

Marysville City Council Special Meeting
December 6, 2000 **5:00 p.m.** **Public Safety Building**

Present: Mayor Dave Weiser
Councilmembers: Mike Leighan, Mayor Pro Tem
Shirley Bartholomew
Jim Brennick
NormaJean Dierck
Donna Pedersen
Suzanne Smith
John Soriano

Staff: Grant Weed, City Attorney
Mary Swenson, Assistant to City Administrator/ City Clerk
Bob Noack, Interim Finance Director
Dean Rohla, Assistant Finance Director
Lillie Lein, Recording Secretary

Mayor Weiser called the December 6, 2000 special meeting of the Marysville City Council to order at 5:00 p.m.

City Attorney Weed noted that Initiative 722 would become effective December 7, and any fees or taxes rendered between July 1, 1999 through December 31, 1999 would be void. Should I-722 be upheld in court, any fees or taxes collected would have to be refunded. The ordinances being brought before Council at this meeting reimposes fees that have been adopted which would allow the City to collect the fees henceforth.

Councilmember Bartholomew inquired if the City had filed as an intervener. Attorney Weed replied that they had not done that yet. The ordinances currently before Council was a priority. He is doing a study of other cities, and so far has found that Mountlake Terrace and Stanwood have filed as an intervener; Snohomish is reserving judgement; and other cities are in the process of deciding. There is no current deadline to file.

In response to Councilmember Brennick, Attorney Weed stated that by adopting the ordinances before them, the City would not be able to recoup anything collected from the time the current ordinances were adopted until now but it allows the City to collect fees beginning tomorrow that would not be affected by I-722.

Director Noack asked if the City should be holding fees they are collecting now, and Attorney Weed said that it would be prudent to account for funds collected

from the enactment date or the perspective ordinances until today, but fees collected hereafter would not be required to be refunded.

Councilmember Smith inquired about the emergency status of these ordinances with Attorney Weed stating that there was enough public interest in terms of budget and programs to constitute an emergency.

Councilmember Bartholomew inquired about the cost of writing a check should the City be required to refund fees.

The following additional comments were made by Attorney Weed:

- The City is being proactive by enacting these ordinances and intervening.
- His understanding is that the County will not reduce the City's adopted levy rate nor reduce assessments to the 2% IPD.
- All ordinances presented at this meeting enact the same fees as enacted in 1999. There are no changes.
- The school impact fees are more complicated than the others because they were adopted in 1999 and 2000. He has referenced the September, 2000 action because that is what is being readopted. His concern was that the 1999 enactment would be null and void. This is explained in the last whereas paragraph of the ordinance.
- Because it is pass through dollars, the Marysville School District would be required to make the refunds, if refunds are necessary.
- Not all court fees are set by the state, i.e. N.F.S. fees. Those additional fees not set by the state is what is addressed in the ordinance.

Ordinances:

1. An ordinance of the City of Marysville readopting and reimposing the school impact fees as established by Ordinance No. 2306 as amended by Ordinance No. 2316 and Ordinance No. 2332; readopting and reimposing school impact fee determination as provided in Ordinance No. 2331; readopting and reimposing the Capital Facilities Plan of the Marysville School District No. 25 as a sub-element of the City's Comprehensive Plan as provided in Ordinance No. 2330 and declaring an emergency to exist. Motion by Dierck, second by Smith to approve Ordinance No. 2339 Motion carried 6-1 with Leighan against.
2. An ordinance of the City of Marysville readopting and reimposing business license fees as established by Ordinance No. 2288, and declaring an emergency to exist. Motion by Pedersen, second by

Brennick to approve Ordinance No. 2340. Motion carried unanimously (7-0).

3. An ordinance of the City of Marysville readopting and reimposing revisions to court costs, surcharge for dishonored checks, and charges relating to multiple booking fee as established by Ordinance No. 2289 and declaring an emergency to exist. Motion by Bartholomew, second by Brennick to approve Ordinance No. 2341. Motion carried unanimously (7-0).
4. An ordinance of the City of Marysville readopting and reimposing the general fee structure set forth in MMC 14.07.005A as established by Ordinance No. 2290, and declaring an emergency to exist. Motion by Bartholomew, second by Smith to approve Ordinance No. 2342. Motion carried unanimously (7-0).
5. An ordinance of the City of Marysville readopting and reimposing traffic impact fees as established by Ordinance No. 2279 and declaring an emergency to exist. Motion by Bartholomew, second by Dierck to approve Ordinance No. 2343. Motion carried unanimously (7-0).
6. An ordinance of the City of Marysville readopting and reimposing park, recreation, and trail impact fees, and declaring an emergency to exist. Motion by Pedersen, second by Brennick to approve Ordinance No. 2344. Motion carried unanimously (7-0).
7. An ordinance of the City of Marysville readopting and reimposing sewer and water utility capital improvement charges established by Ordinance No. 2305, and declaring an emergency to exist. Motion by Brennick, second by Bartholomew to approve Ordinance No. 2345. Motion carried unanimously (7-0).
8. An ordinance of the City of Marysville readopting and reimposing public works fees for construction water and hydrant water and capital improvement charges for water and sewer as established by Ordinance No. 2267 which amends MMC 14.07.005 and MMC 14.07.010(1), and declaring an emergency to exist. Motion by Dierck, second by Smith to approve Ordinance 2346. Motion carried unanimously (7-0).
9. An ordinance of the City of Marysville readopting and reimposing a satellite sewer rate classification as established by Ordinance No. 2284, and declaring an emergency to exist. Upon question by

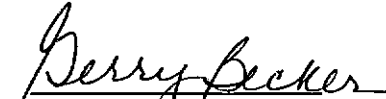
Council, Assistant Finance Director Rohla explained that this applies to homes within Marysville's Urban Growth Boundary but being serviced by Lake Stevens Sewer District. Currently, there are 11 homes. Motion by Dierck, second by Smith to approve Ordinance 2347. Motion carried unanimously (7-0).

10. An ordinance of the City of Marysville readopting and reimposing Parks and Recreation Department fee schedules as established by Ordinance No. 2299, and declaring an emergency to exist. Motion by Dierck, second by Soriano to approve Ordinance No. 2348. Motion carried unanimously (7-0).

Mayor Weiser adjourned the December 6, 2000 special meeting of the Marysville City Council at 5:38 p.m.

Accepted this 11th day of December, 2000.


Recording Secretary


City Clerk


Mayor