

ORIGINAL

MARYSVILLE CITY COUNCIL WORK SESSION

CORRECTED: SEE 3/8/04
MINUTES

March 1, 2004

7:00 p.m.

City Hall
000182

CALL TO ORDER / PLEDGE OF ALLEGIANCE / INVOCATION

Mayor Dennis Kendall called the March 1, 2004 work session of the Marysville City Council to order at 7:00 p.m. He then led those present in the Pledge of Allegiance. There was no pastor in attendance to give an invocation.

ROLL CALL

Chief Administrative Officer Mary Swenson called the roll. The following staff and councilmembers were present.

Mayor: Dennis Kendall

Council: Lee Phillips, Jeff Seibert, John Soriano, Lisa Vares, Jeff Vaughan and Donna Wright.

Staff: Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Gloria Hirashima, Community Development Director; Phil Williams, Interim Public Works Director; Larry Larson, Public Works Superintendent; Sandy Langdon, Finance Director; Kevin Nielsen, City Engineer; Jeff Massie, Assistant City Engineer; Jim Ballew, Parks and Recreation Director; and Laurie Hugdahl, Recording Secretary.

Councilmember Nehring was absent due to business travel. **Motion** made by Councilmember Vares, seconded by Councilmember Wright to excuse the absence of Councilmember Nehring. **Motion** passed unanimously (6-0).

COMMITTEE REPORTS

Councilmember Jeff Seibert reported on the **Snohomish County Development Policy Advisory Board** meeting that took place on February 25. At the meeting, they discussed the Community Development Block Grant allocation, Home allocation, Affordable Housing Trust Fund, and Volunteers of America. There was also discussion about changing policies. Finally, they reviewed grant applications.

Councilmember John Soriano then reviewed the **Public Safety Committee** meeting. They met the new drug dog, Brodie. They also reviewed overtime reports. There was discussion about a proposal for pet licenses. Commander Steve Winters gave an update on the 800 MHz system, which is going well.

Councilmember Soriano then reported that he and Councilmember Donna Wright attended the **Sustainable Development Task Force Forum** at the PUD last Friday. The discussion revolved around conservation of resources and designing energy efficiency into structures. Councilmember Wright added that Gloria Hirashima attended also. She then noted that there had been a wide range of opinions, but one thing they could all agree on was

sustainable growth for development and housing. There was some discussion about having a presentation to Council and Planning Commission on this topic.

PRESENTATIONS

None.

DISCUSSION ITEMS

None.

Other Items Scheduled For March 8, 2004 Meeting

CONSENT AGENDA

D. Approval of New Liquor License; Del's Produce & Grocery.

There was no discussion about this issue.

E. Authorize Mayor to Sign the Department of Natural Resources Aquatic Lands Lease Agreement related to Effluent Transfer Pipeline – Contract B Project.

Assistant City Engineer Jeff Massie explained that this lease agreement is needed in order to build the Horizontal Directional Drill for constructing the pipeline under Ebey, Steamboat and Union Sloughs. Councilmember Seibert requested further explanation on the forfeiture letter. Mr. Massie discussed the letter proposed by DNR regarding forfeiting two existing leases because of non-use for abandoned sewage outfalls in Ebey Slough. City Attorney Grant Weed further explained that the City had procured an easement for the two abandoned pipelines in the 60's. When the State saw this new lease, they wanted the City to commit to removing the abandoned pipelines at City expense if, and when, they deemed it was necessary. Mr. Weed did not feel it was wise to sign the agreement until they complete acceptable revisions. Interim Public Works Director Phil Williams added that this is a 30-year lease at no cost. Mr. Weed noted that the easement is lengthy and is heavily one-sided in the State's favor. He has not had a chance to review it, but said he would do so before the next meeting and come back with comments. Jeff Massie noted that they would also be discussing this at the Public Works Committee meeting this Friday.

REVIEW BIDS

None.

PUBLIC HEARINGS

None.

CURRENT BUSINESS

None.

NEW BUSINESS

- A. Amendment No. 1 to Cooperative Agreement with the Washington State Department of Transportation and Community Transit Regarding Ash Avenue Park & Ride, Project #T9805.**

Jeff Massie explained that this was merely changing the legal description as requested by WSDOT. There was no further discussion.

- B. Soper Hill Road Sewer Extension – Professional Services Agreement; Gray & Osborne.**

Phil Williams noted they had advertised and conducted interviews with four firms. Public Works is recommending a Professional Services Agreement with Gray & Osborne, Inc. in an amount not to exceed \$7,658.20 including a \$696.20 Management Reserve. He added that City staff would design the project in-house.

- C. Adoption of an Interlocal Agreement with Everett for Participation in the Cost of Construction and Construction Management Services for a Water Main in Ross Avenue.**

Mr. Williams explained that this Interlocal Agreement with Everett would be for participation in the cost of construction and construction management services for a water main in Ross Avenue. This would be an efficient use of resources for both cities.

Councilmember Seibert asked about the size of the water main. Mr. Massie replied that it was a combination of 8" and 12" pipes. Councilmember Soriano requested a map of the area. City Engineer Kevin Nielsen indicated they would get one to Council.

- D. Professional Services Contract for a Vulnerability Assessment Report; NCT Engineering.**

Public Works Superintendent Larry Larson reported that federal law requires that the City submit a Vulnerability Assessment Report on its water systems by June 30, 2004. Public Works staff has already started this process. Craig Thompson, former PUD general manager, who is familiar with the City's water system, has agreed to assist with the analysis and writing of the report. NCT Engineering also has experience in completing Vulnerability Assessment Reports and understands the issues associated with water system security.

Grand Weed recommended using the standard Engineering Services Agreement. He noted that Mr. Thompson, being a sole proprietor, is not able to comply with the errors and omission malpractice insurance and the indemnity sections of the agreement. Mr. Weed wanted Council to be aware of potential issues associated with this; however, he felt it was a low risk project and a good rate. Larry Larson and Phil Williams further explained that Mr. Thompson would be facilitating the City through the process because he has the technical expertise.

Councilmember Vaughan asked if the City might be exposed to possible fines if there were an error in the report. Mr. Nielsen responded that they would not. There was then discussion about proposed water systems also being included in the report. Mr. Williams explained that they would be included.

E. Curb, Gutter & Sidewalk Deferment Contract for Arthur N. Hoffman; BLA 03-006.

Community Development Director Gloria Hirashima reviewed this contract.

LEGAL

A. Contract for Recovery of Utility Construction Costs for Sewer; Scott R. Ray.

Ms. Hirashima reviewed this recovery contract for a 10" sewer line. She noted that staff is recommending recovery on a lineal footage basis.

ORDINANCES & RESOLUTIONS

A. An Ordinance of the City of Marysville, Washington Amending Ordinance No. 2068 Relating to the Marysville Growth Management Comprehensive Plan and Approving the Recommendations of the Marysville Planning Commission, Adopting the Marysville Capital Facilities Plan 2004-2009 as a Sub-element of the Comprehensive Plan Pursuant to the City's Annual Amendment and Update Process and Amending Ordinance No. 2500 (the 2004 Budget) Concurrently Herewith.

Ms. Hirashima explained that this is the ordinance to go along with the previously approved Capital Facilities Plan 2004-2009.

INFORMATION ITEMS

A. Mayor's Business

Mayor Kendall commented that he made a presentation to the Chamber last Friday regarding his first sixty days in office. He noted that there was a very good turnout. He added that the Chamber is considering consolidating with the Arlington Chamber and the Smokey Point Chamber.

Mr. Kendall then reported that he had gone to Olympia with Mary Swenson on Friday to listen to discussion by the NASCAR representatives.

B. Staff Business

Grant Weed had no comments.

Jim Ballew had no comments.

Mary Swenson displayed a new map put out by the Chamber that includes both Marysville and Tulalip. She commented that they had done a very nice job. Ms. Swenson then announced that the City did receive the Champions of Industry 300 award last Thursday. She announced it on Friday at the Chamber meeting. Ms. Swenson then mentioned that they would like to begin discussions regarding an ad hoc committee to discuss utility rates.

Larry Larson had no comments.

Sandy Langdon had no comments.

Phil Williams had no comments.

Kevin Nielsen had no comments.

Gloria Hirashima updated Council on the annexation file status and annexation policies. She also pointed out copies of resolutions related to the annexations in Council's packet. She then solicited input for changes Council would like to see. Councilmember Seibert asked for clarification about language in Resolution 1939. Ms. Hirashima explained what the intent of the language was. There was some discussion about making this clearer. There was also discussion about utility connections associated with annexations.

C. Call on Councilmembers

Donna Wright asked about another ad hoc committee. Mayor Kendall replied that this would be under public works. Councilmember Wright indicated that she would be interested in being on that committee.

Jeff Seibert asked Gloria Hirashima about the County's recommendations for population ~~employment~~ target numbers. Ms. Hirashima responded that they have not decided yet. Mr. Seibert also asked about requirements to serve utilities outside the city limits. Ms. Hirashima explained that her understanding was that the City would not be forced to provide utilities outside city limits. Councilmember Seibert then congratulated staff on receiving the Champions of Industry 300 award.

Jeff Vaughan commented that Mayor Kendall's presentation on Friday was very well done. He had felt proud to be part of the City of Marysville.

Lee Phillips had no comments.

Lisa Vares gave a committee report for the Image and Identity Committee. She noted that they had discussed the Council decision on the DAT process. They also discussed code enforcement policy and facade improvement ideas.

John Soriano commented that the funeral service for Loree Parker was very nice.

CORRECTED: SEE 3/18/04
MINUTES delete

ADJOURNMENT

The regular meeting recessed into Executive Session at 8:10 p.m. Executive Session was scheduled to begin at 8:15 p.m.

EXECUTIVE SESSION

Council went into Executive Session at 8:15 p.m.; discussed one real estate and one potential litigation item; and adjourned back into regular session at 8:45 p.m.

Motion by Councilmember Vares, second by Councilmember Seibert to authorize the Mayor to sign contingencies concerning real property as discussed in Executive Session. **Motion** carried unanimously (6-0).

Motion by Councilmember Wright, second by Councilmember Soriano to accept Change Order No. 5 regarding the Wastewater Treatment Plant Phase I, and authorize the Mayor to sign the settlement agreement as discussed in Executive Session. **Motion** was approved 5-1 with Councilmember Vares voting against.

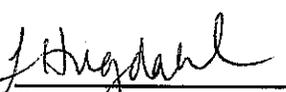
ADJOURNMENT

Mayor Kendall adjourned the March 1, 2004 City Council Work Session at 8:50 p.m.

Approved this 8th day of March 2004.


 Mayor
 Dennis Kendall


 City Clerk
 Gerry Becker


 Recording Secretary
 Laurie Huggahl