

Dr

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

AUGUST 24, 1998

CALL TO ORDER:

7:00 p.m.

ROLL CALL:

All present

00138

MINUTES OF PREVIOUS MEETINGS:

1. City Council Meeting; 8/10/98

Approved

AUDIENCE PARTICIPATION:

None

CONSENT AGENDA:

Approved:

1. Approval 8/24/98 Claims in the amount of \$490,796.59; paid by check nos. 40722 through 40919 with check nos. 39762 and 40339 void.
2. Approval of July, 1998 Payroll in the amount of \$843,875.05; paid by check nos. 30035 through 31677 with check nos. 30033, 30034, 30037, 30038, 30156 through 30300 and 31406 void.
3. Accept the LID 67 Sanitary Sewers Project as complete and begin the 45-day Lien Filing Period.
4. Authorize Mayor to Sign Agreement for Caretaker Services and Lease at Jennings Memorial Park; LeRoy & Thelma Staley.
5. Edward Springs Reservoir Liner/Cover Project; DWSRF Loan Application.

STAFF'S BUSINESS:

1. Finance Department Reorganization

MAYOR'S BUSINESS:

Plaque presented to Fin. Director Steve Wilson for 9 years of service

CALL ON COUNCILMEMBERS:

PETITIONS & COMMUNICATIONS:

None

PRESENTATIONS:

None

PUBLIC HEARINGS:

None

REVIEW BIDS:

1. Lloyd Taubeneck Bldg. Remodel

Bid awarded to Current Enterprises in the amt. of \$224,941.31 with budget amendment for \$90,000

NEW BUSINESS:

1. Utility Variance for One Water & One Sewer Connection, subject to conditions; Tony Flett; 4729 84th St. NE, Msvl.; UV 98-022.
2. School Impact Fees Ordinance; PA 9807043.

Approved

Workshop to be held 9/21 & Public Hrg. 9/28/98 7 PM

ORDINANCES & RESOLUTIONS:

None

LEGAL MATTERS:

1. Contract for Recovery of Utility Construction Costs for Water; PC Land Investments, Inc.

Rec. Contr. #210 Approved

ADJOURNED:

8:58 p.m.

EXECUTIVE SESSION:

1. Legal Matters
2. Real Estate

9:07 to 10:20 p.m.

No Action

No Action

RECONVENED & ADJOURNED:

10:20 p.m.

MARYSVILLE CITY COUNCIL MEETING

AUGUST 24, 1998

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
Donna Wright, Mayor Pro Tem
Donna Pedersen
Brett Roark
NormaJean Dierck
Mike Leighan
Otto Herman, Jr.
Shirley Bartholomew
Administrative Staff:
Robert Carden, Police Chief
Steve Wilson, Finance Director
Dave Zabell, City Administrator
Gloria Hirashima, City Planner
Grant Weed, City Attorney
Ken Winckler, Public Works Director
Jim Ballew, Parks & Recreation Director
Doug Buell, Community Information Officer
Wanda Iverson, Recording Secretary

00188

CALL TO ORDER:

Mayor Weiser called the City 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 PREVIOUS MEETINGS:

1. City Council Meeting August 10, 1998.

Councilmember Bartholomew noted on page 2 in the middle paragraph, she has known Mr. Muller since he was a child, not "since he was born."

There being no further corrections, Councilmember Bartholomew moved and Councilmember Roark seconded to approve the Council 8/10/98 Meeting Minutes as corrected. Passed 7-0.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

Councilmember Dierck asked that New Business Item #2 be moved up on the agenda because of the large number of people in the audience here for that item. It was the consensus to move it to immediately before Review of Bids.

CONSENT AGENDA:

1. Approval 8/24/98 Claims in the amount of \$490,796.59; paid by check nos. 40722 through 40919 with check nos. 39762 and 40339 void.
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3. Accept the LID 67 Sanitary Sewers Project as complete and begin the 45-day Lien Filing Period.
4. Authorize Mayor to Sign Agreement for Caretaker Services and Lease at Jennings Memorial Park; LeRoy & Thelma Staley.
5. Edward Springs Reservoir Liner/Cover Project; DWSRF Loan Application.

Councilmember Herman moved and Councilmember Bartholomew seconded to approve Consent Agenda Items 1 through 5 with the hope that the photocopier will be fixed that was responsible for running off the poor copies of the claims vouchers listing in the packets. Passed unanimously.

STAFF'S BUSINESS:

1. Finance Dept. Reorganization.

Finance Director Wilson reviewed the information in the packets, noting the proposal was to change the grade 7 to grade 4 but now they are asking to leave it at Grade 7. He said it is anticipated the Grade 7 will be eventually supervising two Grade 4's and so the budget is requested to be left as is. He added that he felt leaving the grade levels unchanged will support a smooth running operation and it will take awhile to fill the open position.

It was the consensus of Council to leave the grade levels unchanged, especially considering the fact there will be no effect to the current budget.

PLAQUE PRESENTATION:

Mayor Weiser presented a plaque of appreciation to Finance Director Wilson for his 9 years of service (his last day of employment with the City will be August 31, 1998) and he highlighted some of Mr. Wilson's accomplishments in that time, including a revamping of the way fixed assets are accounted for and tracked, his professionalism in working with bond counsel and others in the processing of over \$40 million in City bonds, contributing toward and supervising the new utility billing format, helping step up the City's bond rating, developing a purchasing manual and meeting the many demands at budget time.

Finance Director Wilson in response, commented on how fast the 9 years has gone by, noting the challenge of the position as well as its rewards. He remembered when he first came to work for the City the old city hall, the old golf course, the old library and only one on and off ramp to get in and out of Marysville. Now, of course, we have a new city hall, new renovated golf course, new library and two on and off ramps. He noted there have also been a lot of changes within the Finance Dept. in that time, the most obvious one being the City budget has gone from \$13 million to \$35 million with the Police Dept. alone having a \$3 million budget in 1998. He said he feels the new Finance Director, Ed Erickson, will do a superb job for the City and leaves, knowing the City is in capable hands there.

Chief Carden reported the Resource Officer proposal will be ready the first meeting in September, when they hope to have information from the school board to support this position.

Public Works Director Winckler reported the City has received a letter from the Department of Ecology approving the City's Comprehensive Sanitary Sewer Plan and this will be presented at the 9/8/98 meeting for final approval of City Council.

He detailed Change Order #3 for the Highway 9 Reservoir project in the amount of \$2105 which does not require City Council formal approval--for information only and a change order for the 88th St. Lift Station. Out of an almost \$43,000 amount of additional work required, the Tulalip Tribes will be contributing \$24,000 and so the net amounts to 5.9% of the total project. He highlighted what is involved in the upgrade, including concrete blocking, pipe-fitting, manhole covers, telemetry, conduit, modifications to the generator. He explained these costs were negotiated by the project manager who met with the consultant, staff, etc. The \$24,000 is a direct cost for the purchase of a flow device plus installation, he said.

Councilmember Bartholomew moved and Councilmember Leighan seconded to give formal approval to the change order for the 88th St. Lift Station as detailed by Public Works Director Winckler. The motion passed unanimously.

MAYOR'S BUSINESS:

Mayor Weiser announced Councilmember/Mayor Pro Tem Wright has been appointed to the AWC Legislative Committee by the Mayor of Everett.

2) There will be a presentation on 800 MHZ by Mr. Spencer Bonner on August 31 at 7 p.m. to City Council at the Public Safety Center.

3) Tuesday, August 25 at 6:30 p.m. at the Tulalip Training Center there will be a public meeting of the Higher Education Board at which they will be taking testimony regarding the potential for a 4 year siting in North Snohomish County, somewhere between 41st in Everett north to 116th in Marysville.

CALL ON COUNCILMEMBERS:

Councilmember Bartholomew urged everyone to attend the Higher Education Board meeting. She noted it will be preceded by an open house for people to view the training center, at 6410 23rd Ave.NE. The open house will begin at 4 p.m.

Secondly, she wished to follow up on the Department of Transportation and their schedule for closure of Hwy. 529, noting this is a tremendous impact on Marysville, its businesses and residents.

Public Works Director Winckler said his department is in the process of getting DOT to come back and give a presentation to Council. He agreed it is a large impact and WSDOT really needs to address these issues and hopefully, they will be at the next Council meeting.

Councilmember Roark asked about the owners of the business at the end of the slough; they are going to be seriously impacted, he noted.

Mayor Weiser said this has been discussed with DOT and they have been made aware of the situation.

Councilmember Bartholomew reiterated what a tremendous impact this is having on Marysville, in the past, present and future.

Councilmember Roark expressed a concern that some businesses may not be able to survive this 10 month plus interruption to their business.

Councilmember Bartholomew commented that it's much more than 10 months; it adds up to over a year, actually, that DOT will be having various closures to various state highways within their jurisdiction and she said she looks forward to having DOT here so concerns can be expressed that to her, anyway, this is really an intolerable situation.

Councilmember Herman echoed her comments and said he would hope it will be communicated to DOT that we need some answers regarding Highway 2, SR 529 and I-5 as far as coordination of scheduling of closures. He said he had some CT information he would copy for Councilmembers.

Councilmember Leighan asked about the State, 1st to Grove project and Public Works Director Winckler reported pricing has been received on the project today and it needs to be reviewed and prepared for presentation to City Council, probably at next Council meeting or the one after that.

Councilmember Wright reported she received a call this afternoon about the parking and traffic near the library--they wanted to express appreciation for the improvements made so pedestrian and vehicular traffic can flow easily and safely.

Councilmember Pedersen said she heard the rumor that the preferred location for siting of the 4 year college is in Marysville and she feels Marysville should get out and support that. Also, with regard to the DOT issue, she said she would like Ed Hayes invited to the meeting when DOT comes to make their presentation. Regarding the presentation by Owen Carter on consultants, she asked when that is scheduled.

Public Works Director Winckler said it is scheduled for Sept. 21 as a workshop (3rd Monday in Sept.).

Councilmember Pedersen followed up on the information she requested at a previous meeting about all payments to consultants in the past year. She said she would like this information before the budget workshops coming up.

Councilmember Pedersen reported about attending a Rotary meeting where visitors were here from Egypt and they were discussing differences between the city they live in, in Egypt, and Marysville: The children here are much more open than in Egypt, Americans consume much more food but here, the traffic is much easier to get around in!

Councilmember Dierck passed out invitations from the Pilchuck Audubon Society for the Council to take a flight over Marysville. There was brief discussion about the legality of a City Councilmember taking a flight in a small airplane and City Attorney Weed said he would follow up on this.

Councilmember Roark reported he has seen an increase in transients in Marysville and has been asked if the City is addressing this.

Chief Carden said yes, they are trying to keep abreast of the situation, taking into consideration the various laws that pertain to panhandling, etc.

NEW BUSINESS:

2. School Impact Fees Ordinance; PA 9807043.

City Planner Hirashima reviewed the agenda bill, noting the City also encompasses part of the Lake Stevens School District, who also testified at the Planning Commission Public Hearing. The Lake Stevens School District has not approved their Capital Facilities Plan as yet, she said. She noted the county is in the process of reviewing and approving the CFP for each of the 13 districts within the county; they have indicated they anticipate this process will be completed by the end of the year. She added that City Council may want to hold 3 different work sessions on the 3 different impact fees, however, it was recommended by the Planning Commission that the 3 impact fees be all heard on the same date before the City Council. There were 3 workshops and one public hearing before the Planning Commission on the school impact fees, she reported.

Mayor Weiser said he would like to see this the subject of a workshop.

Councilmember Dierck said she would like to call for a public hearing, without a workshop.

Councilmember Wright said she would like to have an opportunity to ask a few questions about the proposal before them, for example, questions regarding GMA changes.

Councilmember Bartholomew said she felt one public hearing for all 3 impact fees would give the total picture, eg. transportation, parks and recreation, school impact fees and said she would like to have at least one workshop on the school mitigation fees.

MARYSVILLE CITY COUNCIL MINUTES
AUGUST 24, 1998
Page 5

Councilmember Herman noted this is a very complicated issue and said he has several questions for a Public Hearing/Workshop. He said he believes the Council will need at least one Public Hearing and/or Workshop for the school impact fees alone.

Councilmember Bartholomew asked about the other sections and City Planner Hirashima said Traffic/Transportation is being reviewed by the Planning Commission now, Parks & Recreation later in Sept.

Councilmember Bartholomew said she sees a lot of upcoming issues and thinks we should proceed with due diligence.

Councilmember Roark said he felt this issue needs to be reviewed very carefully at a public hearing and/or workshop.

Councilmember Pedersen said she would like the formulas explained, eg. and would like to have Dr. Eisenhower at a workshop. She added that an option is to look at the "big picture" with all 3 impact fees at a later date and make a decision later down the line.

Councilmember Herman expressed concern about reviewing all three impact fees together making for a very long meeting, as well as concern about taking public input at a public workshop. It was clarified that no public testimony would be taken at a workshop. It was also clarified that a decision did not have to be made the same night as public testimony is taken at a public hearing.

Mayor Weiser clarified the difference between a public workshop and a public hearing: Council would receive information only from City staff and Marysville School District at a workshop, with no public comment.

Councilmember Herman added that his opinion of appropriate information in a workshop setting would be how the formula was developed, for example.

There was further discussion about the format of a workshop, process of adopting a CFP that was not generated by the City, the City's responsibility to hold a public hearing to hear all view points and have an adequate record with regard to the CFP document so there is a comfort level, need to have at least 2 public hearings, preference to deal with all 3 as a package, have a final public hearing on all 3 impact fees together.

Dr. Eisenhower, Superintendent of Marysville School District, was asked to address Council. He gave his address as 7716 51st Ave. NE and introduced others in the audience from the school district and/or counsel for the school district. He read a prepared statement, noting they came tonight hoping to give their input. He said Marysville School District has developed a CFP which sets the stage for adequate schools for our children and the school district is requesting a public hearing as soon as possible on this issue. He said all our citizens need to be served by an adequate infrastructure, schools, etc. and this is good public policy. He said they feel the CFP is an important document, has been the subject of frequent agendas at the school district, has been extensively discussed with the Planning Commission and he said they are actually wondering what can be added for the Council's information; they would like to know what further information they can provide and would like to see the process move forward to a public hearing as soon as possible. He said they are more than willing to provide any information the City Council needs and would appreciate advance notice of any workshop so as many people as possible can attend.

Councilmember Leighan noted the school district used to be a state 70% matched district before and Dr. Eisenhower said it is now about 67%. He spoke about different state requirements in order to get that match money.

Councilmember Roark asked about the formulas presented to the Planning Commission and Dr. Eisenhower said the student generation figures they feel were very accurate and produced a figure of a projection of .57 students per household and they are very comfortable with their formula based on that figure.

Councilmember Pedersen asked what percentage they feel is from new homes vs existing homes and Dr. Eisenhower said they came up with a .57 figure based on new development and would have to go back and look at figures on existing homes; they are projecting an overall 3% growth each year, based on history of Marysville growth pattern.

Mayor Weiser asked about the owned but as yet unoccupied school sites in Marysville and whether there would be any increased transportation costs for sites outside city limits vs the ones inside city limits, i.e. the transportation element of the formula.

Dr. Eisenhower stated they have not put in a lot of extra things in the formula, it's basically construction costs; for example, some sites are secondary but no decision has been made as yet on sites. Transportation is not an element of the formula, he concluded.

Councilmember Leighan asked about tribal housing vs private housing impact fees on the reservation and the effect also of part of the school district being within Everett City limits.

Dr. Eisenhower said the bulk of Marysville School District students are from Marysville and they concentrated on that; he said he did not know about students within the unincorporated part of the county, either.

Councilmember Herman moved to hold a workshop 9/21/98 with a public hearing 9/28/98 on school impact fees. Councilmember Dierck seconded the motion.

There was considerable discussion about dates for various workshops, presentations, public hearings, Planning Commission recognition dinner, etc. At one point, the motion was changed to hold the workshop on the 15th with the public hearing still on the 28th but after discussion, it was changed back to the original motion of the workshop on the 21st and the public hearing on the 28th. Topics for discussion at the workshop would basically be how the formulas were derived, to be presented by the school district, as well as elements of the Capital Facilities Plan.

The motion passed unanimously, with the workshop and public hearing times both to be at 7 p.m.

There was further discussion about Edmonds not having any school mitigation fees, Owen Carter's presentation to be at 7 p.m. on 9/15 and clarification that there would be no public comment at the workshop on the 21st, only information presented by the City and school district. The public is welcome to attend the workshop but any public comment could be construed as testimony, to be given only at a public hearing.

REVIEW BIDS:

1. Lloyd Taubeneck Building Remodel.

Public Works Director Winckler reviewed the agenda bill and there was discussion about high construction costs and premium labor costs at this time of year.

Councilmember Roark moved and Councilmember Pedersen seconded to approve the recommended action of approving the budget amendment to the 402 fund in the amount of \$90,000 and awarding the contract to Current Enterprises in the amount of \$224,941.31, including sales tax but not including the metal canopy. Motion to include

authorizing the Mayor to execute the contract documents on behalf of the City. Motion passed 6-1 with Councilmember Dierck against.

NEW BUSINESS:

1. **Utility Variance Request for One Water and One Sewer Connection, Subject to Conditions; Tony Flett; 4729-84th St. NE, Marysville; UV 98-022.**

Public Works Director Winckler reviewed the agenda bill.

Tony Flett, 4729 84th St. NE, addressed Council. He said with regard to signing a commitment letter, he has already signed one and it would remain in force and effect with this utility variance.

There was discussion about the commitment applying to both residences, potential LID, previous utility variance was for a hardship case, applicant is now short platting.

Mr. Flett said the biggest cost is dewatering and other startup costs, also building sewer line at 100 feet at a time is very expensive.

City Administrator Zabell explained further about the potential development involved and noted Mr. Flett has already signed the commitment letter for the whole original lot, not for two lots.

City Attorney Weed said he felt it should be treated as two separate lots and there was further brief discussion.

Councilmember Herman moved and Councilmember Pedersen seconded to approve the utility variance, with the variance to not cover frontage on both 84th St. NE and 47th Dr. NE providing the applicant participate in any future extensions of the utility, either public or private, which would ultimately result in both frontages of the applicant's property to be covered by sewer and water, and sign an agreement to not protest the formation of an ULID in the future. Also to revise the previous ordinance with regard to the legal description because of this short platting. The motion was passed unanimously.

LEGAL MATTERS:

1. **Contract for Recovery of Utility Construction Costs for Water; PC Land Investments, Inc.**

Councilmember Pedersen moved and Councilmember Bartholomew seconded to adopt/approve Recovery Contract 210. Passed 6-1 with Councilmember Dierck against.

ADJOURNMENT: 8:58 p.m.

EXECUTIVE SESSION: 9:07 to 10:20 p.m.

1. **Legal Matters.** No Action
2. **Real Estate.** No Action

RECONVENED & ADJOURNED: 10:20 p.m.

Accepted this 8th day of September, 1998.

David W. Lewis
MAYOR

Mary Swenson
CITY CLERK

Shanda R. Swenson
RECORDING SECRETARY