

MARYSVILLE CITY COUNCIL MEETING

May 29, 2007

7:00 p.m.

City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the May 29, 2007 meeting of the Marysville City Council to order at 7:00 p.m. There was no invocation. Mayor Kendall led 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, Carmen Rasmussen, Jeff Seibert, John Soriano, Jeff Vaughan, and Donna Wright

Staff: Grant Weed, City Attorney; Sandy Langdon, Finance Director; Paul Roberts, Public Works Director; Gloria Hirashima, Community Development Director; Rick Smith, Chief of Police; Tracy Jeffries, Assistant Administrative Support Director; and Laurie Hugdahl, Recording Secretary.

Ms. Langdon mentioned that Councilmember Lee Phillips was ill.

Motion made by Councilmember Nehring, seconded by Councilmember Seibert, to excuse the absence of Councilmember Phillips. Motion passed unanimously (6-0).

COMMITTEE REPORTS

Councilmember Soriano reported on the Public Safety Committee meeting held last week where Commander Lamoureux delivered a graffiti update. There have been a large number of incidents in the last few weeks. Mary Swenson is having discussions with the Tribes regarding the rail overpass. There was also a hiring update. Finally, Marla Ringen gave a presentation on the new jail door system.

Councilmember Vaughan reported on the Graffiti Task Force meeting held on May 17. They are looking at trying to expand volunteer cleanup efforts. They are in monitoring mode now so meetings will be more infrequent. The next meeting will be on June 28.

Councilmember Seibert reported on the Finance Committee meeting:

- There was discussion about the need for additional city clerk office staffing.
- The paperless agenda is an ongoing topic.
- There will be an update mid-year for the budget.
- A records inventory will be done throughout the City.
- The yearly audit will be beginning on June 11.
- SAS 12 was reviewed by a third party and looks good.
- Staff will be printing the budget for the last time this year. After this it will be available only online or in CD form.
- There was a billing update. They are having issues with call-ins who want to use credit cards. Staff will be looking at other options.
- Outlook update – looking good for July; has ability to archive emails

PRESENTATIONS

A. “Landowner of the Year” Award – Stilly-Snohomish Fisheries Enhancement Task Force.

Ann Boyce, Executive Director of Stilly-Snohomish Fisheries Enhancement Task Force, presented an award to the City of Marysville for their participation in the Jennings Nature Park project. She acknowledged staff members and Councilmember Rasmussen who attended the event.

Public Works Director Paul Roberts said that the City appreciates the work of the Stilly Task Force. He thanked Kari, Adam and others on staffs who have worked so hard on this.

B. Employee Service Awards.

The following employees received service awards:

1. Eddie Brown, Maintenance Worker I, Utilities – 5 years
2. Pat Gruenhagen, Project Manager – 5 years
3. Larry Keeney, Bailiff, Municipal Court – 5 years

C. Proclamation – Hunger Awareness Day.

Mayor Kendall read the proclamation designating June 5, 2007 as *Hunger Awareness Day* in the City of Marysville. He presented the proclamation to Mrs. JoAnn Mulligan who accepted it on behalf of the Marysville Community Food Bank.

AUDIENCE PARTICIPATION

None.

APPROVAL OF MINUTES

1. Approval of May 14, 2007 City Council Meeting Minutes.

Councilmember Rasmussen referred to the motion at the bottom of page 9 regarding Ordinance 2696. This should be corrected to read: "Motion made by Councilmember Rasmussen . . . any reference to 40th Street NE (**west of 87th**) and 67th to 71st (~~west of 87th~~) be remanded . . .

Councilmember Wright stated that she would be abstaining from the vote since she was not in attendance at that meeting.

Motion made by Councilmember Nehring, seconded by Councilmember Rasmussen, to approve the minutes as amended. Motion passed unanimously (5-0) with Councilmember Wright abstaining.

2. Approval of May 21, 2007 City Council Work Session Minutes.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve the minutes as presented. Motion passed unanimously (6-0).

11. Approval of May 17, 2007 City Council Special Meeting Minutes.

Councilmembers Rasmussen, Wright and Nehring indicated that they would be abstaining from the vote since they did not attend the meeting. There were only three councilmembers remaining to vote since Councilmember Phillips was absent and there was some discussion about the need for a quorum. City Attorney Grant Weed noted the need for these minutes to be approved tonight. Sandy Langdon agreed. She explained that the bond closes tomorrow and this is a necessary part of that. Mr. Weed explained that the Doctrine of Necessity would allow them to vote without a quorum.

Motion made by Councilmember Seibert, seconded by Councilmember Soriano, to approve the minutes noting the necessity of voting on them tonight. Motion passed unanimously (3-0) with Councilmembers Seibert, Vaughan and Soriano voting in favor and Councilmembers Rasmussen, Wright and Nehring abstaining.

CONSENT AGENDA

Motion made by Councilmember Soriano, seconded by Councilmember Nehring to approve the Consent Agenda items 3, 4, and 5 as follows:

3. Approval of May 16, 2007 Claims in the Amount of \$645,354.86; Paid by Check No. 39138 through 39287 with Check No. 33955 and 38361 Void.

4. **Approval of May 23, 2007 Claims in the Amount of \$794,160.56; Paid by Check No. 39288 through 39460 with Check No. 39004 Void.**
5. **Approval of May 18, 2007 Payroll in the Amount of \$615,146.23; Paid by Check No. 17875 through 17945.**

Motion passed unanimously (6-0).

REVIEW BIDS

None.

PUBLIC HEARING

6. **Lakewood South Annexation & Prezone; PA 06061.**

Mayor Kendall introduced the hearing and opened it up for public comment at 7:28 p.m. Seeing none, the public testimony portion of the hearing was closed at 7:29 p.m. There were no further comments or questions.

Motion made by Councilmember Nehring, seconded by Councilmember Wright, to approve Resolution No. 2208. Motion passed unanimously (6-0).

CURRENT BUSINESS

None.

NEW BUSINESS

12. **3rd Amendment to Interlocal Agreement for Court Services with the City of Lake Stevens.**

Councilmember Seibert noted that the fee is getting closer to the actual cost of services. He asked if this would be reviewed in the future in order to make sure we are covering the actual cost. Ms. Elsner stated that it would.

Councilmember Nehring asked about the fees for infractions. Ms. Elsner indicated that those would remain the same since they already cover the actual cost.

City Attorney Grant Weed disclosed that his firm does represent both cities and they have previously written a letter to both cities noting that fact. He clarified that they have not played any role other than updating the numbers.

Motion made by Councilmember Nehring, seconded by Councilmember Seibert, to authorize the Mayor to sign the 3rd Amendment to the Interlocal Agreement for Municipal Court Services between the City of Marysville and City of Lake Stevens. Motion passed unanimously (6-0).

13. 2nd Amendment to Interlocal Agreement for Court Services with the City of Arlington.

Motion made by Councilmember Soriano, seconded by Councilmember Rasmussen, to authorize the Mayor to sign the 2nd Amendment to the Interlocal Agreement for Court Services between the City of Marysville and the City of Arlington. Motion passed unanimously (6-0).

LEGAL

None.

ORDINANCES AND RESOLUTIONS

14. An Ordinance of the City of Marysville, Washington, Adding a Section to Chapter 2.24 of MMC; Adding Section 2.24.055 to the MMC Providing for the Appointment of a Court Commissioner Under RCW 35.50.075; Providing for Severability; and Establishing an Effective Date.

Grant Weed commented that this would adopt the state statute by reference to allow the City to have a court commissioner.

Motion made by Councilmember Rasmussen, seconded by Councilmember Seibert, to approve Ordinance 2702. Motion passed unanimously (6-0).

7. A Resolution of the City of Marysville Appointing the City Clerk as the Agent to Receive Claims for Damages Pursuant to RCW 4.96.020.

Grant Weed stated that this is a housekeeping item that changes the address of this resolution to the City's new address.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve Resolution 2209. Motion passed unanimously (6-0).

8. A Resolution of the City of Marysville for the Acceptance of a Gift Subject to Conditions; State Avenue Plaza LLC.

Motion made by Councilmember Soriano, seconded by Councilmember Rasmussen, to approve Resolution 2210. Motion passed unanimously (6-0).

9. **A Resolution of the City of Marysville Stating Its Intention to Annex and Prezone Certain Unincorporated Area Known as the Lakewood South Annexation into the City, and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.**

Approved above, Public Hearings, item 6.

MAYOR'S BUSINESS

Mayor Kendall announced that the WinCo open house would be held on Sunday, June 3 from 2-4 p.m. The grand opening will be on Monday, June 4 at 9 a.m.

Petco will be opening at 9 a.m. on Friday.

AWC is coming up in a couple weeks. He is putting together the voting delegates.

STAFF BUSINESS

Tracy Jeffries stated that she attended a conference with Sandy Langdon. She noted that they would be applying for another records management grant.

Paul Roberts stated that the graffiti of street signs has been a problem, but staff is dealing with it as quickly and effectively as possible.

He noted that there would be a Public Works Committee meeting on Friday at 2 p.m.

Gloria Hirashima invited councilmembers to attend the Vision 2040 presentation at the Planning Commission on July 24.

She reported that she attended a very informative shopping center conference along with the Mayor and Kevin Nielsen.

Grant Weed discussed the need for an Executive Session to cover one potential litigation matter, one pending litigation matter, and two real estate matters. There would be action taken on the real estate matters. The entire Executive Session was expected to take ten minutes.

Sandy Langdon thanked the Council for the special meeting on the bond. She reported that it should be in the bank first thing in the morning.

Chief Smith mentioned that the Torch Run for Special Olympics would be coming through the City of Marysville on Thursday at approximately 12:15.

CALL ON COUNCILMEMBERS

Councilmember Rasmussen presented the City of Marysville and the Mayor with a Certificate of Appreciation on behalf of the committee that put on the Cinco de Mayo festival.

She confirmed that Gloria Hirashima had Jeri Short's phone number so she would be notified of upcoming meetings. Ms. Hirashima confirmed that she had Ms. Short's information.

Jeff Seibert referred to tagging issues and asked about the procedure for cleanup. Councilmember Vaughan noted that city employees had cleanup kits. Ms. Hirashima added that the code enforcement officer gets quite a few calls and communications regarding graffiti. He has been working with utilities to address the cleanup.

Councilmember Seibert noted that there used to be a booklet used with slips for employees to fill out very easily when they spotted graffiti. He also discussed special paint he knew of that resists graffiti. He wondered if it would be useful on signs. Paul Roberts indicated that they would check on that. Councilmember Vaughan stated that Paul Rochon is aware of some of those products. His main problem is that the graffiti remover he is using is taking the paint off the signs. Councilmember Seibert suggested looking into some alternatives. Councilmember Vaughan commented that the larger scale graffiti is getting cleaned up so quickly that the taggers have resorted to street signs. They realize that the graffiti stays longer on the signs because they are more difficult to replace.

Councilmember Seibert asked if Ms. Hirashima had a chance to investigate the numbers of the Wicklow annexation. Ms. Hirashima responded that the Wicklow annexation would definitely be needed for the larger annexation.

Mayor Kendall thanked Mayor Pro Tem Nehring for running the meeting last week.

INFORMATION ITEMS

None.

ADJOURNMENT

Mayor Kendall recessed at 7:58 into Executive Session which was scheduled to begin at 8:05 and last until 8:15 p.m.

EXECUTIVE SESSION

Council met in Executive Session at 8:05 p.m. to discuss one litigation, one potential litigation, and two real estate items.

Council reconvened into Regular Session at 8:19 p.m. and took the following action:

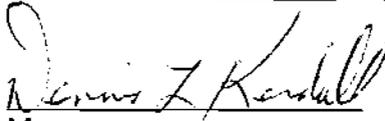
Motion by Councilmember Seibert, second by Councilmember Wright to authorize the Mayor to enter into a purchase and sale agreement with Snohomish County as discussed in Executive Session for property located at 4822 Grove Street, Marysville, Washington. **Motion passed unanimously (6-0).**

Motion by Councilmember Seibert, second by Councilmember Rasmussen to authorize Mayor to sign lease agreement and purchase option agreement as discussed in Executive Session with State Avenue Plaza, LLC. **Motion passed unanimously (6-0).**

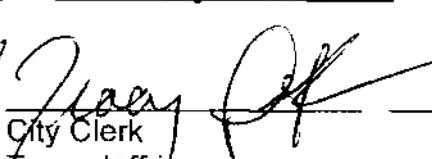
ADJOURNMENT

There being no further action to come before the Council, Mayor Kendall adjourned the May 29, 2007 meeting at 8:20 p.m.

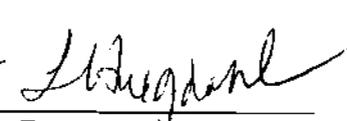
Approved this 11 day of June, 2007.



Mayor
Dennis Kendall



City Clerk
Tracy Jeffries



Recording Secretary
Laurie Hugdahl