

MINUTES RECAP
MARYSVILLE CITY COUNCIL - REGULAR MEETING
 May 7, 2001

000182

CALL TO ORDER/FLAG SALUTE	7:00 p.m.
ROLL CALL	All present
MINUTES OF PREVIOUS MEETING 1. City Council Workshop, April 16, 2001. 2. City Council Regular Meeting, April 23, 2001. 3. City Council workshop, April 30, 2001.	Approved as corrected. Approved as corrected. Approved as presented.
AUDIENCE PARTICIPATION Mike O'Keefe regarding city-purchased property near Grove.	
PRESENTATIONS/PETITIONS/COMMUNICATIONS 1. Proclamation: May 6-12, 2001 as Marysville Juror Appreciation Week. 2. Proclamation: May 13-19, 2001 as Police Week and May 15, 2001 as Peace Officers' Memorial Day. 3. Golf Course Restaurant Final Design; Dan Jansen, CNJA. 4. Golf Course Operations Quarterly Report; Rob Lindsey/Jim Ballew.	
CONSENT AGENDA	
1. Approve MAY 7, 2001 claims in the amount of \$794,578.44 paid by check Nos. 58674 through 58928 with check Nos. 58171, 58163, 58202 and 58309 void.	Approved
ACTION ITEMS	
REVIEW BIDS None.	
PUBLIC HEARING None.	
CURRENT BUSINESS 1. Agreement for wastewater treatment and disposal service with Tulalip Tribes (continued from April 16, 2001 workshop) 2. SR528, Columbia to 55 th Avenue Phase I; consultant contract with Perteet Engineering, Inc. (continued from April 23, 2001). 3. Planning Commission recommendation: adoption of Lakewood and Lake Stevens Capital Facilities Plans as an amendment to the City of Marysville Comp Plan (continued from April 30, 2001 workshop)	Removed from agenda. Approved contract with 5 lanes from State to 67 th . Approved.
NEW BUSINESS 1. Marysville School District annexation, 10% Notice of Intention. 2. Update Section 9.04.010 of the Marysville Municipal Code to adopt the 1997 Edition of the Uniform Fire Code 3. Amend the Uniform Fire Code to impose more restrictive fire sprinkler system requirements on new construction. 4. Professional services agreement north end reservoir siting analysis; professional engineering design services	Accepted 10% Notice, set boundary for circulation of 60% petition. Adopted Approved. Approved.

LEGAL MATTERS	
1. Recovery contract for Phase I of Trunk D sewage lift station	Approved. Contract No. 233
ORDINANCES AND RESOLUTIONS	
1. A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.	Approved Resolution 2033.
2. A Resolution of the City of Marysville Stating Its Intention to Annex Certain Unincorporated Area, Known as the Scott Ray Annexation, into the City, and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.	Approved Resolution 2034.
INFORMATION ITEMS	
None.	
ADJOURN INTO EXECUTIVE SESSION	10:20 p.m.
RECONVENE INTO REGULAR SESSION	10:36 p.m.
Confirm prior authorization of expenditure of funds in the amount of \$599,640.71 for the golf driving range property and accept the Trustee's Deed for such property.	Approved.
ADJOURN	10:37 p.m.

**MINUTES
MARYSVILLE CITY COUNCIL - REGULAR MEETING
MAY 7, 2001**

CALL TO ORDER/FLAG SALUTE

The regular meeting was convened 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:

<p>Councilmembers Present: Dave Weiser, Mayor Mike Leighan, Mayor Pro Tem Shirley Bartholomew Jim Brennick NormaJean Dierck Donna Pedersen Suzanne Smith John Soriano</p>	<p>Administrative Staff present: Mary Swenson, Chief Administrative Officer Robert Carden, Chief of Police Gloria Hirashima, City Planner Grant Weed, City Attorney Ken Winckler, Public Works Director</p>
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Mayor Weiser advised that item 1 under current business, Agreement for wastewater treatment and disposal service with Tulalip Tribes, had been removed from the agenda at the request of council. A separate workshop on that topic was scheduled for May 18, 2001 at 3:00 p.m.; the location to be determined.

MINUTES OF PREVIOUS MEETING

1. City Council Workshop, April 16, 2001.

Councilmembers noted the following corrections.

- Page 1, questions and responses, second paragraph, revise to read: "but if there was a problem the Tribes had stated they would want to fix it."
- Third paragraph, regarding school mitigation fees on Tribal property, Councilmember Leighan requested staff to obtain clarification that the county does not charge school mitigation fees on Tribal-owned property.
- Page 2, 4th paragraph, first sentence delete "the deal."

MOTION by Dierck, second by Brennick, to approve the April 16, 2001 Workshop minutes as corrected. Motion carried (7-0).

2. City Council regular meeting, April 23, 2001.

Councilmembers noted the following corrections.

- Page 1, last line: "Marysville Noon Rotary."
- Page 3, under "Councilmember Pedersen reported," change Joint Fire Board to Marysville Fire Board.
- Page 6, second line: "planned for after engineering of phase one had been completed."
- Page 7, last paragraph 4th line: "University of Michigan and University of California at Davis."

MOTION by Pedersen, second by Bartholomew, to approve the minutes of the April 23, 2001 regular council meeting as corrected. Motion carried (7-0).

3. City Council workshop, April 30, 2001.

MOTION by Dierck, second by Brennick, to approve the minutes of the April 30, 2001 council workshop as presented. Motion carried (7-0).

AUDIENCE PARTICIPATION

Mike O'Keefe, 7409 86th Street NE, asked for information about the city's intended use of the land that it purchased off Grove. Mayor Weiser responded that the city was currently going through a needs analysis of its facilities and it was unknown at this time exactly how that property would be used. Ms. Swenson added that staff was preparing preliminary information and a consultant would be doing the final analysis, which was expected to be completed within four months.

PRESENTATIONS/PETITIONS/COMMUNICATIONS

1. Proclamation: May 6-12, 2001 as Marysville Juror Appreciation Week

Mayor Weiser read the proclamation into the record, proclaiming May 6-12, 2001 as Juror Appreciation Week.

2. Proclamation: May 13-19, 2001 as Police Week and May 15, 2001 as Peace Officers' Memorial Day

Mayor Weiser read the proclamation into the record and presented it to Officer Wennersten of the Marysville Police Department.

3. Golf course restaurant final design; Dan Jansen, CNJA

Jim Ballew noted the golf course improvements would go out for bid May 9; he introduced Dan Jansen of CNJA Architects. Mr. Jansen gave an overview of the project, including the expanded seating capacity with the ability to handle tournaments of 144 players. He showed elevations and noted the existing character of the building had been maintained. Because of the upgrades to the HVAC system, the total cost was expected to be \$800,000, which included kitchen equipment and dining tables but not the security system or phone system. Mr. Ballew added that the existing air conditioning system would be abandoned because much of the duct work ran under the slab and they did not have confidence in it. The work was planned to be completed 220 days from the notice to proceed.

4. Golf course operations quarterly report; Rob Lindsey/Jim Ballew

Rob Lindsey, General Manager of the golf course, gave a detailed report on the running of the course to date. Highlights included: new logo - now Cedarcrest Golf Club; major clean-up and face lift around the club house; beverage cart on the course served soft drinks and deli sandwiches made by Allen Creek Thriftway; rounds of golf were up 15-20% over the last two years; 54 tournament events had been scheduled; O'Callahan's Restaurant and Catering would cater all tournament events until the restaurant opened; the number of leagues had increased; membership in both the Men's and Ladies' Clubs had increased; the number of annual memberships had increased; merchandise sales had increased. Total revenues were \$192,000 to date, which was an increase of 15-20%. Carts being used were rentals; the new carts would be in at the end of June.

CONSENT AGENDA

1. Approve MAY 7, 2001 claims in the amount of \$794,578.44 paid by check Nos. 58674 through 58928 with check Nos. 58171, 58163, 58202 and 58309 void.

MOTION by Dierck, second by Brennick, to approve consent item 1.
Motion carried (7-0).

ACTION ITEMS

Review Bids

None.

Public Hearing

None.

Current Business

1. Agreement for wastewater treatment and disposal service with Tulalip Tribes
(continued from April 16, 2001 workshop)

As noted previously, this item had been removed from the agenda.

2. SR528, Columbia to 55th Avenue Phase I; consultant contract with Perteet
Engineering, Inc. (continued from April 23, 2001).

Mayor Weiser advised that this was Owen Carter's last council meeting as he was leaving employment with the city to take a position with Snohomish County. He presented Mr. Carter with some drawing aids for streets and cars and thanked him for his 4-1/2 years of service to the city. Mr. Carter thanked the Mayor and council.

Mr. Carter presented the background material from the agenda packet. He noted the street was planned for 2 lanes each way and a left turn lane. The bridge could be re-stripped to no more than 4 lanes.

Councilmember Soriano asked if this was part of the long-range traffic improvement plan; Mr. Carter said it was.

Councilmember Bartholomew asked about the structural integrity and capacity of the Allen Creek bridge. Mr. Carter said the approaches or flaps had been repaired and there would always be some settlement.

Councilmember Smith noted that she had reviewed the available alley parking and felt there was adequate off-street parking for all residents of the area. There was very little on-street parking.

The Mayor called for public comments. There were none, so the Mayor closed the topic to public input.

MOTION by Dierck, second by Brennick, to approve the subject contract with five lanes from State to 67th. Motion carried (7-0).

CORRECTED:
MINUTES

SEE 5-14-01

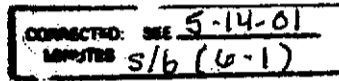
Councilmember Dierck requested information on the number of parking spots that would be eliminated and if there was a site to assist with off street parking.

3. Planning Commission recommendation: adoption of Lakewood and Lake Stevens Capital Facilities Plans as an amendment to the City of Marysville Comp Plan (continued from April 30, 2001 workshop)

Ms. Hirashima noted that the Planning Commission's recommendation was to approve both plans as presented.

The Mayor called for public comments. There were none, so he closed the public comment portion of this topic.

MOTION by Dierck, second by Brennick, to affirm adoption of the Lakewood and Lake Stevens Capital Facilities Plans into the Marysville Comprehensive Plan, and direct the city attorney to prepare draft interlocal agreements with Lakewood and Lake Stevens School Districts for the purpose of collecting impact fees on behalf of each school district. Bartholomew voted nay; all others voted aye; motion carried (7-0).



New Business

1. Marysville School District annexation, 10% Notice of Intention.

Ms. Hirashima gave a brief background presentation, noting the signatures on the Notice of Intent represented 100% of the assessed valuation. The property was contiguous to the city on the south and west sides. The School District's conditional use permits from Snohomish County, which would allow construction of a junior high and elementary schools were still valid. The District was requesting recognition of the conditional use permits.

Councilmember Soriano asked if the two properties were part of the District's current capital facilities plan; Ms. Hirashima replied in the affirmative. Councilmember Soriano asked if there had been any requests for reconsideration of the Hearing Examiner's decision. Mrs. Hirashima said there had been none.

The Mayor called for public comments.

Richard Eisenhower, Superintendent of Marysville School District, gave council written testimony and spoke in support of the annexation.

Larry Price, Marysville School District Director of Facilities, stated the Tanis family owned the other parcel and had joined in the petition.

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

MOTION by Dierck, second by Brennick, to

- accept the 10% Notice of Intent,
- establish the annexation area for circulation of the 60% petition as the area set out in the Notice of Intent,
- recognize the conditional use permit approvals from Snohomish County in the Resolution for the annexation,
- require the annexation to be subject to the city's bonded indebtedness, comprehensive plan and zoning.

Motion carried (7-0).

Ms. Hirashima agreed to research the question of school mitigation fees prior to circulation of the 60% petition.

2. Update Section 9.04.010 of the Marysville Municipal Code to adopt the 1997 Edition of the Uniform Fire Code

Mayor Weiser stepped down and left the room due to a possible conflict of interest. Mayor Pro-Tem Leighan assumed leadership of the meeting.

Fire Chief Corn noted that the District's Fire Marshall, Jerry Jacobsen, was in attendance as was the County's Fire Marshall, Pam Miller. He stated that adoption of the state's Uniform Fire Code was a housekeeping item. The city

could adopt a more restrictive code, but not a less stringent one. The proposed Resolution eliminated the three prohibitions, which were currently in effect: storage of flammable and combustible liquids, liquefied petroleum gas, and explosives. Those prohibitions had been put into effect when the city was smaller and did not have appropriate areas for the location of such combustibles; that was no longer the case. With its industrial areas, such requests could be addressed on a case-by-case basis.

After questions by council, the Mayor Pro-Tem opened the topic to public comment.

Jeff Seibert, 5004 80th, supported the case-by-case option. He asked if a tank farm came into the area if the Fire Department would require additional equipment or training. Chief Corn replied they would need training and would ask the business to fund that. Regarding equipment, newly constructed tank farms had built-in systems so the Department would come in just to augment that.

There being no one further wishing to speak, the topic was closed to public comment.

MOTION by Dierck, second by Brennick, to adopt the Uniform Fire Code, retain the prohibitions against tank farms and explosives, but allow LPG storage to be considered on a case-by-case basis. Motion carried (6-0).

CORRECTED: SEE 5-14-01
MINUTES 5/6 (7-0)

The Mayor returned to the meeting at this point and resumed the chair. A short recess was called, then the meeting resumed.

3. Amend the Uniform Fire Code to impose more restrictive fire sprinkler system requirements on new construction.

Chief Corn reviewed the request to impose more restrictive sprinkling in new construction. Councilmembers questioned at what point projects were vested so would not have to meet this increased requirement. Mr. Weed responded that when the city received a complete application that fully met the city's requirements for submittal, it became vested.

The Mayor opened the topic to public comment.

Jeff Seibert supported adoption of the increased requirements for sprinkling.

There being no one else wishing to speak, the public comment portion was closed.

MOTION by Dierck, second by Bartholomew, to adopt the proposed ordinance, which mirrors Snohomish County's ordinance, with an effective date of September 8, 2001. Motion carried (7-0).

4. Professional services agreement north end reservoir siting analysis; professional engineering design services

Mr. Winckler gave a brief review of the agenda materials noting the expected cost was \$1.5 million with an expected completion date, including site acquisition, in 2002.

The Mayor called for public comments. There were none.

MOTION by Bartholomew, second by Brennick, to approve the professional services agreement with RH2 Engineers in the amount of \$169,082 along with a management reserve in the amount of \$20,000 and authorize the mayor to execute the professional services agreement on behalf of the city. Motion carried (7-0).

Legal

1. Recovery contract for Phase I of Trunk D sewage lift station

Mr. Winckler gave the staff presentation, noting the recover was established at \$765.41 per equivalent residential unit and there were approximately 1,464 lots. This was an estimate, as non-buildable land would be deducted. The recovery contract was designed to recover the full amount of \$1,120,564 over a number of years.

MOTION by Pedersen, second by Bartholomew, to approve Recovery Contract No. 233. Motion carried (7-0).

Councilmember Pedersen left at this point in the meeting.

Ordinances & Resolutions

- A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.

MOTION by Leighan, second by Smith, to approve Resolution 2033. Motion carried (6-0).

- A Resolution of the City of Marysville Stating Its Intention to Annex Certain Unincorporated Area, Known as the Scott Ray Annexation, into the City, and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.

MOTION by Bartholomew, second by Leighan, to approve Resolution 2034. Motion carried (6-0).

DISCUSSION ITEMS

None.

INFORMATION ITEMS

1. Mayor's business

None.

2. Staff's business

Mr. Weed:

- A State Supreme Court decision was expected on the constitutionality of I-792 by late summer.
- The city just completed prosecuting seven drug forfeiture cases with forfeiture to the city of cars, gold and silver collector coins, and \$11615 in cash. He acknowledged the good work of Prosecutor John Rodabaugh.

Mr. Winckler:

- Thanked Mr. Carter for his service to the city and listed his many contributions including design standards for streets, drainage systems,

access management plans and traffic calming; numerous ordinance updates, fee changes, and policy and procedure updates. He brought the Engineering Section up to date and made a major impact on the Land Development Section. He developed a project management staff with certified personnel. He was successful in acquiring approximately \$8 Million in grants for the city.

3. Call on councilmembers

Leighan:

- Was the layout of State Ave. that's on the web page a concept only? Mr. Winckler said it was not a concept but the approved project.

Smith:

- Did the city have any designated Ag lands? Ms. Hirashima said there were none.

ADJOURN INTO EXECUTIVE SESSION

Council adjourned into Executive Session at 10:20 p.m. for the purpose of discussing potential litigation relating to real estate matters.

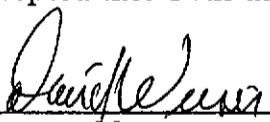
ADJOURN

Council reconvened into regular session, at 10:36 p.m.

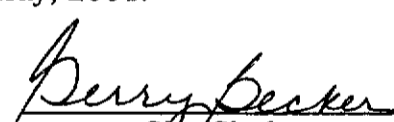
Motion by Brennick, second by Bartholomew to confirm the prior authorization of expenditure of funds in the amount of \$599,640.71 for the golf driving range property, and accept the Trustee's Deed for such property. Motion carried unanimously (6-0).

Mayor Weiser adjourned the May 7, 2001 meeting of the Marysville City Council at 10:37 p.m.

Accepted this 14th day of May, 2001.



Mayor



City Clerk



Recording Secretary