

**MINUTES RECAP
MARYSVILLE CITY COUNCIL - REGULAR MEETING
MARCH 6, 2000**

000125

CALL TO ORDER/FLAG SALUTE	7:00 p.m.
ROLL CALL	All present. Brennick early departure.
MINUTES OF PREVIOUS MEETING 1. February 28, 2000 city council	Approved as presented.
AUDIENCE PARTICIPATION 1. Fred Messmer re waterfront park design.	
PRESENTATIONS/PETITIONS/COMMUNICATIONS 1. Strawberry Festival candidates. 2. Train speeds, WSDOT/BNSF	
ACTION ITEMS	
REVIEW BIDS 1. None	
PUBLIC HEARING 1. None.	
NEW BUSINESS 1. Recommendation from Marysville TV Advisory Committee to establish a special fund to receive contributions for video programming. 2. Reclassification requests 3. Land development process review and recommendations 4. Design Supplemental Agreement No. 1 with Skillings Connelly. R9701 - State Avenue 116 th Street to 136 th Street road improvements. 5. Project professional services agreement with Carter Burgess, 51 st Avenue, Grove Street to 88 th Street.	Approved Ordinance 2315. Approved. Continued to 3/13/00. Approved Ordinance 2512 . Approved.
CURRENT BUSINESS 1. State Avenue improvements (Ebey Slough - Grove Street). Continued from 2/28/00.	Approved with changes.
CONSENT AGENDA 1. Approval of March 6, 2000 claims in the amount of \$187,511.16 paid by check Nos. 50944 through 51048. 2. Approval of February, 2000 payroll in the amount of \$837,828.01 paid by check Nos. 37468 through 37702 with check Nos. 37702 and 37317 void. 3. Approval of Final Plat for Foxwood; PA 9601005 4. Approval of Final Plat for Park Creek Estates; PA 9404019.	Approved. Approved. Approved. Approved.
LEGAL MATTERS None.	
ORDINANCES AND RESOLUTIONS	
1. A Resolution of the City of Marysville declaring certain items of personal property to be surplus and authorizing the sale of disposal thereof.	Approved Resolution 1970.
ADJOURN	11:05 p.m.

**MINUTES
MARYSVILLE CITY COUNCIL - REGULAR MEETING
MARCH 6, 2000**

CALL TO ORDER/FLAG SALUTE

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

Councilmembers Present:	Administrative Staff present:
David Weiser, Mayor	Dave Zabell, City Administrator
Mike Leighan, Mayor Pro Tem	Mary Swenson, Assistant City Administrator
Shirley Bartholomew	Robert Carden, Chief of Police
Jim Brennick	Gloria Hirashima, City Planner
Norma Jean Dierck	Grant Weed, City Attorney
Donna Pedersen	Ken Winckler, Public Works Director
Suzanne Smith	Owen Carter, City Engineer
John Soriano	

CORRECTED: SEE 3/13/00
MINUTES

MINUTES OF PREVIOUS MEETING

1. City Council Meeting, February 28, 2000.

MOTION by Brennick, second by Leighan, to approve the minutes of the February 28, 2000 meeting as corrected. Motion carried unanimously (7-0).

AUDIENCE PARTICIPATION

Fred Messmer, 322 Gays Drive, spoke on behalf of motorized boaters regarding the Ebey Slough Riverfront Park boat launch as proposed at the February 28 meeting. He spoke of the value of the waterway as a trail and the increased importance this would have as population increased. He requested the boat ramp be four lanes, rather than two, which would utilize 66' of the waterfront out of the total 240' available. He noted that boaters' taxes had paid for half the acquisition and planning and would also contribute to the actual development.

PRESENTATIONS/PETITIONS/COMMUNICATIONS:

1. Strawberry Festival candidates.

Jodi Hiatt introduced the young women who had applied to represent the city in the Strawberry Festival. Each candidate introduced herself and told something of her background and aspirations. They were Nicole Andes, Beth Davis, Maya Gutenkauf, Christal Hanson, Joleen Hoag, Rebecca Juneau, Melissa Phillips, Dessira Pruitt. Anonymously, three councilmembers acted as judges and marked ballots; these were delivered to Ms. Hiatt.

2. Train speeds, WSDOT/BNSF

Mayor Weiser gave a brief background of the topic.

Steve Anderson, Deputy Manager of WSDOT Rail Office, explained that speed increases were being implemented in the Pacific Northwest train corridor as part of upgrading the service from Eugene, Oregon to Vancouver, B.C., including increased frequency and reduced travel times. The effort had met with success and was now being expanded to attract Canadian truck drivers in the evening by offering faster, inter-modal trains. Rail improvements had been completed south of Marysville to allow raising the speed.

Roger Jacobsen, BNSF Superintendent of Commuter Rail Operations, stated WSDOT and Amtrak were customers of Burlington Northern/Santa Fe. The area under consideration was between Ebey Slough and 4th Street, with the crossings at 1st and 4th being affected. Speed increases were being planned only for the two Amtrak trains per day, no freight trains. Millions of dollars had been invested in improvements to the two bridges south of Marysville; this would allow an immediate increase in speed from 20 mph to 30. Later this year, the speeds would increase to 40 mph. Increases beyond that would require the investment of engineering resources, capital improvements,

education and enforcement. Local law enforcement was needed to stop pedestrians from walking on the tracks when the arm was down, drivers parking on the tracks or driving around the gate. He emphasized he was attending this meeting as a partner with the state to have an open dialogue with the city.

Councilmember Pedersen commented that she had recently ridden Amtrak on the east coast and had been impressed. Mr. Jacobsen noted there were no plans to seek higher speeds unless commuter service to Arlington was instituted.

Chief Carden mentioned the accidents which had taken place at the railroad crossings; Mr. Jacobsen responded that the area under discussion had no private crossings, only the two protected ones. Mr. Weed asked if other cities would see higher speeds; Mr. Anderson responded that increases were being put in place throughout the corridor - Kent, Auburn, Sumner, Puyallup, Tukwila, Winlock, Centralia, Kelso and Longview. He added that statistics indicated faster speeds were actually safer, as people tended to try and beat slower trains. He stated that any future plans to increase speed would be immediately discussed with the city.

Mr. Zabell asked what analysis the state or railroad used in assessing the condition of each crossing and determining speed increases. Mr. Anderson stated that Federal Railroad Administration Guidelines set out the rules, and included a hearing before the WUTC and input from local cities. He noted that the current speed south of Ebey Slough and north of 5th was 50 mph. At mile post 41 (104th North) freight train speed increased to 79.

Councilmember Leighan commented on the electronic sensor system on an Amtrak he had ridden recently; Mr. Anderson briefly explained this sophisticated safety system. Russ Frasier, explained the safety and track improvements which had been implemented south of 4th.

Councilmember Pedersen inquired if the bridges were scheduled to be painted; Mr. Jacobsen said he would check on that.

Steve Mills, Manager of Grade Crossing Safety, repeated that nationwide the majority of collisions occurred at train speeds of 35 mph or less. Constant warning times of 20-30 seconds contributed to safety.

Mayor Weiser requested that the city be notified in advance of any future presentations so it could be advertised to the public.

New Business

1. Recommendation from Marysville TV Advisory Committee to establish a special fund to receive contributions for video programming

Sue Kendall, 6518 55 Drive NE, Chair of the TV Advisory Committee, stated that because of I-695, funds for video programming were no longer in the budget. The purpose of this action was to allow a fund to be established to receive donations from groups and individual citizens to support the continuation of programming. Donors would not be supporting specific programs, but would be acknowledged in a general way such as "today's programs were made available, in part, by donations from...."

Ms. Swenson added there were no plans to set up a 501(c)3 tax exempt organization for these funds. If the ability to have them be tax deductible could be achieved some other way, that could be pursued. Information packets would be prepared and distributed to groups like Rotary and Soroptomists and for press release purposes. Donations would be actively sought from civic groups. Councilmember Pedersen cautioned that the tax exempt status should not be pursued if it meant the channel would have to change to a public TV station.

Councilmember Dierck noted the city had some equipment and asked if volunteers had been sought to prepare the videos at a low cost. Ms. Swenson responded that this was being pursued. Students who had been through the video program class could satisfy their community service requirement by helping. Some could be done in house depending on staff availability and how that fit with existing jobs.

Jeffrey Vaughn, 6617 83rd NE, asked about public acknowledgment of a donor group that citizens considered offensive. Ms. Swenson noted that the committee recently went through an extensive rewrite of the rules governing the channel. There were strict regulations, including equal time opportunities. This was a government channel, not a public television channel, so there was different governing criteria.

MOTION by Bartholomew, second by Brennick, to adopt Ordinance 2315.
Motion carried unanimously (7-0).

Councilmember Bartholomew thanked and acknowledged the work of Kendall, Swenson, and Buell in support of this effort.

2. Reclassification requests

Mr. Zabell presented the background material, noting this request covered six reclassifications and one new position. He recounted how the responsibilities and duties of each job had grown over time. The financial impact of the reclassifications would be approximately \$14,000 per year and those funds had already been anticipated and included in the budget. The proposed combining of the Parks and Golf Supervisor positions would save the city \$30,000 per year.

Councilmember Pedersen asked about the reclassification process; Mr. Zabell responded that weight was given to comparable positions in peer cities. A similar process had been followed for the police officers and those covered by Teamsters. The fairer wages resulted in good employee morale. Councilmember Pedersen commented that local businesses did not upgrade positions just because of work volume; she requested staff to be cognizant that because of I-695 there was less money to work with.

Councilmember Leighan asked if the person filling the split position would charge their time to two accounts; Mr. Zabell responded that a number of positions charged time to more than one fund. He anticipated this position would be a 50-50 split.

Mr. Zabell added that the discussion later in the agenda on the Gerald Weed Report could result in reorganizations that would also impact reclassifications, but none of the recommendations proposed under this item came as a result of that study.

Councilmember Dierck asked about the financial impact of implementing the Weed recommendations; Mr. Zabell responded that an analysis had not been done yet. Mr. Winckler added that much of the land development work generated revenue from developers.

MOTION by Brennick, second by Leighan, to approve the reclassifications and classification requests as presented. Motion carried unanimously (7-0).

At this point, the agenda was reordered to take the State Avenue Improvements item.

Current Business

1. State Avenue improvements (Ebey Slough – Grove Street). Continued from 2/28/00.

Larry Wade, of Hammond, Collier & Wade-Livingston, reported he had met with the Downtown Revitalization Committee regarding the proposal as recommended at the last council meeting. The plans were then revised and he now considered them a first cut at a preliminary design, rather than simply the concept phase. The overall current plan called for four travel lanes, two in each direction, from First to Grove, with center left turn pockets, two-way center left turn lanes at certain locations, and landscape medians at selected locations. He reviewed the details for each segment, noting that no parking was planned. An issue had been raised about the parade route, but the conclusion was that the parade could probably be accommodated on State even with the median landscaping.

Councilmember questions and comments included:

- Utilizing a centered median treatment at 2nd, similar to the one proposed for 9th. Mr. Wade responded that there was not enough information yet, as it would require moving the left turns from 2nd to 3rd. This would allow center landscaping in the corridor between 3rd and 1st. It would be necessary to check left turn movements and traffic counts.
- Would the 5' planting easements be voluntary as property redeveloped? The planning regulations would be rewritten so as the property redeveloped, the owners would have to comply with the landscaping requirement.
- How were the locations selected for the landscaped medians? Mr. Wade noted these were based on known traffic movements and driveway locations.
- Continued concern about mid-block crossings. Mr. Carter responded that a couple of alternatives were being reviewed, including flashing lights like Kirkland used.

Councilmember Brennick left the meeting at this point.

Councilmember questions and comments (continued):

- Parking on State in support of the businesses. Mr. Wade noted that none of the concepts anticipated any on-street parking on State from 1st to Grove. Parking would be supplemented on 2nd and 4th as they were reconstructed.
- Communication with business owners regarding loss of parking. Mr. Wade noted that at least one concept throughout the process had shown the removal of parking. This was also shown in one of the cross sections. Parking north of 4th had never been contemplated or discussed. The three concepts for the segment south of 4th showed no parking or parking on one side, only; parking on both sides had never been conceptualized. Only the concept showing no on-street parking was being proposed now. Mr. Carter added that he had discussed with the Chief of Police how enforcement of off-peak parking might work; the process of citing and towing would reduce the travel lanes available and would serve to increase congestion. His recommendation was to have no parking rather than allow off-peak parking.
- Something more exact was in order instead of simply saying that parking would go on the side streets. This was particularly true around the bank at 5th. Mr. Wade noted that southbound traffic would have a right turn into the bank; he explained the other routes customers would have to use to access it. Regarding when other parking would occur, he understood the city planned to work on 2nd this year. That was part of the core and would take part of the parking load.
- What configuration would the state use on the new bridge? Mr. Wade understood the state planned four lanes of travel, two each way. This had not been confirmed. Whatever design they followed, the city's street would have to match it. Mr. Carter added the bridge project was in the environmental stage and would not go into the design phase until next year.
- Had any thought been given to a parking facility downtown? Mr. Wade responded that that had not been part of this design team's mission. Various locations had been suggested during open house meetings.
- How many parking stalls would be eliminated? Mr. Carter answered between 12 and 15.
- Why was 9th going to be a landscaped focal point? Mr. Wade explained that up to that point, center landscaping would be limited because of the crossings at every block. Beyond 9th there was an opportunity to put in center landscaping because there were long stretches where a driver could not go around the block. Juliette Vaughn of Hough, Beck & Baird, added that from 9th north, the city lost much of its downtown, pedestrian feeling.
- Could some other treatment be done on the sidewalks which would allow saving the parking south of 4th? Mr. Wade responded that the design team had been charged with trying to revitalize the downtown business core. Merchants had been invited to many open houses and meetings.
- Removing parking could damage businesses that had been located on State for many years. Mr. Wade noted there was only 75' of right-of-way to work with. Mr. Carter added that in order to meet the grant requirements, the travel lanes had to be 12' and the turn lane 11'.
- What was the availability of parking on Columbia? Mr. Wade responded that he had observed up to 50% of the slots were available.
- In a past study, it was found that utilization of the on-street parking was from the business owners and employees, not their customers.
- If there were four travel lanes to the north of 4th and four to the south of 1st, then the segment between 1st and 4th needed to be four also, or all traffic would be slowed to an enormous extent.
- When parking was recently removed from 4th, there had been dire predictions of businesses closing, but only one had actually moved. Businesses were resilient and came back. There was property on 3rd that could be turned into parking lots if parking were an issue. The major issue was traffic.
- Were there statistics available to show that business improved when this street concept was used? Mr. Wade noted that amenities were being added to attract people to downtown. Aesthetics did increase the volume of shoppers.
- Staff could spend some time discussing options for parking, including identifying the number of spaces that would be lost and how many might be available on side streets.

Mayor Weiser called for a short break at this point in the meeting.

Ken Baxter, 1895 Liberty Lane, suggested that removing parking from State now in anticipation of matching up to a bridge that was 10 years in the future would be a mistake. To the north, 5th was improved east and west, 6th was not, and the light was already at 5th. 8th was a cross-town street, 9th was not. The type of plantings were crucial, as businesses needed visibility. Sidewalks should be sacrificed to keep travel lanes. Mayor Weiser noted there were no plans to move the light from 8th to 9th.

Mary Kirkland, 13004 Hilltop Road, Arlington, owner of Hilton Pharmacy on 3rd and State, testified her business had been in that location since 1923. She served on the Revitalization Committee for the duration of its existence. It had been difficult to satisfy everyone, but she had voted with the committee to bring the concept to council which had been presented this evening. Her business would lose the four parallel parking spaces along State but she felt customers could be educated to utilize alternate parking. She encouraged council to consider a trial time of having parking during off-peak hours, only, before any actual restructuring was done. She noted that if the sidewalks were reduced to accommodate on-street parking, they would be very narrow and uncomfortable pedestrian thoroughfares. Her observation of how the parking spots on State were being used was that many people parked for the short term, in-and-out stop, but many parked for a much longer time.

Larry Hansen, Cascade Music, 306 State, stated that on-street parking was their only customer parking. Also, all their deliveries were off of State as they could not be carried around the corner if the truck parked there. He stated that 3rd Street was already full and with reduced parking on State it would get worse for customers and employees. They had been told originally that they could park in the mall, but that parking was now restricted to mall customers only. He stated his main concern was the lack of a loading/unloading zone.

Ron Beams, President of Marysville Downtown Merchants Associaton, stated the 3rd Street merchants were not opposed to the proposed improvements, but were opposed to taking any parking away. He had been in business 11 years and every traffic proposal over the years had cost the merchants parking stalls. Mayor Weiser asked if the maps showing alternate parking areas had been prepared for merchants to give to their customers. Mr. Beams replied in the negative.

Maya Oosterwick, Oosterwick Dutch Bakery, 3rd Street, supported retention of all parking spaces. She stated she needed more customer parking; many customers were elderly and also large cakes needed to be loaded out. She suggested the city should first focus on parking, traffic flow and protecting the business people before it considered beautification because beautification did not bring money into businesses. The city, itself, could establish the parking lots. She noted that Cooley's and Conto's had parking areas behind their establishments, as did the bakery. Narrowing the sidewalks would put the cars closer to pedestrians, which would be unsafe.

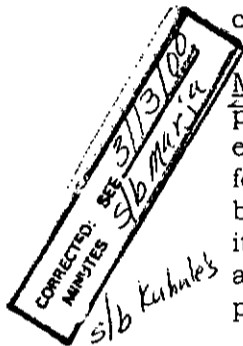
There being no one further wishing to speak, the Mayor closed the public comment portion.

Mayor Weiser recounted that 12 years ago, during a previous roadwork project, the city asked for a variance to allow the area to be 1/2 foot narrower in order to keep parking. That variance had been allowed and was now contributing to the difficulties of reworking the area to achieve standard lane widths.

Mr. Carter noted that approximately \$2 Million of funding had been received from state and federal sources for the purpose of removing congestion. The State Transportation Improvement Board funds would have to be reapplied for, and re-competed for, if this project were delayed for several years. They had already been in contact with the city to express concern that the project was only in the concept stage. The funds were received based on the city's current lack of capacity. One of the main points in awarding the grant had been 4th Street and the congestion there. If the city chose to not improve that, we would have to go back to the state, because we would be changing the scope of the project. He noted the competition for state funds was fierce and they only funded about 20% to 30% of the projects which applied, and if a city didn't use its grant, the chances were reduced of it ever getting another one.

MOTION by Pedersen, second by Bartholomew, to proceed with the project utilizing the design concept presented this evening, with the following changes: consider at least one appropriate loading zone in the area of 3rd and State; talk with the 3rd Street merchants regarding what they would like and what could be done to put in landscaping in order to give them an opportunity to participate in the beautification. On roll call vote, Soriano, Smith and Dierck voted nay; all others voted aye; the Mayor voted aye to break the tie. Motion carried (4-3).

Councilmember Dierck asked about the propriety of the Mayor casting his tie-breaking vote before the legislative body had an opportunity to form another motion. Mr. Weed explained that the Mayor had the opportunity to cast a tie-breaking vote. Once that vote was cast, the action was final.



New Business (Continued)

000101

3. Land development process review and recommendations

MOTION by Leighan, second by Pedersen, to continue item 3 to March 13.
Motion carried unanimously (6-0).

4. Design Supplemental Agreement No. 1 with Skillings Connelly. R9701 - State Avenue 116th Street to 136th Street road improvements.

Mr. Winckler gave a brief staff background.

MOTION by Leighan, second by Bartholomew, to approve the Design Supplemental Agreement No. 1 with Skillings Connelly for State Avenue (116th Street to 136th Street) Road Improvements as recommended. Motion carried unanimously (6-0).

5. Project professional services agreement with Carter Burgess, 51st Avenue, Grove Street to 88th Street.

Councilmember Pedersen advised that she was President of her Church Council and this project could affect a real estate matter the church was working on. Mr. Weed advised that she would have no conflict.

Mr. Winckler gave a brief description of the agenda materials.

Councilmember Dierck asked how many homeowners would be affected by the project; Mr. Carter responded that one purpose of the study was to identify an alignment that would minimize the impact to homes and the school district. Mr. Winckler mentioned the conversations he'd had with homeowners over the years, but also stated there was nothing concrete to discuss until the study on the alignment was completed.

Councilmember Smith asked about the public meeting; Mr. Carter noted one would be a meeting with the neighbors and one would be a report to the council. Councilmember Smith suggested it would be important to know how the homeowners felt before authorizing the money for this study. She recommended staff conduct a low-cost study effort.

MOTION by Dierck, second by Smith, to not approve the contract with Carter-Burgess and to direct staff to complete the four items set out in Paragraph 3.3 of the Preliminary Engineering Report.

Mr. Carter explained that after staff completed the items set out in the report, they would be no nearer to a proposed alignment or data on right-of-way costs.

Bartholomew called for the question. Soriano and Smith voted nay; all others voted aye; motion failed (4-2) as it needed a 2/3 yes vote to pass. Discussion continued.

Councilmember Leighan asked what would be gained by having staff, only, do its part of the process; Mr. Carter repeated his contention that it would put the city no nearer to a proposed alignment and associated costs.

VOTE ON MOTION: Soriano, Smith and Dierck voted aye; all others voted nay; the Mayor broke the tie and voted nay. Motion failed (4-3).

MOTION by Bartholomew, second by Pedersen, to approve the professional services agreement with Carter Burgess, Inc. in the amount of \$34,999.79. Soriano, Smith and Dierck voted nay; all others voted aye; the Mayor broke the tie and voted aye. Motion carried (4-3).

Public Hearing

None.

CONSENT AGENDA

1. Approval of March 6, 2000 claims in the amount of \$187,511.16 paid by check Nos. 50944 through 51048.
2. Approval of February, 2000 payroll in the amount of \$837,828.01 paid by check Nos. 37468 through 37702 with check Nos. 37702 and 37317 void.
3. Approval of Final Plat for Foxwood; PA 9601005
4. Approval of Final Plat for Park Creek Estates; PA 9404019.

MOTION by Pedersen, second by Smith, to approve consent items 1, 2 and 3. Motion carried unanimously (6-0).

Councilmember Dierck questioned the wetlands mitigation information from the packet; Ms. Hirashima explained they had been required to do some additional wetland mitigation. That had been completed and checked.

MOTION by Smith, second by Dierck, to extend the meeting to 11:04 p.m. Bartholomew and Pedersen voted nay; all others voted aye; motion carried 4-2.

Councilmember Smith questioned the reduced setbacks for the plat. Ms. Hirashima responded that the overriding criteria for setbacks in a PRD was the ability to produce a good design for the subdivision. They had submitted good evidence of that.

Councilmember Pedersen pointed out that the council's options on Consent Agenda items was to approve, deny or remand to the Hearing Examiner.

MOTION by Pedersen, second by Bartholomew, to approve consent item 3. Motion carried unanimously (6-0).

Legal

None.

Ordinances & Resolutions

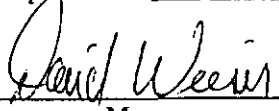
1. A Resolution of the City of Marysville declaring certain items of personal property to be surplus and authorizing the sale of disposal thereof.

MOTION by Bartholomew, second by Smith, to approve Resolution 1970. Motion carried unanimously (6-0).

ADJOURN

Council adjourned at 11:05 p.m.

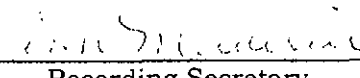
Accepted this 13th day of March, 2000.



Mayor



Deputy City Clerk



Recording Secretary