

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Presentations	
Employee Service Awards	Completed
Finance Officers Association Budget Award Presentation to the Finance Department.	Completed
Approval of Minutes	
Approve October 13, 2008 City Council Meeting Minutes.	Approved
Approve October 20, 2008 City Council Work Session Minutes.	Approved
Consent Agenda	
Approve October 8, 2008 Claims in the Amount of \$895,416.27; Paid by Check No.'s 50616 through 50789 with Check No. 50518 Voided.	Approved
Approve October 15, 2008 Claims in the Amount of \$2,129,049.25; Paid by Check No's 50790 through 50937 with Check No.'s 48223, 50631 and 50643 Voided.	Approved
Approve of October 20, 2008 Payroll in the Amount of \$739,558.20; Paid by Check No.'s 20540 through 20586.	Approved
Authorize the Mayor to Sign the Small Works Contract with Correct Equipment, Inc. in the amount of \$37,348.50 including Washington State Sales Tax for the Edward Spring Booster Pump Rebowling Project.	Approved
Authorize the Mayor to Sign the Recovery Contract #286 (Sewer) for Eagle Bay Homes, LLC in the Amount of \$368,704.98.	Approved
Authorize the Mayor to Sign the Professional Services Agreement in the Amount of \$44,505.00 with Kleinfelder West, Inc. for Technical Services on the Sunnyside Well Rehabilitation Project.	Approved
Review Bids	
Public Hearings	
Smokey Pointe Associates / White-Leasure Right-of-way Vacation Public Hearing.	Held
New Business	
Adopt an Ordinance of the City of Marysville Vacating a Portion of Unimproved Right-of-Way Located North of 172nd Street NE / SR 531, East of 27th Avenue NE and South of Assessor's Tax Parcel Number 31052000403000.	Approved Ord. No. 2747
Adopt an Ordinance of the City of Marysville, Washington Amending MMC 6.03.120 Correcting Statutory References; and Amending Chapters 6.06 and 6.51 Adopting and Incorporating by Reference Certain Specified State Criminal Statutes and Incorporating by Reference the State Misdemeanor Crime of Criminal Street Gang Tagging and Graffiti.	Approved Ord. No. 2748
Adopt a Resolution of the City of Marysville, Approving and Adopting an Identity Theft Prevention Program Pursuant to the Fair and Accurate Credit Transaction Act of 2003.	Approved Res. No. 2252
Adopt a Resolution Expressing Support for Scheduled Commercial Air Service at Paine Field.	Approved Res. No. 2243
Legal	
Mayor's Business	

October 27, 2008

7:00 p.m.

City Hall

Staff Business	
Call on Councilmembers	
Adjournment	8:33 p.m.

COUNCIL



MINUTES

Regular Meeting

October 27, 2008

Call to Order / Invocation / Pledge of Allegiance

Mayor Dennis Kendall called the October 27, 2008 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Pastor/Police Chaplain Tom Albright from the United Methodist Church. Mayor Kendall led those present in the Pledge of Allegiance.

Roll Call

Chief Administrative Officer Mary Swenson gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Dennis Kendall

Council: Councilmember Jon Nehring, Councilmember Lee Phillips, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

Also Present: Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, Commander Rob Lamoureux, Community Development Director Gloria Hirashima, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, City Clerk Tracy Jeffries, and Recording Secretary Laurie Hugdahl

Committee Reports

Councilmember Soriano reported that the LEOFF I Board reviewed and approved four claims on October 22.

Councilmember Phillips reported that the Marysville Cable TV Advisory Committee met on October 25. The following items were discussed:

- There will be a link to the community movie program on the City's website.
- Update regarding equipment purchased at a savings of 50% for a switch that will enable them to stream in various types of media like CDs, VHS or .mpg videos.
- Guest speaker who addressed different programming ideas.

Presentations

A. Employee Service Awards.

Judge Gillings presented the following service awards:

- Elizabeth Greene - Program lead, 5 years
- Allison Morrison - Program Specialist, 5 years

B. Finance Officers Association Budget Award Presentation to the Finance Department.

Mary Lou Moore, Executive Secretary of WFOA, presented the Finance Officers Association Budget Award to Denise Gritton on behalf of the City of Marysville's Finance Team.

Audience Participation

James Proctor, 8310 East Sunnyside School Road, Marysville, WA 98270, spoke regarding mitigation fees on Whiskey Ridge properties. He owns and resides on five acres zoned for multi-family use. He planned to develop and sell the property, but this was not possible because of the high costs involved, especially the mitigation fees. Although the economy is bad, he feels there is still a market for apartments. He also discussed the effects of increased property taxes which seem to be based on development potential, even though no development is occurring. He suggested looking into the possibility of incentives for developers.

Approval of Minutes

1. Approval of October 13, 2008 City Council Meeting Minutes.

Councilmember Phillips noted that he would be abstaining since he was absent at the October 13 meeting.

Motion made by Councilmember Wright, seconded by Councilmember Nehring, to approve the minutes as presented. **Motion** passed unanimously (6-0) with Councilmember Phillips abstaining.

2. Approval of October 20, 2008 City Council Work Session Minutes.

Councilmember Vaughan referred to page 5 of 7, the paragraph near the bottom which begins with, "Jeff Vaughan . . ." He asked to amend the last sentence with a more accurate description of the discussion.

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

Consent

Mayor Kendall noted that Item 6 - Award SR 9 Reservoir Demolition Project – would be postponed until the next council cycle.

Councilmember Nehring requested the removal of item 3.

Motion made by Councilmember Soriano, seconded by Councilmember Wright, to approve the following consent agenda:

4. Approval of October 15, 2008 Claims in the Amount of \$2,129,049.25; Paid by Check No.'s 50790 through 50937 with Check No.'s 48223, 50631 and 50643 Voided.
5. Approval of October 20, 2008 Payroll in the Amount of \$739,558.20; Paid by Check No.'s 20540 through 20586.
10. Authorize the Mayor to Sign the Small Works Contract with Correct Equipment, Inc. in the amount of \$37,348.50 including Washington State Sales Tax for the Edward Spring Booster Pump Rebowling Project.
11. Authorize the Mayor to Sign the Recovery Contract #286 (Sewer) for Eagle Bay Homes, LLC in the Amount of \$368,704.98.
12. Authorize the Mayor to Sign the Professional Services Agreement in the Amount of \$44,505.00 with Kleinfelder West, Inc. for Technical Services on the Sunnyside Well Rehabilitation Project.

Motion passed unanimously (7-0).

3. Approval of October 8, 2008 Claims in the Amount of \$895,416.27; Paid by Check No.'s 50616 through 50789 with Check No. 50518 Voided.

Jon Nehring asked about a charge from Volunteers of America of \$5,559.00. Mayor Kendall explained that this is for a community service provided by the City. There was discussion about the tremendous value that this service provides.

Motion made by Councilmember Nehring, seconded by Councilmember Seibert, to approve Consent Agenda item 3. Motion passed unanimously (7-0).

Review Bids

Public Hearings

7. Smokey Pointe Associates / White-Leasure Right-of-way Vacation Public Hearing.

Community Development Director Gloria Hirashima stated that there was a modification to the ordinance based on the gateway option. This was addressed in the revised ordinance which she distributed at the meeting. She discussed the two options available to the developer: pay the compensation or come to an agreement on the gateway sign.

The hearing was opened at 7:25.

Public Testimony:

Jeff Huber, 416 South 8th Street, Ste 200, Boise, Idaho, reviewed the background of this piece of property. He indicated that they would be willing to build a nice gateway sign for the City. He distributed examples of different signs representing the dimensions they are considering. He proposed that they meet with staff to decide on a design acceptable to all.

The hearing was closed at 7:33 p.m.

Discussion:

Councilmember Seibert asked about the design standard for gateway signs. Director Hirashima stated that the trellis version is the preferred sign as stated in the Master Plan. She has asked the developer to look again at the initial trellis version in the plan at a modified size. She discussed the benefits of this type of sign.

Councilmember Seibert asked if the size of signs at other gateways would also be adjusted. Parks and Recreation Director Jim Ballew stated that they could adjust the size, but prefer to keep the trellis version. He stated that the landscape is also important to highlighting whatever size they choose.

Councilmember Seibert expressed concerns with allowing bonding in lieu of construction. Director Hirashima explained that the developer is currently in the middle of constructing the site. WSDOT took longer than expected to complete their approval of the project and it has resulted in a very short window for them to purchase the property. She added that this particular developer has a very good record with the City. The reason for the request for them to bond is to allow them to get ownership of the property to enable them to finish paving while the pavers are out there. The City could stipulate the terms.

Councilmember Rasmussen asked if the design would be coming back to Council. Director Hirashima stated that they expected that Council would approve the concept and would give staff the authority to make the final decision.

Councilmember Seibert asked if the amount to be bonded should be the amount of the compensation for the vacation in the event that a sign agreement cannot be reached. Director Hirashima explained that the developer is committed to the sign and is not agreeable to the compensation amount. Council is being asked to approve both

ordinances and the developer would have the option of doing one or the other. The ordinance will not be published until the vacation is paid for.

City Attorney Craig Knutson suggested doing one ordinance with alternative forms of consideration instead of two ordinances for the same thing. After discussion it was determined that the sign ordinance would be the most appropriate one to approve since the developer was not interested in the other one.

There was discussion about amending this to state "*bonding or other acceptable security provided*".

New Business

8. An Ordinance of the City of Marysville Vacating a Portion of Unimproved Right-of-Way Located North of 172nd Street NE / SR 531, East of 27th Avenue NE and South of Assessor's Tax Parcel Number 31052000403000.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve Ordinance No. 2747, with the addition of, "*or other acceptable security provided.*" in section 1, item a, after *bonding*. **Motion** passed unanimously (7-0).

9. An Ordinance of the City of Marysville, Washington Amending MMC 6.03.120 Correcting Statutory References; and Amending Chapters 6.06 and 6.51 Adopting and Incorporating by Reference Certain Specified State Criminal Statutes and Incorporating by Reference the State Misdemeanor Crime of Criminal Street Gang Tagging and Graffiti.

Councilmember Vaughan referred to a new chapter to the RCW which provides for a civil penalty for graffiti. This is something else that the Council would like to see addressed in the City code. City Attorney Craig Knutson indicated he would pass this on to Grant Weed.

Councilmember Vaughan discussed the significance of graffiti and the importance of eliminating this in order to halt the growth of gangs in the City. This ordinance will give the City another tool to use in this effort. He discussed the City's actions to eliminate gang activity in Marysville.

Motion made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve Ordinance No. 2748. **Motion** passed unanimously (7-0).

13. A Resolution of the City of Marysville, Approving and Adopting an Identity Theft Prevention Program Pursuant to the Fair and Accurate Credit Transaction Act of 2003.

Sandy Langdon explained that this is a ruling of the 2003 FTC. It effects the City because of the Utility billing's operations and account systems, and the nature and scope of the Utility's activities.

Councilmember Soriano asked if this would create a need for any additional resources. Sandy Langdon did not think it would, other than training that is available on the Web.

Motion made by Councilmember Soriano, seconded by Councilmember Seibert, to approve Resolution 2252. **Motion** passed unanimously (7-0).

14. A Resolution Expressing Support for Scheduled Commercial Air Service at Paine Field.

Jim Lee, 7213 67th Place NE, Marysville, WA 98270, spoke about his involvement with the 3rd runway at SeaTac. He stated that it is inevitable that this going to happen at Paine Field and encouraged them to work with this to get the best out of this for the community with conditions regarding the size of airplanes, the noise, and the times that they will be flying. He supported what the City is doing and encouraged them to go forward with it.

Mayor Kendall pointed out that the difference between the two resolutions in front of them. The only difference is the names that would be on the signature block.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to approve Resolution 2253. **Motion** passed unanimously (7-0).

Councilmember Seibert reiterated about the importance of airlines paying their way and that the impacts to surrounding communities are mitigated.

There was consensus that all members of the Council would sign the Resolution.

Mayor Kendall added that this would be a topic at Friday morning's Chamber breakfast.

Legal

Mayor's Business

IHOP is officially opening tomorrow at 6:00 a.m. Mayor Kendall went on Saturday and it was great! He noted that this is the first IHOP with this style of building.

He and Director Hirashima attended the meeting with Congressman Rick Larsen regarding a proposed economic stimulus package which will go towards infrastructure.

Staff Business

Robb Lamoureux stated that next month's graffiti task force will be on November 13.

Jim Ballew:

- Make a Difference Day was last Saturday. The trail from the parking lot to the off-leash park was completed. Dedication will be November 15.
- Marysville for the Holidays will be December 6.
- Parks and Recreation is completely full for basketball.

Kevin Nielsen:

- The economic stimulus package is great news.
- Public Works meeting will be moved to November 14 because of the gangs and graffiti training.

Gloria Hirashima:

- Planning Commission will be holding hearings on the Transportation Plan and Whiskey Ridge design guidelines.
- Walking Audit for Walkable Communities on Thursday. All day training will be held on Friday.
- Staff has been receiving letters from homeowners at Palisades regarding failing rockeries. The contractor will be repairing this.

Sandy Langdon – no comments

Craig Knutson – no comments

Mary Swenson:

- Staff conducted interviews to day for new Assistant Fire Chief.
- ProAct team is doing great things on graffiti and drug trafficking activities.
- A tentative agreement has been reached on the Boeing machinists strike. This is very good for the economy.
- Gangs awareness training on November 6th at Grove Elementary from 6:30 to 8:30 and all day on November 7th from 9-4 at the Hawthorne.
- No executive session was needed.

Call on Councilmembers

Jeff Vaughan encouraged everyone to attend the gangs training.

Donna Wright commented that Operation Marysville Community Christmas (OMCC) will be holding an all-city food drive this Saturday.

Jeff Seibert:

- Congratulated the Finance department on their award.
- He received a call from Beatrice Howell in Sunnyside about speed bumps that were removed on 60th or 61st. Kevin Nielsen indicated he would contact her.

- He gave Jim Ballew the contact information for the Silver Tips.
- He thanked Mr. Lee for coming in support of Paine Field.
- On Sunday morning he saw the county officers talking with a gentleman at a bus stop who appeared to be writing on the window. He appreciates county support on this.

Carmen Rasmussen:

- Congratulated Sandy and her staff for the distinguished budget award. She thanked them for the excellent work that they do.
- Cities and Towns was a great event at the very nice campus at UW Bothell. It is exciting to think that there may be something like that in Marysville.
- The Director of the Business Development Center at UW Bothell explained that they provide services to small businesses to help with technical assistance, web design, etc.
- She commented that the parents of the girl who was found deceased indicated that they were not aware she was involved in any kind of gang activity. She stressed the importance of encouraging youth and providing positive activities for youth.
- She plans to go the walkability training on Friday after the Chamber meeting.

Jon Nehring concurred with comments about the importance of preventing gang activity.

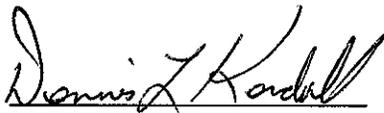
John Soriano applauded Councilmember Vaughan's crusade against graffiti. He agreed that the branch campus was a really nice campus. It was great to get the feel of a branch campus.

Lee Phillips – no comments

Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 8:33 p.m.

Approved this 10th day of November, 2008.


 Mayor
 Dennis Kendall


 Asst. Adm'n. Svcs. Director
 Tracy Jeffries