

0110-11416

**MINUTES RECAP
MARYSVILLE CITY COUNCIL - REGULAR MEETING
SEPTEMBER 27, 1999**

EXECUTIVE SESSION	6:20 p.m.
CALL TO ORDER/FLAG SALUTE	7:14 p.m.
ROLL CALL	All present
MINUTES OF PREVIOUS MEETING 1. August 5, 1999 council workshop 2. September 13, 1999 council meeting	Approved as presented. Approved as corrected
AUDIENCE PARTICIPATION	None.
PRESENTATIONS/PETITIONS/COMMUNICATIONS 1. Community Transit - Service Proposals for Year 2000	
CONSENT AGENDA 1. Approve September 27, 1999 claims in the amount of \$851,480.40 paid by check nos. 47841 through 48036 with check no. 47779 void. 2. Approve liquor license renewals for Bella Luna Café Bistro and 7-Eleven No. 2306-18861J. 3. Approve agreement and authorize Mayor to sign agreement GC 0261, supplement No. 1 with Washington Department of Transportation; SR528 improvements, I-5 to Columbia Street). 4. Approve agreement and authorize Mayor to sign agreement GC 10383, Supplement No. 1, with Washington Department of Transportation; 88 th Street N.E. interchange, utility work project. 5. Approve agreement and authorize Mayor to sign agreement with Sparling for Edward Springs source improvements. 6. Approve Clyde and Irma Morton utility variance for one (1) water connection; UV 99-014. 7. Professional services with Systems Interface for telemetry system programming. 8. Approve Change Order No. 2 in the amount of \$9,323.18 for the First and State Street Signal projects.	Approved; Leighan abstaining. Approved. Approved. Approved. Approved. Approved. Approved. Approved.
ACTION ITEMS	
REVIEW BIDS None.	
PUBLIC HEARING 1. Gambling Moratorium	Approved to continue for 6 months from 7/12/99
CURRENT BUSINESS 1. Utility Variance Application for Belmark Industries Inc. for property located at 9409 35 Avenue NE, UV 99-07 (continued from 9-7-99) 2. 72 nd Drive N.E. Traffic Calming	Approved with conditions. Approved with changes.
NEW BUSINESS 1. Lake Stevens court/jail services agreement. 2. Professional services agreement with Skillings Connelly for engineering design services for State Avenue (116 th to 136 th Street 3. Professional services agreement with Economic and Engineering Services, Inc. for solid waste rate study.	Approved. Approved. Approved.
LEGAL MATTERS 1. Contract for recovery of utility construction costs, David Thorp, 10125 40 th Avenue, Everett, Washington. 2. Interlocal agreement and ordinance regarding the Snohomish County Emergency Radio System.	Approved Contract No. 215. Approved Ordinance 2281.
ORDINANCES AND RESOLUTIONS 1. An ordinance of the City of amending Ordinance No. 2218 relating to the 1999 budget and providing for the increase of certain expenditure items as budgeted for in 1999. 2. An ordinance of the City of Marysville annexing certain unincorporated area known as the Hendrickson/Glein Annexation Area into the City of Marysville. 3. An ordinance of the City of Marysville establishing a satellite sewer rate classification and amending MMC 14.07.070. 4. A Resolution of the City of Marysville concurring with the recommendations of the Quilceda/Allen Watershed Management Plan. 5. A Resolution of the City of Marysville granting a utility variance for Donald and Gail Davis for property located at 6820 96 th Street N.E., Marysville, Washington.	Approved Ordinance 2282. Approved Ordinance 2283. Approved Ordinance 2284. Approved Resolution 1940. Approved Resolution 1941.

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INFORMATION ITEMS	
1. Mayor's business 2. Staff's business 3. Call on councilmembers	
ADJOURN	10:55 p.m.
EXECUTIVE SESSION	To discuss personnel.
RECONVENE	
1. Authorize implementation of the personnel action pertaining to the Human Resources Manager as discussed in executive session.	Approved.
ADJOURN	11:02 p.m.

MINUTES
MARYSVILLE CITY COUNCIL - REGULAR MEETING
September 27, 1999

EXECUTIVE SESSION

Councilmembers convened into Executive Session at 6:20 p.m. to consider potential litigation and adjourned at 7:10 p.m.

CALL TO ORDER/FLAG SALUTE

The meeting was called to order by Mayor Weiser at 7:14 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 Workshop, August 5, 1999

MOTION by Herman, second by Pedersen, to approve the minutes of the August 5, 1999 workshop. Motion carried unanimously (7-0).

2. City Council Meeting, September 13, 1999.

- Page 6, "Joe Duckes" should be "Joe Dukes."
- Page 8, third sentence, "options that would be avail" should read "options that would be available."

MOTION by Dierck, second by Herman, to approve the minutes of the September 13, 1999 council meeting as corrected. Motion carried unanimously (7-0).

AUDIENCE PARTICIPATION

None.

PRESENTATIONS/PETITIONS/COMMUNICATIONS

Community Transit – Service Proposals for Year 2000.

Mayor Weiser acknowledged Stanwood Mayor McCune in the audience; Mayor McCune and Mayor Weiser both served as members of the CT Board.

John Sindzinski, Director of Development and Information Technology, gave a presentation, noting Community Transit did not support or oppose any initiative. The purpose of the presentation was to provide information and involve the community. Points from his presentation included:

- CT was formed in 1976, serving an area of 1300 square miles, 2/3 of the county.
- If CT did not make changes, by 2002 it would not have enough revenue to cover existing services.
- Operating costs were Local – 49%, Commuter – 38%, Dart – 9% and Vanpool – 4%.
- Operating revenues came from Sales Tax – 47%, Motor Vehicle Excise Tax – 30%, Fares – 18%, and Advertising-Grants-Other – 5%.
- If I-695 passed, 2001 revenues would go from \$68 Million to \$45.8 Million.
- Option 1 to address the problem would be across-the-board reductions of 25% in all services; Option 2 would be heavy local reductions of approximately 36%; Option 3 would be heavy commuter cuts – up to 60% commuter and 20% local.
- Fare increases were also an option.

Mayor Weiser added that the CT Board desired to keep CT at sustainable service levels, no matter what its budget was.

Mr. Sindzinski continued, noting they would be holding 26 public information forums throughout the area, including one in the foyer as soon as he completed his presentation before council.

Scott Rearbush, Service Planning Department at Community Transit, gave the details of the local service that would be affected.

- CT would not eliminate 421, the direct Marysville-Seattle commuter run. The "flyer" from Stanwood that made a stop here would be eliminated.
- Under all options routes 260 and 261 would be eliminated; these both terminated in Snohomish. The commuter run from Smokey Point to south Snohomish County would be eliminated. Local routes would receive no cuts under any of the options shown.

Mayor Weiser thanked the CT representatives for their presentation.

CONSENT AGENDA

1. Approve September 27, 1999 claims in the amount of \$851,480.40 paid by check nos. 47841 through 48036 with check no. 47779 void.
2. Approve liquor license renewals for Bella Luna Café Bistro and 7-Eleven No. 2306-18861J.
3. Approve agreement and authorize Mayor to sign agreement GC 0261, supplement No. 1 with Washington Department of Transportation; SR528 improvements, I-5 to Columbia Street).
4. Approve agreement and authorize Mayor to sign agreement GC 10383, Supplement No. 1, with Washington Department of Transportation; 88th Street N.E. interchange, utility work project.
5. Approve agreement and authorize Mayor to sign agreement with Sparling for Edward Springs source improvements.
6. Approve Clyde and Irma Morton utility variance for one (1) water connection; UV 99-014.
7. Professional services with Systems Interface for telemetry system programming.
8. Approve Change Order No. 2 in the amount of \$9,323.18 for the First and State Street Signal projects.

MOTION by Bartholomew, second by Roark, to approve items 1 through 7. Item 1 passed 6-0-1 with Leighan abstaining. Items 2 through 6 passed unanimously (7-0).

Regarding item 8, Councilmember Herman expressed concern that old sidewalks were being reworked now to be ADA compliant when the area was scheduled to be reworked within a few months. Mr. Winckler responded that this had been discussed with WSDOT and it was the agency's opinion that since the city had received \$125,000 in federal funds for the project, it could not be closed out until the project was in compliance. A "temporary" solution could not be agreed upon.

MOTION by Bartholomew, second by Leighan, to approve item number 8; Herman and Roark voted nay; all others voted aye; motion carried (5-2).

ACTION ITEMS

Review Bids

None.

Public Hearing

1. Gambling Moratorium.

Mr. Weed gave the background presentation, noting tonight's hearing was not where council would be presented with final recommendations but was an opportunity for the public and staff to provide information which would allow council, if it chose, to continue the existing moratorium to January 2000. He reviewed the new state legislation, noting that many cities had passed moratoriums in order to have time to collect information and research the potential impacts from these gaming activities.

Lieutenant Marty Parker, Special Investigative Unit-Vice, Gambling and Narcotics, for the City of Everett addressed council. In 1996 and 1997 the state passed legislation which enhanced gaming, particularly card rooms. Everett had five established card room businesses at that time, but two had since gone out of business. Four mini-

casinos continued, along with the three card rooms. Everett had a low tax rate on gambling, 3.5%; the state allowed 20%. Snohomish County was the lowest county at 5%. He gave the details of the enhancements which were allowed under the new legislation, noting the impacts on crime were nonexistent; there had been no increase in crime in those areas. The casinos had been good neighbors. Everett was proposing an increase in the taxation of gambling, ramping it up to 10% in three years. Revenues at the mini-casino in Renton averaged \$1.6 Million per month; locally, Big Al's and Royal Casino averaged \$400,000 to \$500,000 per month. The differences in income were a reflection of location, management and other casinos in the area. The location of the clubs was dictated by zoning and the Liquor Control Board's requirements. Freddie's Club backed up to a high school and there had been concern about 18-year olds being allowed to gamble; the city would prohibit that. The enhanced gambling legislation did not cover off track betting. Everett used state guidelines to audit establishments.

As there was no one further wishing to speak on this agenda item, the Mayor closed the public input portion.

Councilmember Wright noted the insert which had been in the *Everett Herald* recently about gambling in the county.

MOTION Wright, second by Bartholomew, to continue the gambling moratorium for six months from July 12, 1999, and form a committee to investigate the issue and make recommendations to council.

Under discussion, Mr. Weed stated that if the motion passed he would prepare Findings which supported the continuance of the moratorium for council action at a future meeting.

Ms. Swenson advised there were no applications pending at this time.

Mayor Weiser stated he would appoint a committee similar to the one which considered the adult entertainment ordinance, including a representative from the restaurant/tavern business segment.

VOTE ON MOTION: carried unanimously (7-0).

Current Business

1. Bellmark Industries, Inc.; 9409-35th Avenue N.E., UV 99-07 (continued from 9/6/99)

Mr. Zabell gave the background presentation, noting densities in the proposed development exceeded those allowed under RUSA. He briefly reviewed the history of the application, acknowledging that council had received extensive public input. He noted that public input had now been closed and tonight's proceeding was for council deliberations and actions, only. The staff recommendation was to approve the variance, subject to the following: density at 5 dwelling units per acre, that development be consistent with city road standards, and a petition to annex into the city would be required.

Mayor Weiser asked councilmembers if they had disclosures to make regarding contacts on this issue.

Councilmember Wright stated she had been contacted by Mr. Tyler, a resident of the area, but there had been no discussion regarding her commitment.

Councilmember Leighan disclosed he had also had a discussion with Mr. Tyler and it had gone to such an extent that he would step down from deliberations and action on this issue. He then left the room.

Councilmember Pedersen stated she had received a small contribution from the applicant, who was a member of her Rotary.

Councilmember Bartholomew stated she had been contacted by the applicant, who requested a copy of the minutes of the Utility Committee Meeting and desired to know the outcome; she did not have the minutes or the information requested. She stated she could adjudicate the issue impartially.

Mayor Weiser disclosed he had talked with Mr. Tyler and Gary Gooch.

Mr. Weed asked if anyone in the audience wished to challenge any councilmember's ability to decide the issue in a fair and impartial manner.

Rocky Hoglund, asked if the contribution to Councilmember Pedersen was from a resident or the applicant; she responded that it had been from one of the applicants. He asked if she was unbiased; she responded in the affirmative.

There were no further challenges; council deliberations continued.

Councilmember Herman stated he had carefully considered the city's utility strategy and whether there was consistency. He recounted the efforts which had gone into long range planning for the utilities, both water and sewer, including capacity, sizing of lines, and the ability to serve when an area was fully built out. He wanted the city to have a successful system, one that did not need to be uprooted and rebuilt later on. Planning for orderly growth and sustainable water and sewer services was captured in the RUSA plan, which predated GMA. Since that time there had been an update of the land use plan. Then the water and sewer plans were updated to reflect the plan densities set out in the land use plan. In order to serve the city and the entire urban growth area at build out, it would be crucial to follow the plans carefully. The city and county were in conflict regarding densities, and an effort to reconcile those was underway; this would result in densities which reflected those set out in the city's land use plan. In this instance, a utility commitment letter was issued conditioned upon compliance with Marysville Municipal Code and meeting, and being consistent with, the city's plans and codes. That requirement would be crucial to the city's long-range planning. It would also be an issue of fairness in treating properties consistently. He noted that where council had looked at variances to RUSA, the developments had complied with the sewer, water, and comprehensive land use plans; variances had been granted that were consistent with road standards and other standards that were important to future of the City of Marysville. He emphasized the commitment letter required compliance with all of Marysville's municipal code and the city had taken steps to ensure that in March and July via letters to the applicant. He stated he was comfortable with the recommended action because it required compliance with the city's growth management plan and also consistency with the city's road standards. In addition it required a petition for annexation. He urged council to focus on those points in its consideration and deliberation.

Councilmember Roark concurred.

Councilmember Dierck expressed a preference for the annexation to come first before hookups were allowed. She would not support the recommended action because of her concern about the bio-swale, which had received no improvements since 1993; the development's proximity to a salmon spawning stream; and not knowing the setbacks for the lots.

Councilmember Pedersen noted that if the city desired to require that annexations take place before utility hookups were allowed, it needed to establish that as an overall policy; it could not be imposed on only one application. She stated she had been a member of the RUSA committee for years and did not recall ever having to grant a request such as this one where a development had been designed to the county's maximum densities, rather than the city's. Councilmember Herman agreed. Councilmember Pedersen added that the recommended action would allow only the number of hook-ups that the city had already planned for.

Councilmember Bartholomew noted that 80% of the area's domestic water supply came from the City of Everett, which provided that without requiring annexation. She would not support requiring annexation before utility services.

Mayor Weiser noted that 14.32.040 required immediate annexation if property was contiguous to the city; when it was not, a promise to annex in the future was sufficient.

Councilmember Herman reiterated the importance of focusing on the current provisions of the Marysville Municipal Code and staying within the confines of what was allowed there as well as consistency with prior decisions. More stringent standards could be discussed and adopted in the future.

MOTION by Roark, second by Herman, to approve the variance from the city's RUSA plan subject to the following: compliance with the city's GMA comprehensive plan adopted in 1996, which meant the maximum allowable density would be 5 dwelling units per net acre as defined within the city's comprehensive plan; consistency with city road standards; receipt of a petition to annex into the City of Marysville per MMC 14.32.040(2).

Under discussion, Councilmember Herman summarized the findings in support of the recommended action, as follows: the utility commitment letter which was issued was conditioned upon compliance with all provision of Marysville Municipal Code, which included density, road standards and annexation; the letters that went out in March and July clarified what the

compliance factors were and also referred to the RUSA code; the city's adopted plans provided a prescribed method of providing utility services to all customers, existing and future; there was no contract to provide utility service until all conditions were met and the fees paid; this request was treated in like fashion as others coming to the city. He added that the proposed interlocal agreement between the city and the county would reconcile planning for the UGA, and would likely mirror the densities called out in the city's plans.

VOTE ON MOTION. On roll call vote, Dierck voted nay; all others voted aye; motion carried (5-1).

Councilmember Leighan returned to the meeting at this point.

2. 72nd Drive N.E. Traffic Calming.

Mr. Carter gave the staff presentation, noting the area's problems included speeding, safety of the children, especially near the park, limited sight distances, and run-away vehicles on 78th Street. He reported that on September 16th he met with 15 to 20 neighbors at the intersection and a plan for calming traffic was devised. This consisted of curb extensions; channelization; modified chicaning - alternating parking from one side of the street to the other, with resultant alternating of the driving lanes; and an entry gateway. These solutions were implemented on a temporary basis on the 21st, from 8:30 a.m. to 7:30 p.m., after giving notice to 125 households in the area.

Mr. Carter then showed slides of the intersection, the intersection with the temporary solutions in place, and the neighborhood with the proposed permanent fixes in place. He noted modified chicaning meant an 8' parking lane, two 11' driving lanes, and a 2' right-of-way; this alternated from one side of the street to the other. The tapers were put in areas that were well illuminated, taking existing driveways into considerations.

The curb extensions improved sight distance because it ensured that cars stopped farther out in the street enabling the driver to actually see both ways. A test with a fire truck was run; the truck was able to negotiate the corner, but Mr. Carter recommended pulling the curb extension back in two feet to allow more room for large vehicles. The school district was contacted but did not call back.

Councilmember Roark asked if the proposed solutions increased the city's liability; Mr. Weed responded that it would be important for them to meet generally accepted engineering principles and accepted engineering practice. A city could never design any kind of traffic solutions that would be risk free. He opined that the measures being proposed were more helpful in terms of avoiding legal liability than allowing the status quo.

Mr. Carter noted he had received input from ten people who favored the proposal and six who were against. The school district was neutral. The fire department supported enhanced safety in neighborhoods, but was against the elements in this proposal that would slow their vehicles down. He noted that the warrants dictated that traffic volume must be 500 cars per hour for an 8-hour period; this location had only 500 cars in an 8-hour period, so did not meet the warrants for a stop sign. He reviewed the cost of the various elements of the proposal, noting they totaled \$9,500.

Mayor Weiser opened the discussion for public input.

George Bridgeman, 7724 76th Place NE, opposed the proposed solutions. He distributed a memo to councilmembers and stated he had not received one of the 125 notices that were distributed. He suggested aggressive traffic enforcement and stiff fines would be appropriate. He felt the proposed plan was radical and amounted to an obstacle course.

Jim Miles, 7620 75th Drive NE, stated he was concerned with the safety of children but had concerns about the plan. There had been no major accidents that hurt drivers or pedestrians on 72nd, except when the cement truck lost its brakes and when a car could not stop during winter weather. He had gone to the Police Department to see how many tickets had been issued and how they were doing at monitoring speeding; he did not receive that information. He questioned whether narrowing the streets made them safer; the plan put the driving lane much closer to the sidewalk. He said one of the reasons he had purchased a house in that neighborhood was because of the wide streets. He further questioned whether larger vehicles could get around the curb extensions without going into the oncoming lane. He suggested appropriate solutions would be stop signs and speed bumps.

Teresa Haldorson, 7207 78th Street, spoke in support, stating the pilot study had been excellent and had slowed traffic down. It increased sight distance and safety for

pedestrians. She stated she had gone door to door and discussed the proposed solutions with the neighbors and had received positive feedback.

Tim Shay, 7816 72nd Drive NE, supported the proposed solutions. He stated he had driven his 25' travel trailer around the proposed layout and that had worked well at 25 mph. He felt the plan dealt with the safety issues, but should include a speed table and channelization at the park.

Councilmember Roark expressed concern about larger vehicles being able to maneuver around the curb extensions without swerving into the oncoming lane.

Jason French, 7802 72nd Drive NE, spoke in support of the proposed solutions, suggesting that wider streets were faster streets. There had been two accidents at this intersection; this proposal would address the safety of neighborhood children.

Jerry Mains, 7608 72nd Drive NE, supported the proposed solutions, stating he had monitored traffic during the morning and evening of the pilot study. Traffic was slower in general and much slower at the intersection. He did not support speed bumps or chicanes. He felt the proposal would be a good start, and other solutions could be added later.

Dorothy Hartman, 7605 72nd Drive NE, spoke in support, noting she had observed accidents on this road, including a parked car being hit by an off-duty Marysville police officer. She had reported speeders often and had documented speeds of up to 52 mph in front of her house. She supported any proposals that would slow traffic down.

There being no one further wishing to testify, the Mayor closed the public input portion of the discussion.

Chief Carden suggested the neighborhood had been patient. The department was aware of the problems, but enforcement had not been very successful. The roadway was designed to allow those speeds; wider streets equaled higher speeds. The best way to patrol such a neighborhood was on motorcycle, but this was not an option for the department; patrol cars were not effective. He supported the traffic calming measures and felt they would have an impact and slow traffic down. He stated the department would do what it could to enforce speed limits in the neighborhood regardless of council's action this evening. Mr. Weed added that the city was bound by the state's standard bail schedule as to the fines it could impose.

Council then conducted a thorough discussion of the proposed solutions, expressing some concern over what could be viewed as "radical fixes" based on only a one-day study. Mr. Winckler responded that the original proposal to council had been for a three-stage process, but council had directed staff to shorten that process as to this neighborhood. This proposal was in response to that direction.

MOTION by Wright, second by Pedersen, to approve all of the traffic calming efforts for the 72nd Drive N.E. area as proposed, with the exception of the curb extensions.

Councilmember Wright added clarification: the speed table at the park would include the curb extrusions, as proposed; the travel lanes would alternate from side to side as shown in the drawing; the striping would include buttons on the center line.

Roark voted nay; all others voted aye; motion carried (6-1).

Mayor Weiser called a five-minute recess at this point in the meeting.

New Business

1. Lake Stevens court/jail services agreement.

Mr. Weed gave the background information on this topic, noting Lake Stevens had requested two interlocal agreements with Marysville, one for jail services and one for court services, including probation services. The Washington Supreme Court then ruled in Hertzog vs. King County, which Mr. Weed desired to review before recommending action on the proposed agreements. He had completed that review and recommended that the city not provide probation services but allow Lake Stevens to independently contract for that service. That proposed change had been agreed to by Lake Stevens. Mr. Weed noted that the version of the Interlocal Agreement for Court Services in the packet did not include the new language. Page 2, paragraph 6, should include "However, Lake Stevens may elect to contract independently for probation services for Lake Stevens defendants."

Chief Carden added that it cost the city approximately \$48 per day to house a prisoner. Councilmember Pedersen suggested it would be important to know exact costs in the future.

MOTION by Bartholomew, second by Roark, to authorize the Mayor to sign the interlocal agreements for jail and court services between the City of Marysville and the City of Lake Stevens, with the added language excluding probation services and with the added language indemnifying elected officials. Motion carried unanimously (7-0).

2. Professional services agreement with Skillings Connelly for engineering design services for State Avenue, 116th to 136th Street).

MOTION by Herman, second by Bartholomew to approve the professional services agreement with Skillings Connelly in the amount of \$246,214.25 and authorize the Mayor to execute the professional services agreement on behalf of the city, and further to release CH2M Hill from the prior contract.

Councilmember Dierck questioned the biological assessment; Ms. Hirashima responded that the reference in the document was to a biological assessment specific to this road project. Councilmember Dierck noted there was no answer back from the National Marine Fisheries, the agreement did not include increased impact fees for schools, so she would not support it.

VOTE ON MOTION: Dierck voted nay; all others voted aye; motion carried (6-1).

3. Professional services agreement with Economic and Engineering Services, Inc. for solid waste rate study.

Mr. Winckler gave a brief background presentation. Mr. Erickson added that the current rates were being reviewed. Mr. Zabell noted this study would be more comprehensive than past ones which relied only on staff. This was a long-range study that council had budgeted for this year.

MOTION by Bartholomew, second by Leighan, to approve the professional services agreement with Economic and Engineering Services, Inc. in the amount of \$10,400 and authorize the Mayor to execute the professional services agreement on behalf of the city. Motion carried unanimously (7-0).

Legal

1. Contract for recovery of utility construction costs, David Thorp, 10125 40th Avenue, Everett, Washington 98208.

MOTION by Pedersen, second by Dierck, to approve the Contract for Recovery of Utility Construction Costs as proposed, contract No. 215. Motion carried unanimously (7-0).

2. Interlocal Agreement and Ordinance regarding the Snohomish County Emergency Radio System.

Mayor Weiser noted that all suggestions by bond counsel had been implemented into the proposed agreement.

MOTION by Bartholomew, second by Roark, to approve the interlocal financing agreement for the emergency radio system, ordinance 2281. Dierck voted nay; all others voted aye; motion carried (6-1).

MOTION by Bartholomew, second by Roark to authorize the Mayor to sign the interlocal agreement as presented, subject to possible minimal text changes by bond counsel. Dierck voted nay; all others voted aye; motion carried (6-1).

Ordinances & Resolutions

1. An ordinance of the City of amending Ordinance No. 2218 relating to the 1999 budget and providing for the increase of certain expenditure items as budgeted for in 1999.

MOTION by Pedersen, second by Dierck, to approve ordinance 2282. Motion carried unanimously (7-0).

2. An ordinance of the City of Marysville annexing certain unincorporated area known as the Hendrickson/Glein Annexation Area into the City of Marysville.

MOTION by Bartholomew, second by Wright to approve ordinance 2283. Dierck voted nay; all others voted aye; motion carried (6-1).

3. An ordinance of the City of Marysville establishing a satellite sewer rate classification and amending MMC 14.07.070.

MOTION by Herman, second by Leighan, to approve ordinance 2284. Dierck voted nay; all others voted aye; motion carried (6-1).

4. A Resolution of the City of Marysville concurring with the recommendations of the Quilceda/Allen Watershed Management Plan.

MOTION by Dierck, second by Herman to approve Resolution 1940. Motion carried (6-0) with Roark abstaining.

5. A Resolution of the City of Marysville granting a utility variance for Donald and Gail Davis for property located at 6820 96th Street N.E., Marysville, Washington.

MOTION by Wright, second by Herman to approve Resolution 1941. Motion carried unanimously (7-0).

DISCUSSION ITEMS

None.

INFORMATION ITEMS

1. Mayor's business

Mayor Weiser noted the U.S.S. Ingraham, the city's adopted ship, would be returning to port on Monday October 4th at 10:30.

2. Staff's business

None.

3. Call on councilmembers

Councilmember Leighan stated he had been called by a constituent regarding a building permit problem. Mr. Winckler responded that the proposed building expansion would go over utility lines so the city had withheld approval.

Councilmember Wright gave positive reports on two events: "Touch a Truck" and the police inspection. She mentioned the increased graffiti problem in town.

Councilmember Dierck noted there had not been a quorum at the scheduled open space meeting with the county. Mayor Weiser explained the circumstances, noting the meeting would be rescheduled.

Councilmember Roark repeated his request for a review of the city's taxes and fees in light of I-695. He requested more information than AWC had provided. Councilmember Pedersen noted the Port District needed to be contacted for their analysis. Mr. Erickson promised the analysis within three weeks.

Mayor Weiser noted the budget process would be underway within two days.

Councilmember Bartholomew commented on the police inspection and the impressive ceremony. She suggested it was evidence of the improvements and ongoing development of the police department.

ADJOURN TO EXECUTIVE SESSION

Council adjourned into executive session at 10:55 p.m. to discuss a personnel matter.

RECONVENE AND ADJOURN

Council reconvened into regular session at 11:01.

MOTION by Bartholomew, second by Roark, to authorize implementation of the personnel action pertaining to the Human Resources Manager as discussed in executive session. Motion carried unanimously (7-0).

Council adjourned at 11:02 p.m.

Accepted this 4th day of October, 1999.

David Weiser
Mayor

Mary Swanson
City Clerk

Ann McNeill
Recording Secretary