

MINUTES RECAP
MARYSVILLE CITY COUNCIL - REGULAR MEETING
AUGUST 2, 1999

CALL TO ORDER/FLAG SALUTE	7:00 P.M.
ROLL CALL	All present
MINUTES OF PREVIOUS MEETING 1. July 26, 1999	Approved as corrected.
AUDIENCE PARTICIPATION	Sue Adams Dana Graupmann Bob Aldridge Ellen Gray Bruce Tipton Cleve Potter Jim Brennick
PRESENTATIONS/PETITIONS/COMMUNICATIONS 1. Proclamation - Air Care Month	Read and signed.
CONSENT AGENDA 1. Approve August 2, 1999 claims in the amount of \$84,268.10 paid by check nos. 47081 through 47190 with check nos. 23425, 47074 and 35268 void. 2. Approval of liquor license renewal for El Rinconcito, 202 State Avenue, Marysville. 3. Approval of Interlocal Agreement between the City of Marysville and Washington Department of Transportation; 64 th Street NE (SR 528), 67 th Street NE to 83 rd Street NE; road improvements project R9601.	Approved. Approved. Approved.
ACTION ITEMS	
REVIEW BIDS None.	
PUBLIC HEARING None.	
CURRENT BUSINESS None.	
NEW BUSINESS 1. Amend 1999 city operating budget - \$16,000 for Police Department software upgrades	Approved.
ORDINANCES AND RESOLUTIONS	
None.	
LEGAL MATTERS None.	
INFORMATION ITEMS	
1. Mayor's business 2. Staff's business 3. Call on councilmembers	
ADJOURN	8:33 p.m.
EXECUTIVE SESSION	To discuss two real estate matters.
RECONVENE	No action taken.
ADJOURN	9:01 p.m.

**MINUTES
MARYSVILLE CITY COUNCIL - REGULAR MEETING
AUGUST 2, 1999**

CALL TO ORDER/FLAG SALUTE

The meeting was called to order by Mayor Weiser at 7:00 p.m. in the Council Chambers, and the assemblage joined in the flag salute. A voice roll call was conducted. Attendance was as follows:

Councilmembers Present:
Dave Weiser, Mayor
Donna Wright, Mayor Pro Tem
Shirley Bartholomew
NormaJean Dierck
Otto Herman, Jr.
Mike Leighan
Donna Pedersen
Brett Roark

Administrative Staff present:
Dave Zabell, City Administrator
Robert Carden, Police Chief
Ed Erickson, Finance Director
Gloria Hirashima, City Planner
Grant Weed, City Attorney
Ken Winckler, Public Works Director

MINUTES OF PREVIOUS MEETING

1. City Council meeting July 26, 1999

Councilmembers noted the following corrections:

- Page 6, number 3, Dierck voted nay; motion carried (6-1).
- Page 5, New Business, number 1: Councilmembers received one letter from the Department of Trade and Economic Development and one from Fish and Wildlife.

MOTION by Dierck, second by Leighan, to approve the minutes of the August 2, 1999 meeting as corrected. Motion carried unanimously (7-0).

AUDIENCE PARTICIPATION

Sue Adams, 1803 Hewitt Avenue #108, Everett, representing the Pilchuck Audubon Society, encouraged Council to move forward on the city's Sensitive Areas Ordinance. She handed out information and drew council's attention to the recommended buffers, particularly in light of the Endangered Species Act. She encouraged council to adopt the Washington Department of Ecology standards for wetland buffers, which was 250 feet with an additional "management zone" of 50 feet. She agreed to provide the city with a copy of Snohomish County's Administrative Rules on this topic.

Dana Graupmann, 1803 Hewitt Avenue #108, Everett, distributed brochures regarding the EnviroStars program through Snohomish County Public Works. She encouraged councilmembers to study the TMDL reports and be proactive in protecting the city's waterways. She recently attended a National Marine Fisheries workshop where it was clearly shown how significant buffers were in protecting fish. The Chinook had already been listed on the Endangered Species List and other fish would possibly be added. She distributed flyers on the Festival of Rivers to be held August 21 and 22 on the Jordan Road in Arlington.

Bob Aldridge 5420 79 Place NE, reported on the status of the project on 60th Drive NE. The contractor started June 2nd; on the 16th problems were discovered with the sewer work. The contractor then walked off the job for four weeks and had since been performing on a leisurely basis. During their off time, he had personally paid to have others come in and grade the road and put down 5/8" gravel so the streets had been temporarily passable. He emphasized that he did not want the road closed for any longer than necessary.

Ellen Gray, 30816 3rd Avenue NE, Stanwood, stated she was a board member for People for Puget Sound and encouraged the protection of the Snohomish River estuary. She noted that salmon needed slower, calmer waters and applauded the council for considering revisions to the Sensitive Areas Ordinance, which would improve habitat protection. She encouraged the immediate adoption of the Planning Commission's recommendations regarding the Ordinance because the city's current buffers were inadequate. She emphasized that local jurisdictions should rely on the best science available, rather than using politics to guide their actions.

Bruce Tipton, 6308 100th Street, requested the city to reopen SEPA on the HDK/Anderson Industrial Park project, noting that since it had passed, the Chinook salmon had been listed on the Endangered Species List. There were provisions in SEPA to reopen the review when new information came to light, and this listing constituted

new information. The buffers as currently planned would only be 25 feet wide at the mouth of Allen Creek.

Cleve Potter, 1218 188th Street NE, Arlington, spoke as the representative for several neighbors who were also in attendance: Dale Hawkins, John McIntyre and Jerry Plileo. They requested that their properties be considered as part of the city's Comprehensive Plan Amendment 4, instead of having to fill out the paperwork and be considered as a separate request. The area in question was the 116th Street freeway access where the zoning was "freeway commercial" along the freeway and "community commercial" along 116th. He noted they received the application packet which was required, but had great difficulty in completing it.

Mayor Weiser responded that under the Growth Management Act, the city could only amend its comprehensive plan once a year. The last amendment cycle had been extended twice, but was closed now. The written request from Potter's group had not been received during the amendment process.

Mr. Potter recounted the difficulty they had had with the paperwork and with the non-responsiveness of some Planning Department staff members. They felt there was unspoken opposition to their proposal.

Councilmember Herman emphasized the importance of the public input portion of the various permitting processes. He noted that unless the Potter group started the necessary paperwork, their process could not go forward.

Councilmember Pedersen supported simplifying the paperwork so the Potter group could proceed. Ms. Hirashima responded that the application for a Comp Plan amendment consisted of five pages. She noted that the application for Amendment 4 was submitted in 1998 and acted upon by the Planning Commission and the City Council during 1999. Because the action had been finalized, it could not be reopened to add property. Applications for amendments were accepted throughout the year. The deadline had passed for submitting an application in this year's cycle, but staff was accepting applications for consideration in the 2000 review process. She recounted the meetings and site visits she had had with the Potter group, but no application had ever been received. She emphasized that the Planning Department's role was to explain the process. It would not be appropriate for them to help citizens fill out the paperwork which the department would subsequently review. Applicants were advised that there was no certainty of approval as each application was reviewed by the Planning Department, the Planning Commission and ultimately the City Council. The application fee was \$1100. She suggested that the deadline for the 2000 applications could be moved up to March or April to allow those applications to be reviewed and considered with this year's submissions.

Jim Brennick, 7523 71st Avenue NE, commented on the PUD's line relocation work on 64th. He said it appeared they were putting in overhead power lines to underline subdivisions and questioned if this was temporary. Mr. Winckler responded that it was his understanding that the whole project was to be undergrounded and he agreed to follow up on it.

PRESENTATIONS/PETITIONS/COMMUNICATIONS

1. Proclamation – Air Care Month.

Mayor Weiser read the proclamation regarding the role Community Transit plays in reducing air pollution and asked Councilmember Herman, who sits on the Community Transit Board to deliver the proclamation to the Board.

CONSENT AGENDA

1. Approve August 2, 1999 claims in the amount of \$84,268.10 paid by check nos. 47081 through 47190 with check nos. 23425, 47074 and 35268 void.
2. Approval of liquor license renewal for El Rinconcito, 202 State Avenue, Marysville.
3. Approval of Interlocal Agreement between the City of Marysville and Washington Department of Transportation; 64th Street NE (SR 528), 67th Street NE to 83rd Street NE; road improvements project R9601.

MOTION by Herman, second by Pedersen, to approve items 1 and 2. Motion carried unanimously (7-0).

Regarding item 3, Councilmember Dierck asked about the completion date for the biological study on the project; Mr. Winckler noted that an exact date had not been set. The agency funds would be held for the length of time needed for the review. The

project design would take into account the project's proximity to the creek; if special culverting was required it would be done with the approval of the Fisheries Department.

MOTION by Bartholomew, second by Wright to approve item 3. Dierck voted nay; all others voted aye; motion carried (6-1).

ACTION ITEMS

Review Bids

None.

Public Hearing

None.

Current Business

None.

New Business

1. Amend 1999 city operating budget.

Chief Carden noted the expenditure request was for \$16,000 from the Gaming Fund to purchase software upgrades for the mobile data terminals. This would allow officers to write reports in the field and drop off discs to their Sergeant.

Councilmember Pedersen asked if this expenditure was from last year's funds or those recently received; Chief Carden responded that it was from last year's. Councilmember Herman asked for a summary of how the Tribal Gaming Fund monies were spent last year and suggested a thank-you be sent to the Tribes and a press release done to acknowledge the gift publicly.

MOTION by Herman, second by Roark, to approve the budget amendment as requested. Motion carried unanimously (7-0).

Ordinances & Resolutions

None.

LEGAL MATTERS

None.

DISCUSSION ITEMS

None.

INFORMATION ITEMS

1. Mayor's business

- Reappointments to Planning Commission.

MOTION by Bartholomew, second by Dierck, to approve the reappointment of Dave Voigt to the Planning Commission. Motion carried unanimously (7-0).

MOTION by Roark, second by Pedersen, to reappoint George Wilcox to the Planning Commission. Motion carried unanimously (7-0).

- On August 6th the DUI Task Force will host a planning program on the steps of the Snohomish County Courthouse regarding DUI issues facing Snohomish County. The Nikki Deffries "don't drink and drive" signs will be on display. The signs will be set up during a ceremony on Saturday the 7th.

- At the recent Snohomish County Tomorrow meeting which he and Ms. Hirashima attended the County's Available Lands Program was discussed at length, with the result that several cities in southwest county realized this would also affect them. The areas of concern to Marysville were removed from the proposed Program to be reviewed at a later time.

2. Staff's business

Chief Carden reminded councilmembers of the Night Out program on August 3rd.

Ms. Hirashima reported that the Planning Commission had sent the Department a proposed traffic impact fee ordinance and recommended fee schedule. She noted that a number of ordinances and permitting processes were under review as to the Endangered Species Act. The SEPA procedure was a tool and not being reviewed in this regard.

3. Call on councilmembers

Councilmember Herman:

- The Air Care Month proclamation will be delivered to the Community Transit Board on August 5th.
- Reported on Spokane's success with downtown redevelopment and noted the importance of attracting high tech businesses. These businesses rely on communication infrastructure, so the city should promote putting the necessary infrastructure in place to support those activities.

Councilmember Leighan:

- Mentioned the left turn signal on the traffic light at 528 and 60th. Mayor Weiser reported that it had been corrected.

Councilmember Pedersen:

- Noted there would be a meeting August 4th of the Downtown Revitalization Committee and they would want to know if the city had set aside any money. She mentioned the murals in Stanwood and suggested something similar could be done on the building on 4th Street owned by the former Mrs. Nelson and on the 1st Street side of the mall.

Councilmember Dierck:

- Regarding Ellen Gray's suggestions on buffers,
MOTION by Dierck to accept the Planning Commission's recommendations regarding the sensitive areas ordinance. Motion died for lack of a second.

Councilmember Herman expressed strong support that council could take action soon after the workshop which had been scheduled to discuss this issue.

Councilmember Roark:

- Expressed support for Councilmember Herman's comment.

Councilmember Dierck:

- Asked about the signs at Jennings Park; Mr. Zabell reported they had been installed this afternoon.

Councilmember Bartholomew:

- Reported a faulty traffic light at 5th and State.

ADJOURN TO EXECUTIVE SESSION

Council adjourned into executive session at 8:33 p.m. to discuss two real estate matters.

RECONVENE AND ADJOURN

Council reconvened into regular session, took no further action, and adjourned at 9:01 p.m.

Accepted this 9th day of August, 1999.

David Weiser
Mayor

Mary Ellen
City Clerk

Ann M. Auclair
Recording Secretary