday, Sept. 2nd.

City Attorney Graafstra reported on the Vine Street litigation, noting a motion was filed to continue it to October.

Public Works Director Winckler apprised the Council of 3 Change Orders:

Change Order #2 for the Sanitary Sewer project at the First St. Bypass for \$25,500 out of a total project cost of \$721,165.

Change Orders 8 & 9 for LID #64: \$12,151 for a telephone relocate which will be totally reimbursed by GTE and \$6254 to relocate fence and gates on 67th next to the golf course, the cost to be split up amongst beneficiaries.

After discussion, Councilmember Bartholomew moved and Councilmember Baxter seconded to approve Change Orders 8 & 9 on LID 64. Passed unanimously.

Public Works Director Winckler announced there will be a tour for Council to view projects constructed this summer, to be held 9/19 at 1:30, with everyone to meet at the Public Works Bldg.

MAYOR'S BUSINESS:

1. Mayor Weiser announced City Administrator Zabell will be getting in touch with the Golf Committee for a meeting.
2. Mayor Weiser reported Parks & Recreation Director Ballew will be getting ahold of the Building Committee on the Baxter Bldg.
3. The Library Board concerns regarding shelves, cracks, painting, hot water are being resolved.
4. Mayor Weiser gave Marysville Police Officer Mike Ingram special verbal commendation for an incident on 8/13/97 in which Officer Ingram saved a 16 month old infant from drowning in a bathtub. Mayor Weiser said he wished to publicly recognize him for contributing a truly positive action such as this and thanked other officers for being present, also.

CORRECTED: SEE 9/2/97
MINUTES MUNKERS

CALL ON COUNCILMEMBERS:

Councilmember Herman mentioned posts on north side of golf course preclude a safe pedestrian pathway for use in going to the office of the golf course. He said he had a packet of materials from CT concerning some of the upcoming ballot measures for anyone interested. He explained some of the funding issues and said any questions could be answered by the CT Public Relations person, Joy Monkers, ph. 425-348-7100. He commented on Councilmember Pedersen's excellent leadership role with the Health District.

Councilmember Leighan spoke about publicity for utility rates and noted he has received a copy of a PBS special video that can be shown at the upcoming Council Retreat. He asked when 67th is proposed to be completed.

Public Works Director Winckler said 67th was supposed to be completed tomorrow but there are still a few more things to be done, hopefully they will finish up Wednesday at the latest.

Councilmember Leighan asked about the Economic Development Committee and City Planner Hirashima said notices are to go out tomorrow for a meeting 9/10/97.

Councilmember Wright reported she attended a marijuana awareness workshop and asked if the video they had could be shown on Channel 2. Community Information Officer Buell said he would look at that possibility.

Councilmember Baxter reported the snack bar at the golf course has brought in \$100,000 in revenue so far but they need a tent for rainy weather. Mayor Weiser reported that a tent has been ordered, one that can also be utilized by the Parks Dept. in the future, when no longer needed by the snack bar.

Councilmember Leighan asked when that was approved and Mayor Weiser said it was approved before, when the different options for snack bar vs restaurant were looked at.

Councilmember Baxter reported he will be out of town Sept. 13 & 14

Councilmember Myers asked about bicycle lanes near 67th & 84th and Public Works Director Winckler said he will take a look at that situation.

Councilmember Myers asked about repairs to be done to the C-curb on 4th and Public Works Director Winckler said the state has not given the City a schedule for repair dates as yet.

Councilmember Myers said he would like to submit his name for consideration for the Health Board Appointment. He reported a skateboard park bank account has been opened at Everett Mutual, 76th & State. He reported there will be a skateboard park meeting 9/3/97 at 6 p.m. at the Petting Zoo and several locations for a skateboard park will be considered at that meeting.

REVIEW BIDS:

1. Janitorial Service.

City Administrator Zabell reviewed the agenda bill and noted the recommendation is for the bid to be awarded to American Building Maintenance, who submitted a bid of \$10,766.58 per month.

Councilmember Myers moved and Councilmember Bartholomew seconded to approve and award the bid to American Building Maintenance as recommended.

After brief discussion about the WWTP work area being included in the janitorial service contract, the motion passed unanimously.

NEW BUSINESS:

1. Planning Commission Recommendation - Wireless Communication Facilities, Amendments to Zoning & Development Standards.

City Planner Hirashima reviewed the agenda bill and noted these are considered minor communication facilities with a conditional use permit in all of the zones. She reviewed current vs recommended ordinance regarding landscaping, buffers, development standards, frontage improvements, abandonment requirements.

Councilmember Bartholomew moved and Councilmember Myers seconded to direct the City Attorney to draft a final ordinance consistent with recommendations of the Planning Commission, and to strike the word "continuous" in Section F. Passed unanimously.

2. Planning Commission Recommendations - Parking Standards.

City Planner Hirashima reviewed the agenda bill, noting the Planning Commission recommends "No Action." She said the Planning Commission discussed businesses providing adequate parking and how the market would probably dictate this; currently parking is satisfactory but this can be reviewed at a later time. She noted there are several mixed use developments that are under review and probably this issue will be coming back within a year, she said.

After brief discussion, it was the consensus to accept the Planning Commission recommendation of "No Action to be taken at this time."

3. Utility Variance Belmark Industries, 3028 83rd Ave. NE, Everett - UV 97-010.

Public Works Director Winckler reviewed the agenda bill, noting the recommendation is for approval with an interlocal agreement being developed with Lake Stevens until Trunk D is completed. Lake Stevens would serve the 11 connections in question and Marysville would bill the customers and pay Lake Stevens for the service, it was clarified.

After brief discussion, Councilmember Baxter moved and Councilmember Bartholomew seconded to approve the utility variance as recommended. Passed unanimously.

4. Consultant Contract with Perteet Engineering; 60th St. NE Extension Project.

Public Works Director Winckler reviewed the agenda bill, stating construction is anticipated to begin in the spring of 1998 and staff recommends the contract be approved at a cost of \$28,053. It was noted the City Attorney has had an opportunity to review the document; it's a standard document.

There was discussion about design, traffic calming, pedestrian crossings, sidewalk, stop light at 60th & 528 eventually.

Councilmember Leighan moved and Councilmember Herman seconded to authorize the Mayor to sign the consultant contract with Perteet Engineering. Passed 5-0 with Councilmember Myers abstaining from voting.

CURRENT BUSINESS:

1. Council Meeting Reimbursement (continued from 8/11/97).

After a fairly lengthy discussion, Councilmember Myers moved and Councilmember Baxter seconded to continue this item to 9/22/97. Passed unanimously.

2. Discussion Regarding Supporting the Removal of Tobacco Advertising on AK Media Billboards.

City Administrator Zabell reviewed the agenda bill and noted it has been recommended to adopt the resolution as per the draft in the packets. He noted the concern appears to target youth, however the resolution would ask for a ban on all tobacco advertisement. Form has been approved by the City Attorney.

After brief discussion, Councilmember Baxter moved and Councilmember Wright seconded to approve/adopt Resolution 1857. Passed unanimously.

ORDINANCES & RESOLUTIONS:

1. Ordinance Relating to Reimbursement of City Traffic Engineering Study Costs in Lieu of Site Specific Traffic Engineering Study and Amending MMC Chap. 15.05 by Adding a New Section 15.05.070.

Councilmember Herman moved and Councilmember Myers seconded to approve/adopt Ordinance 2141. Passed unanimously.

2. Ordinance Adopting the Small Farm Overlay Zone for Certain Real Property Located within the City of Marysville, Amending the City's Official Zoning Map as Adopted in Ordinance No. 772, and Adopting the Recommendation of the Marysville Planning Commission Relating the Amendments to the City's Comprehensive Plan to include the Small Farm Overlay Zone Designations to Certain Real Property.

Councilmember Baxter moved and Councilmember Herman seconded to approve/adopt Ordinance 2142. Passed unanimously.

3. Resolution No. 1855 of the City of Marysville Relating to Referendum 96-01 and Snohomish County Regulations Relating to Licensing and Regulation of Adult Entertainment Dance Studios which will read as follows:

Shall Ordinance No. 96-045, which amends existing County Code provisions relating to erotic dancers and erotic dance studios and adds new provisions providing for licensing and regulations of adult entertainers, adult entertainment dance studios, and adult entertainment dance studio managers and employees, be ratified and approved?

Councilmember Bartholomew moved and Councilmembers Wright and Myers seconded to reaffirm approval and adoption of Resolution No. 1855. Passed unanimously.

ADJOURNMENT: 9:36 p.m.

EXECUTIVE SESSION: 9:45 to 10:29 p.m.

- | | |
|-----------------|-----------|
| 1. Real Estate. | No Action |
| 2. Personnel. | No Action |

RECONVENED & ADJOURNED: 10:29 p.m.

Accepted this 2nd day of September, 1997.

David Weiss
MAYOR

Wanda A. Iverson
CITY CLERK

Wanda A. Iverson
RECORDING SECRETARY