

<b>Call to Order/Invocation/Pledge of Allegiance/Roll Call</b>	<b>7:00 P.M.</b>
<b>Roll Call</b>	
<b>Approve of Minutes</b>	
Approval of January 24, 2005 City Council Meeting Minutes.	Approved
Approval of February 7, 2005 City Council Work Session Minutes.	Approved
<b>Consent Agenda</b>	
Approval of January 26, 2005 Claims in the Amount of \$896,956.88; Paid By Check No. 20437 through 20572 with Check No. 19838, 20135, and 20265 Void.	Approved
Approval of February 2, 2005 Claims in the Amount of \$283,655.74; Paid By Check No. 20573 through 20723 with Check No. 20309, 20539, and 20562 Void.	Approved
Approval of February 9, 2005 Claims in the Amount of \$599,108.78; Paid By Check No. 20724 through 20892 with Check No. 18023 Void.	Approved
Approval of February 4, 2005 Payroll in the Amount of 767,802.64; Paid By Check No. 13911 through 13987.	Approved
Approval of New Liquor License for Shell Foodmart #126 (1209 - 4th Street).	Approved
Accept the 51st Street Lift Station Project as Complete and Begin 45-Day Lien Filing Period.	Approved
Accept Carrol's Creek Project as Complete and Begin 45-Day Lien Filing Period.	Approved
Accept Edward Springs Wells #1 and #3 Project as Complete and Begin 45-Day Lien Filing Period.	Approved
Approve Visitor and Community Information Center Service Agreement with the Greater Marysville Tulalip Chamber of Commerce.	Approved
Authorize Mayor to Sign Professional Services Agreement for Stillaguamish Water Filtration Plant Construction Project; Entranco, Inc.	Approved
Northwest Park - Final Plat; PA 03-032.	Approved
Authorize Mayor to Sign Professional Services Agreement for Lakewood Sewer Extension Project; Gray & Osborne.	Approved
1st Street and 4th Street Railroad Crossing Agreement; Burlington Northern San Francisco Railroad.	Approved
2005 Overlay Program; Snohomish County.	Approved
Change Order #1 for Stillaguamish Water Filtration Plant Project; Zenon Environmental, Inc	Approved
Supplement #7 to Professional Services Agreement for Waste Water Treatment Plant Modifications and Effluent Transfer Pipeline; TetraTech/KMC, Inc.	Approved
Approve Avigation Easement; Arlington Municipal Airport.	Approved
<b>Review Bids</b>	
<b>Public Hearings</b>	
Approve Allen Creek Baptist Church Annexation; PA 04002.	Approved
<b>Current Business</b>	
Approve Lakewood Annexation; PA 0105029.	Approved

Marysville City Council  
7:00 p.m.

000049

February 14, 2005

City Hall

Approve Jordan Annexation; PA 04026.	Continued
<b>New Business</b>	
Approve Fund Balance Reserve Policy.	Approved
Approve Contract for Marysville Municipal Court Judge; Fred L. Gillings.	Approved
<b>Legal</b>	
<b>Ordinances and Resolutions</b>	
Approve an Ordinance Annexing the Lakewood Annexation.	Approved Ord. No. 2561
Approve an Ordinance Prohibiting Electronic Scratch Ticket Games and Machines and Amending Ordinance No. 2324 and Chapter 5.26 of the Marysville Municipal Code.	Approved Ord. No. 2562
<b>Information Items</b>	
<b>Mayor's Business</b>	
Re-appointments to Parks Board; Mike Elmore and Aaron Soper.	Approved
<b>Call on Councilmembers</b>	
<b>Adjournment</b>	<b>8:26 P.M.</b>
<b>Executive Session</b>	<b>8:35 P.M.</b>
One personnel issue	No Action
<b>Adjournment</b>	<b>8:50 P.M.</b>

**MARYSVILLE CITY COUNCIL MEETING****February 14, 2005****7:00 p.m.****Marysville City Hall****CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE**

Mayor Kendall called the February 14, 2005 meeting of the Marysville City Council to order at 7:00 p.m. Pastor Greg Kanehen of the Marysville Free Methodist Church led the invocation. This was followed by Mayor Kendall leading those present in the Pledge of Allegiance.

**ROLL CALL**

Finance Director Sandy Langdon gave the roll call. The following staff and councilmembers were in attendance.

**Mayor** Dennis Kendall

**Council:** Mayor Pro Tem Jon Nehring, Lee Phillips, Jeff Seibert, John Soriano, Lisa Vares, Jeff Vaughan and Donna Wright.

**Staff:** Robert Carden, Police Chief; Sandy Langdon, Finance Director; Grant Weed, City Attorney, Gloria Hirashima, Community Development Director; Paul Roberts, Public Works Director, and Laurie Hugdahl, Recording Secretary.

**COMMITTEE REPORTS**

Councilmember Jeff Vaughan reported on the **Marysville Parks Advisory Board** meeting held on February 2. Topics discussed at the meeting included:

- A presentation from SODA advocating off-leash parks for dogs. The board is currently studying this issue.
- Craig Wells, a local business owner, addressed concerns about youth at the skate park.

Councilmember Lee Phillips reported that the **TV Advisory Board** is currently developing a mission statement. This will be finalized at their next meeting and presented to Council shortly thereafter. They also began discussion regarding a new logo for the TV station.

**PRESENTATIONS**

**A. Swearing In of Marysville Municipal Court Judge; Fred L. Gillings.**

**B. Police Citizens Academy Graduates.**

Sgt. Wendy Wade commended the leadership of Officers Dreyer and Oates who ran the academy this session. She commented that a major goal of the academy is to create a better understanding and communication between citizens and the police department. She reviewed the contents of the course. One of the highlights was the EVOC (Emergency Vehicle Operation Course). The next Citizens Academy will be held in September. Prior to that there will be a Teen Academy for 15-18 year olds at the end of March. Graduates of the Citizens Academy were: Jack Broyles, Amy Butters, Lawrence Erickson, Marianne Everett, Sherry Foote, Valerie Hopkins, Derek Hunter, Katie Levin, Jeffrey Schafer, Terry Shrout, Sharon Walter, Joshua Webb, Josie West, and Michael West.

**C. Belmark Homes Parkside Way Park Dedication.**

Mayor Kendall explained that Belmark Homes had created a very nice park on 64<sup>th</sup> Place off of Highway 528. The park includes a basketball court, a multi-use area, a playground area, two acres of open fields and a parking area. An award was presented to Belmark Homes by the Parks Advisory Board for the outstanding support and significant contribution to the Marysville Parks Department.

*There was a recess from 7:20 – 7:30 p.m.*

**AUDIENCE PARTICIPATION****Craig Wells, 1048 State Avenue, Marysville Laundry Station.**

Mr. Wells addressed the issue of problems at the skate park. His business has been located across from the city hall for the last year and has been dealing with problems as a result of the skate park during that time. He feels that the City has created a facility for an element of youth to gather with unsupervised safety issues. He has discussed this with the Parks Board. Some problems he mentioned included drug activity, vandalism, littering and smoking. He expressed frustration about the lack of enforcement of the posted rules of the skate park and stated that the atmosphere is impacting his business. He has had trouble with graffiti in his bathroom and skateboards and bikes riding through his Laundromat.

Councilmember Jon Nehring asked about the Parks Board's response. Councilmember Jeff Vaughan serves on that board and explained that the Parks Board discussions have centered on installing video equipment. Parks and Recreation Director Jim Ballew has obtained some pricing info, but they are still trying to decide what to do. The Parks Board will come forward with recommendations as soon as possible. Mr. Wells clarified that not all of the kids are a problem. Most of the kids are fine. But the ones causing the problems are making trouble for all of them.

Councilmember Donna Wright asked Chief Carden about enforcement issues. He replied that they have had 22 calls from the Laundromat and have done special enforcement down there. He discussed the difficulties in supervising this area. They have applied for a grant for a camera. Mr. Ballew and the parks staff have done some research on video equipment. They will continue to patrol that area heavily. Mayor Kendall thanked Mr. Wells for his time.

#### **DISCUSSION ITEMS**

None.

#### **APPROVAL OF MINUTES.**

##### **A. January 24, 2004 City Council Meeting.**

Jon Nehring pointed out that it should be clarified on the minutes and recap that only the hearing had been set for the Allen Creek Baptist Church Annexation (Item K on Consent Agenda).

Motion made by Councilmember Nehring; seconded by Councilmember Seibert to approve the minutes as amended. Motion passed unanimously (7-0).

##### **B. February 7, 2005 City Council Work Session.**

Councilmember Jeff Seibert referred to page 8, Call on Council. This should read, "Jeff Seibert discussed a meeting he had with Paul Roberts. One of the topics they discussed was the waterfront park. . . ."

Councilmember Seibert also noted that on page 9, it should be noted that the motion to change Resolution number 2131 to Resolution number 2133 "was made by Councilmember Nehring and seconded by Councilmember Seibert."

Motion made by Councilmember Vaughan; seconded by Councilmember Wright to approve the minutes as amended. Motion passed unanimously (7-0).

#### **CONSENT**

Mayor Kendall solicited audience comment on consent agenda items. There was none. He then solicited council comment on any consent agenda items. There was none.

##### **A. Approval of January 26, 2005 Claims in the Amount of \$896,956.88; Paid By Check No. 20437 through 20572 with Check No. 19838, 20135, and 20265 Void.**

- B. Approval of February 2, 2005 Claims in the Amount of \$283,655.74; Paid By Check No. 20573 through 20723 with Check No. 20309, 20539, and 20562 Void.**
- C. Approval of February 9, 2005 Claims in the Amount of \$599,108.78; Paid By Check No. 20724 through 20892 with Check No. 18023 Void.**
- D. Approval of February 4, 2005 Payroll in the Amount of 767,802.64; Paid By Check No. 13911 through 13987.**
- E. Approval of New Liquor License for Shell Foodmart #126 (1209 - 4th Street).**
- F. Accept the 51st Street Lift Station Project as Complete and Begin 45-Day Lien Filing Period.**
- G. Accept Carrol's Creek Project as Complete and Begin 45-Day Lien Filing Period.**
- H. Accept Edward Springs Wells #1 and #3 Project as Complete and Begin 45-Day Lien Filing Period.**
- I. Approve Visitor and Community Information Center Service Agreement with the Greater Marysville Tulalip Chamber of Commerce.**
- J. Authorize Mayor to Sign Professional Services Agreement for Stillaguamish Water Filtration Plant Construction Project; Entranco, Inc.**
- K. Northwest Park - Final Plat; PA 03-032.**
- L. Authorize Mayor to Sign Professional Services Agreement for Lakewood Sewer Extension Project; Gray & Osborne.**
- M. 1st Street and 4th Street Railroad Crossing Agreement; Burlington Northern San Francisco Railroad.**
- N. 2005 Overlay Program; Snohomish County.**
- O. Change Order #1 for Stillaguamish Water Filtration Plant Project; Zenon Environmental, Inc.**
- P Supplement #7 to Professional Services Agreement for Waste Water Treatment Plant Modifications and Effluent Transfer Pipeline; TetraTech/KMC, Inc.**

**Q. Approve Avigation Easement; Arlington Municipal Airport.**

Motion made by Councilmember Nehring; seconded by Councilmember Soriano to approve Consent Agenda Items A-Q. Motion passed unanimously (7-0).

**REVIEW BIDS**

None.

**PUBLIC HEARINGS****A. Allen Creek Baptist Church Annexation; PA 04002.**

Gloria Hirashima stated that this annexation is for the church only. It encompasses 3.7 acres and is subject to the City of Marysville's Comprehensive Plan. The land use alternatives are currently under review. She noted that the church has gone through a conditional use permit with Snohomish County. They want to make sure that all the conditions have been met. These issues will be resolved prior to making this annexation effective.

David Ridgeway, 8720 64<sup>th</sup> Street NE, parsonage of the church.

Mr. Ridgeway expressed appreciation at the working relationship with the City. They are working with the County to take care of the conditional use permit discrepancies and doing everything possible to have a proper annexation.

Motion made by Councilmember Nehring; seconded by Councilmember Vaughan to approve Resolution 2134 and forward this to the Boundary Review Board. Motion passed unanimously (7-0).

**CURRENT BUSINESS****A. Lakewood Annexation; PA 0105029.**

Gloria Hirashima explained that this annexation would be effective five days after publication. The date is important in order to receive the 2006 property taxes. The census will begin almost immediately with training to commence on February 28. The City will be distributing a welcome packet with city information along with the census. They are hoping to work with Marysville Seniors Against Crime on this project. There was no audience comment and no council discussion.

Motion made by Councilmember Seibert; seconded by Councilmember Vares to adopt Ordinance No. 2561, annexing approximately 495 acres known as the "Lakewood" annexation, into the City of Marysville. Motion passed unanimously (7-0).

**B. Jordan Annexation; PA 04026.**

Gloria Hirashima explained that the applicants are requesting postponement of this item. The 228 acres has been a difficult petitioning area. They are asking for additional time in order to gather the signatures. Barclays North has been very cooperative. They are requesting utilities availability. Staff is fairly confident that there will be 60% sufficiency in the next few weeks.

David Toyer, Barclays North, 10515 20th Street, SE, Everett, WA 98205

Mr. Toyer stated that he appreciates how Gloria Hirashima is working with them to move things along. They hope to get these signatures. If not they will be returning with a smaller boundary.

Councilmember Seibert asked Ms. Hirashima about the feasibility of getting the smaller boundary approved. Ms. Hirashima explained that this would likely be much easier.

Motion made by Councilmember Seibert; seconded by Councilmember Nehring to postpone this until the issue with Harbor Homes and signature collection is resolved for no more than thirty days. Motion passed unanimously (7-0).

**NEW BUSINESS****A. Fund Balance Reserve Policy.**

Sandy Langdon informed Council that the current fund balance is \$2.6M. Councilmember Seibert discussed working toward having a contingency budget as well as having 10% of the operating budget as reserve. Ms. Langdon recommended working toward the contingency amount and possibly setting dollars aside during the 2006 budget process for this purpose. Mr. Seibert added that the contingency fund is provided for by the WAC and can be only used for certain purposes for state law.

Motion made by Councilmember Nehring; seconded by Councilmember Vaughan to establish a reserve policy equal to 10% of regular operating revenue and that a super majority be required to use this money.

Councilmember Phillips noted that he was in favor of working toward the contingency amount. Councilmember Seibert requested a friendly amendment to this end. There was agreement to add, *"to work toward the contingency amount in five years to be evaluated each budget process."* Motion passed unanimously (7-0).

**B. Contract for Marysville Municipal Court Judge; Fred L. Gillings.**

City Attorney Grant Weed explained that the term of office should be 11 months since this was a replacement position to fulfill the appointment of Judge Trivett. Also the last paragraph of section VI should be changed to allow 10 days (not 6) for pro tem judges.

Motion made by Councilmember Vares; seconded by Councilmember Seibert to approve the contract for Judge Gillings with the two changes as specified by the City Attorney. Motion passed unanimously (7-0).

## LEGAL

### ORDINANCES AND RESOLUTIONS

**A. An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Lakewood Annexation Area into the City of Marysville.**

See above.

**B. An Ordinance of the City of Marysville, Washington Prohibiting Electronic Scratch Ticket Games and Machines and Amending Ordinance No. 2324 and Chapter 5.26 of the Marysville Municipal Code XVII.**

Motion made by Councilmember Vaughan; seconded by Councilmember Seibert to approve Ordinance No. 2562. Motion passed unanimously (7-0).

### INFORMATION ITEMS

**A. Mayor's Business**

**1. Re-appointments to Parks Board; Mike Elmore and Aaron Soper.**

Motion made by Councilmember Wright; seconded by Councilmember Vares to approve the recommendation of Mike Elmore and Aaron Soper to the Parks Board. Motion passed unanimously (7-0).

**Mayor Kendall** reported on his trip to Washington D.C. It turned out to be a positive experience. He met at the Pentagon with the Undersecretary of the Navy and Undersecretary of the Department of Defense. The goals addressed were keeping the bases open and sending extra ships to the area. He also spent time with Representatives Larsen and Dicks and Senators Cantwell and Murray. He will be visiting them again, as well as NOAA and the Coast Guard in mid-March when he returns for the National League of Cities. Mayor Kendall also noted that he toured the support facility in Everett with Mayor Stephenson. It was a very interesting experience. He briefly discussed the PPV housing in the Lakewood area.

Mayor Kendall reminded Council that next Monday is a holiday so the work session will be held on Tuesday.

## **B. Staff Business**

**Paul Roberts** remarked that staff had been asked to assist with traffic in the Police incident last week. He expressed thanks to the street crews for directing traffic and sent his best wishes to the officers involved. He noted that it had been a good trip to Washington D.C.

**Gloria Hirashima** stated that in response to the citizens survey comments, Paul Rochon, the code enforcement officer has been going out for sign enforcement and pickup. The last time out he picked up about 200 signs. They are making every effort to make the streets look clean and clutter free. She also commented that the Comprehensive Plan public hearings will be held in mid-March. Staff will be doing public open houses in advance of that.

**Grant Weed** said that he had four items to update Council on, but those could wait until next week's work session when Mary Swenson has returned.

**Sandy Langdon** informed Council that they are still working on the computer virus. Most computers are up and running now after some long hours by the IT staff. Virus scanners are now activated on all computers.

**Chief Carden** extended his thanks to the public works department for their assistance last week. Public Safety Committee will meet next Thursday. He also commented that MSAC might be available to help with the sign situation if they are not already involved.

## **C. Call on Councilmembers**

**Lisa Vares** noted that she had met with Paul Roberts and it had been very informative. She then stated that it was good to be back with the Public Works Committee.

**Lee Phillips** asked about the status of filling the economic development position. He expressed frustration about the way this has been handled. Mayor Kendall replied that he would bring an answer back next week. Councilmember Phillips also noted that the economic development section of the website needs to be updated.

**John Soriano** said that he also had a good meeting with Paul Roberts. He then asked about plans for a council retreat. Mayor Kendall said that although they

intend to have one, nothing definite has been planned yet. Staff will bring back more information on that next week.

**Jon Nehring** expressed thanks to all involved with the citizens academy. He was glad to see the goodwill that it creates.

**Jeff Seibert** discussed the sign pickup issue. He asked about fining habitual repeaters. Gloria Hirashima replied that there is a fine for signs picked up. They also follow up with phone calls to let them know that the signs are being picked up. Some repeat offenders do not seem bothered by the fines. Others are difficult to locate. Mr. Seibert stated that his heart went out to the officers involved in last week's incident. Chief Carden thanked him.

**Donna Wright** said she was also interested in finding out about the retreat. She reported that the EVOC training had been very impressive.

**Jeff Vaughan** expressed appreciation to Mayor Kendall for the time put in with the BRAC. He feels that the Naval Station in Everett is not only good for the economy, but also important for the community with the high-quality individuals it brings. He wholeheartedly supports efforts to keep them here.

Mayor Kendall added that:

- There will be an open house for the Lakewood annexation with a date to be determined. It would be nice to have Council and Public Works folks there.
- March 7 will be the cutover date for the new phone system.
- Wednesday and Thursday he will be going to Olympia to lobby for the Association for Washington Cities.

#### **D. Park Board Advisory Meeting Minutes; January 12, 2005.**

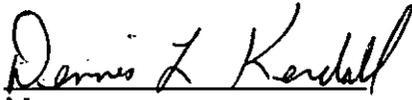
#### **ADJOURNMENT**

Seeing no further business, Mayor Kendall recessed into Executive Session to discuss personnel issues at 8:26. Executive Session was expected to last ten minutes.

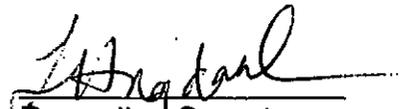
#### **EXECUTIVE SESSION**

Council met in Executive Session at 8:35 p.m.; discussed one personnel issue; reconvened into Regular Session at 8:50 p.m.; took no further action, and adjourned.

Approved this 28<sup>th</sup> day of February, 2005.

  
\_\_\_\_\_  
Mayor  
Dennis Kendall

  
\_\_\_\_\_  
City Clerk  
Gerry Becker

  
\_\_\_\_\_  
Recording Secretary  
Laurie Hugdahl

# ORIGINAL

000039

## MARYSVILLE CITY COUNCIL WORK SESSION

February 7, 2005

7:00 p.m.

City Hall

### CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Pro Tem Jon Nehring called the February 7, 2005 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 invocation.

### ROLL CALL

Chief Administrative Officer Mary Swenson called the roll. The following staff and council members were noted as being present.

**Mayor Pro Tem:** Jon Nehring

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

**Staff:** Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Sandy Langdon, Finance Director; Gloria Hirashima, Community Development Director; Robert Carden, Police Chief; Kevin Nielsen, City Engineer; Patrick Gruenhagen, PE, Project Manager; and Laurie Hugdahl, Recording Secretary.

Mayor Pro Tem Nehring commented that Mayor Kendall was in Washington DC for the BRAC meeting.

### COMMITTEE REPORTS

Mayor Pro Tem Nehring solicited committee reports.

Councilmember John Soriano reported on the January 27 **Public Safety Committee** meeting.

- Chief Carden had discussed some services that could be cut back in order to provide some cost-savings. He will be bringing that list to Council soon.
- Sgt. Wade and Sgt. Dreyer have been covering the Citizens Police Academy training. There will be a class graduating at the next Council meeting. There was also discussion about holding a Teen Citizens Academy in March.
- There will be a police department inspection ceremony in March.
- Marla Ringen reported that false alarm calls were down last year.
- Commander Robb Lamoureux reported that overtime was also down last year.

- Councilmember Donna Wright shared information regarding emergency shelter for the elderly.

**PRESENTATIONS**

None.

**DISCUSSION ITEMS**

None.

**OTHER ITEMS SCHEDULED FOR FEBRUARY 14, 2005 MEETING****A. Approval of Minutes.**

1. *January 24, 2005 City Council Meeting.*
2. *February 7, 2005 City Council Work Session.*

**CONSENT****A. Approval of January 26, 2005 Claims.**

There were no comments or questions regarding this item.

**B. Approval of February 2, 2005 Claims.**

There were no comments or questions regarding this item.

**C. Approval of February 9, 2005 Claims.**

There were no comments or questions regarding this item.

**D. Approval of February 4, 2005 Payroll.**

There were no comments or questions regarding this item.

**E. Approval of Liquor License Renewals for Shell Foodmart #126 (1209 – 4<sup>th</sup> Street.**

There were no comments or questions regarding this item.

**F. Accept the 51<sup>st</sup> Street Lift Station Improvements Project as Complete and Begin 45-Day Lien Filing Period.**

Councilmember Seibert asked Kevin Nielsen if they had determined the cause of the intermittent shut down. Mr. Nielsen explained that the delay switch had been set too short, but this had been corrected. There were no further questions or comments.

**G. Accept Carrol's Creek Sewer Pump Station Project as Complete and Begin 45-Day Lien Filing Period.**

There were no comments or questions regarding this item.

**H. Accept Edward Springs Wells #1 and #3 Rehabilitation Project as Complete and Begin 45-Day Lien Filing Period.**

There were no comments or questions regarding this item.

**I. Approve Visitor and Community Information Center Service Agreement with the Greater Marysville Tulalip Chamber of Commerce.**

Councilmember Seibert asked Finance Director Sandy Langdon if there was an opportunity for some of the money to come from the hotel/motel tax. Ms. Langdon replied that it was a possibility. Mary Swenson clarified that this item had been budgeted.

Councilmember Vaughan pointed to Exhibit A, page 5. He asked which committee the last bullet was referring to. Ms. Swenson replied that it was the Governmental Affairs Committee. Councilmember Vaughan then asked if the City has been receiving the monthly reports. Ms. Swenson stated that they have been getting them and Council should also be receiving copies. She indicated she would check into that.

Councilmember Lisa Vares asked if staff was confident that the City was getting value from this. Ms. Swenson responded that it has been very good communication going back and forth.

**REVIEW BIDS**

**A. Award Professional Services Agreement for Stillaguamish Water Filtration Plant Construction Project; Entranco, Inc.**

Kevin Nielsen clarified that this was not a bid and it should possibly be moved to New Business on the agenda.

Councilmember Seibert noted that there is not normally a management reserve on a PSA, but there is on this one. Mr. Nielsen explained that since this is a new type of filter and there are a lot of unknowns, they wanted to cover their bases.

Councilmember Seibert referred to the "Consultant's Errors and Omissions Liabilities" on page 4. He was pleased to see that section in this agreement. Mr. Nielsen gave the credit to City Attorney Grant Weed.

## **PUBLIC HEARINGS**

### **A. Allen Creek Baptist Church Annexation; PA 04002.**

Gloria Hirashima stated that the hearing would be held on February 14. There were no further comments or questions.

## **CURRENT BUSINESS**

### **A. Northwest Park – Final Plat; PA 03-032**

Ms. Hirashima commented that this had formerly been called Northwest Ridge. They have met all conditions of approval. There were no further comments or questions regarding this item.

### **B. Lakewood Annexation; PA 0105029**

Gloria Hirashima explained they had received the letter back from the Boundary Review Board with no issues so this was back for final adoption. Councilmember Nehring asked about the effective date. Ms. Hirashima responded that it would be effective five days after publication (2/21).

Mary Swenson commented that since this is a substantial area it would be a stretch for the City. She discussed the amount of money that will be needed to make this transition. There will be a new 5-beat configuration utilized by the police department in order to cover this area. They are expecting the need to hire two additional officers and will keep Council informed. Community Development will also need to be staffed appropriately to deal with the additional area. The directors will be meeting soon to do some planning for this and other upcoming annexations in order to strategically move in the right directions.

Other discussion on this matter included:

- Councilmember Nehring asked about taxes the City will receive. Mary Swenson replied that they would receive the utility tax and the road tax.
- Gloria Hirashima added that the entire area will be temporarily zoned R 4.5. They will do an area-wide rezone with the adoption of the Comprehensive Plan.
- Chief Carden commented that they hope to enlist help from the press because of changes in the code in going from county to municipal. They will

be working out the details of this, but want to make sure the citizens are well educated and have time to adjust to the changes.

- Grant Weed commented that this would also have impacts on the courts.
- Sandy Langdon remarked that there would be an impact on sewer fees because the 15% surcharge will go away.

### **C. Jordan Annexation; PA 04026**

Gloria Hirashima explained that the petitioners are asking to start over and reset the boundary because they have not been able to get the required 60%. The City had previously expanded the area.

Grant Weed stated that they would need to make it clear to the people in the area that the City is withdrawing its approval for the original boundary and beginning again so there would be no confusion.

Councilmember Seibert commented that he appreciated that they have tried to accomplish this even though they had not been successful.

### **NEW BUSINESS**

#### **A. Professional Services Agreement for Lakewood Sewer Extension Project; Gray & Osborne.**

Kevin Nielsen commented that this would be a fast-track sewer extension for the Lakewood area. He pointed out that they had gotten a very good deal for the design and construction management of this project. Councilmember Seibert noted that Gray & Osborne seem to be very reputable. Mr. Nielsen agreed and stated that they have done excellent work.

#### **B. 1<sup>st</sup> Street and 4<sup>th</sup> Street Railroad Crossing Agreement; Burlington Northern San Francisco Railroad.**

Mr. Nielsen explained that this was for upgrades at the 1<sup>st</sup> and 4<sup>th</sup> Street railroad crossings. All of the money will be pass-through money.

#### **C. 2005 Overlay Program; Snohomish County.**

Mr. Nielsen stated that this would take care of the places where it is needed the most. He stressed that this is an estimated amount. There was some discussion about the area to be covered on 71<sup>st</sup> Avenue.

**D. Fund Balance Reserve Policy.**

Sandy Langdon presented a chart comparing other entities' reserve policies. Staff is recommending a 10% reserve policy for general fund revenues. Councilmember Nehring expressed his support for a supermajority requirement to use any funds below the 10%. He thanked staff for getting that information together.

**E. Change Order #1 for Stillaguamish Water Filtration Plant Project; Zenon Environmental, Inc.**

Kevin Nielsen explained that they had been negotiating with Zenon regarding the additional costs that it claimed were borne from delays to the project schedule. The amount of \$136,300.00 reflects a compromise which staff feels is a fair means of resolving the matter. They are still planning on spring completion (fast-track).

**F. Supplement #7 to Professional Services Agreement for Waste Water Treatment Plant Modifications and Effluent Transfer Pipeline; TetraTech/KMC, Inc.**

Kevin Nielsen explained that there is no additional cost for the construction management services for the Waste Water Treatment Plant. The remainder of the money is for O&M. Councilmember Seibert asked if Everett was ready yet. Mr. Nielsen explained that they are currently testing with Kimberly Clark. Marysville will start testing with them soon.

**LEGAL****A. Avigation Easement; Arlington Municipal Airport.**

City Attorney Grant Weed explained that the City of Arlington was the permitting agency for the filtration plant. The primary purpose of this agreement is to prevent Marysville from interfering with airport operations. Mr. Weed has modified the document via negotiations with Arlington to better serve Marysville. Mr. Weed recommended approval of this version.

Councilmember Seibert asked Gloria Hirashima about the potential for changes in the use permit. Ms. Hirashima responded that it would not be likely. Grant Weed added that the City of Arlington is requiring this of other entities as well. The idea seems to be to keep people in the proximity of the airport from complaining about the noise or other impacts from the airport activities. Councilmember Seibert commented that it would have been nice if they hadn't presented this at the end. Mr. Weed agreed and suggested that it had been overlooked. Kevin Nielsen concurred and noted that there was still much work to be done on the filtration

plant. He believes this was an oversight and appreciates Council's understanding of this.

Councilmember Seibert asked about possible height restrictions in that area. Mary Swenson replied that there are definite restrictions regarding height, size and use. There was discussion about which areas would be impacted. Staff indicated that a map of these areas would be coming to Council.

## **ORDINANCES AND RESOLUTIONS**

### **A. An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Lakewood Annexation Area into the City of Marysville.**

Discussed above.

### **B. An Ordinance of the City of Marysville, Washington Prohibiting Electronic Scratch Ticket Games and Machines and Amending Ordinance No. 2324 and Chapter 5.26 of the Marysville Municipal Code.**

Grant Weed explained that this ordinance expands upon the City's current ordinance. There is some debate happening in other areas right now as to the degree of authority that cities have to legislate zoning. There is a potential for some changes as a result of this. Councilmember Seibert commented that he is glad to see this.

## **INFORMATION ITEMS**

### **Mayor's Business**

**Mayor Pro Tem Nehring** commented that there would be no Governmental Affairs meeting this week since several members were out of town. He commented that he has not been able to get his e-mail. Sandy Langdon explained that the system has been experiencing difficulty.

### **Staff Business**

**Gloria Hirashima** discussed the Developer Services Breakfast at Cedarcrest Restaurant last week. There was a good turnout. They reviewed the Comprehensive Plan code changes and capital projects.

**Kevin Nielsen** commended the job that Mayor Pro Tem Nehring had done with the meeting in Mayor Kendall's absence. Mayor Pro Tem Nehring returned the compliment.

**Patrick Gruenhagen** had no further comments.

**Mary Swenson:**

- Noted that Fred Gillings had been selected as the new Marysville Municipal Court Judge. This will be coming on the next agenda. Grant Weed commended this selection. He noted that Fred Gillings was an excellent choice and would provide a seamless transition for the City.
- Thanked all the folks involved in helping to obtain the Corps permit for the Waterfront Park.
- Informed Council that the Mayor and Paul Roberts are on a trip to Washington DC.
- Added that she will be out of town and will miss next week's meeting.

**Grant Weed** commented that he would need an Executive Session to discuss two personnel items and two items regarding sale or acquisition of real property. This is estimated to take 30-45 minutes.

**Call on Councilmembers**

**Lisa Vares** asked about the potential for fire district annexation. Mary Swenson responded that they are in the process of getting in touch with the fire chief. Sandy Langdon concurred that they are still trying to communicate with his office.

Ms. Vares then discussed her difficult position as a council representative on the Governmental Affairs Committee with the meetings with Arlington since she is now an employee of the City of Arlington. It was decided that she and Councilmember Vaughan would divide up the Governmental Affairs Committee meetings and he would attend the Arlington meetings in her place.

**Jeff Vaughan** had no further comments.

**Jeff Seibert** discussed a meeting he had with Paul Roberts about the Waterfront Park. He asked about tickets given by non-Marysville officers in Marysville city limits. Grant Weed explained that the parties involved should discuss the situation with the Marysville City Prosecutor.

**Lee Phillips** had no comments.

**John Soriano** thanked Sandy Langdon for the work on the Reserve Fund balance reserve comparisons and recommendation.

**Donna Wright** noted that she had attended Challenge Day last week. It was well represented by Marysville High School students, teachers and advisors and was a very worthwhile event.

CORRECTED: SEE 2-14-05 MINUTES

Mayor Pro Tem Nehring commented on the need to correct the resolution number of the last resolution adopted.

Motion made to change Resolution number 2132 to Resolution No. 2133. Motion passed unanimously (6-0).

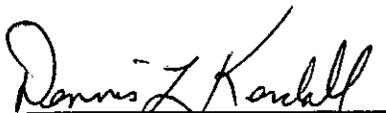
**ADJOURNMENT**

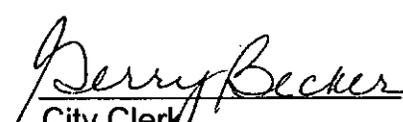
Mayor Pro Tem Nehring recessed the meeting into Executive Session at 8:12 p.m. Executive Session was expected to resume at 8:20 p.m and to last 30-45 minutes.

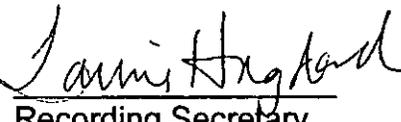
**EXECUTIVE SESSION**

Council met in Executive Session at 8:20 p.m.; discussed two real estate issues and two personnel issues; reconvened into Regular Session at 8:55 p.m.; took no further action, and adjourned.

Approved this 14<sup>th</sup> day of February, 2005.

  
\_\_\_\_\_  
Mayor  
Dennis Kendall

  
\_\_\_\_\_  
City Clerk  
Gerry Becker

  
\_\_\_\_\_  
Recording Secretary  
Laurie Hugdahl

CORRECTED: SEE 2-14-05  
MINUTES