

MINUTES RECAP

00165

MARYSVILLE CITY COUNCIL MEETING JULY 24, 1995

CALL TO ORDER: 7:00 p.m.

ROLL CALL: All Present

MINUTES OF PREVIOUS MEETINGS: City Council 7/6/95 Mtg.  
Minutes Approved  
& 7/10/95 Approved

AUDIENCE PARTICIPATION: Bud Darling, Jerry Rumsey,  
Craig Ramey, Laurie  
D'Alessandro, Ralph Monty

CONSENT AGENDA: Approved:

- 1. Approval of the 7/24/95 Claims in the amount of \$232,734.29; paid by Check Nos. 25173 thru 25316 with Check Nos. 24953, 25013 and 25154 void.
  - 3. Acceptance of Lloyd Taubeneck Building Reroof and begin 45 day Lien Filing Period.
  - 4. Authorize Mayor to execute the proposed contract amendment with Lewis Architects and recommend project funding from un-encumbered general fund reserves.
- (#2 moved to New Business and renumbered #5)

STAFF'S BUSINESS:

MAYOR'S BUSINESS:

CALL ON COUNCILMEMBERS:

PUBLIC HEARINGS: None

REVIEW BIDS:

- 1. Cement Concrete Curb, Gutter & Sidewalk Annual Contract 95-01 Approved
- 2. Emergency Radio Tower Project; Police Dept. All bids rejected; to be sent out for rebid
- 3. Four Wheel Drive Loader; Public Works Dept. Western Power & Equip. bid awarded

CURRENT BUSINESS:

- 1. Wheeling Agreement between City & Tulalip Tribes Approved
- 2. 5th St. Railroad Crossing Project R9412; Prof. Services - Transpo Cont. to Aug. 7, 1995

NEW BUSINESS:

- 1. Public Safety Center - Cleaning HVAC/Exhaust System Approved
- 2. Haul Road Agreement w/Sno. Co. for 1994-95 Water Improvements Project & 360 Zone Reservoir Project Approved
- 3. 6 Year Transportation Improvement Program Public Hrg.set for 8/28/95
- 4. Discussion regarding Utility Svcs. Issues to Smokey Point Area Public Hrg.set for 8/28/95
- 5. Interlocal Agreement w/Sno. Co. re Smokey Pt. Blvd. Phase I, Stage I (Contract No. CX05-95) Approved

ORDINANCES & RESOLUTIONS: None

LEGAL MATTERS: None

ADJOURNMENT INTO EXECUTIVE SESSION: 10:17 p.m.

- 1. Personnel. 1995 Salary Adjustments Adopted for Non-Union Employees

ADJOURNMENT INTO EXECUTIVE SESSION: 11:05 p.m.

- 2. Litigation. No Action

RECONVENED & ADJOURNED: 11:25 p.m.

MARYSVILLE CITY COUNCIL MINUTES

00166

JULY 24, 1995

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor  
Councilmembers:  
 Donna Pedersen, Mayor Pro Tem  
 John Myers  
 Ken Baxter (7:03 p.m.)  
 Donna Wright  
 Mike Leighan  
 Otto Herman  
 Shirley Bartholomew  
Administrative Staff:  
 Steve Wilson, Finance Director  
 Grant Weed, City Attorney  
 Ken Winckler, Director of Public Works  
 Dave Zabell, City Administrator  
 Wanda Iverson, Recording Secretary

CORRECTED: SEE 8/7/95  
 MINUTES

CALL TO ORDER:

Mayor Weiser called the meeting to order at 7:00 p.m. and led the flag salute.

ROLL CALL:

Finance Director Wilson called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilmember Wright moved and Councilmember Myers seconded to approve the City Council minutes of 7/6/95 as written. Passed unanimously.

Councilmember Pedersen noted in the 7/10/95 Council Meeting Minutes on page 6, 8th line from the bottom should read "appraisal was done" not "appraisal was to be done".

There being no further corrections, Councilmember Myers moved and Councilmember Bartholomew seconded to approve the 7/10/95 Council minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Bud Darling, 1916 Grove St., Marysville, addressed Council. He stated he had heard there was going to be a public hearing about Smokey Point tonight but now he sees a public hearing is to be set. He said he's here to talk about the water in that area; this thing goes on and on, some get water and some don't. The first thing they say is you have to get a letter from Arlington, they say they can't give you water so you go to Marysville and fill out an application and that gets denied. So you apply for a variance and take your chances, he said. He noted 21 lots on 88th were granted water but it's never been built on. Five lots at 188th were granted a variance, again in an area that doesn't warrant water because it's outside of RUSA. Another 40 units up by the Stillaguamish Senior Center were granted a utility variance while others are being denied, he pointed out. Smokey Point Church of Christ and Arlington Christian School got water, tonight Council is going to consider a Wheeling agreement for the Tulalip Tribes, Mr. Graber's duplex got approved, all these are outside RUSA, he said and in 1967 Pony Estates got granted water but practically next to it was denied. He said it seems like Marysville has the revenue, the people pay for the hookups and the water so it's not costing the City anything and it seems to him, he said, there is no real consistency as to how the City grants water variances. Arlington says they can't serve and PUD says go talk to Marysville but apparently PUD is now saying they will serve water but Mr. Darling said he doesn't know where they are going to get it. He said he held off on an application up by Smokey Point and is getting tired of waiting for water so he hopes the City has a public hearing soon about Smokey Point water, he concluded.

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Jerry Rumsey from Anacortes addressed Council on behalf of his family who lives in Marysville. He said the family is appealing to the Council for a building permit for the Callum property on 67th where they have 5.4 acres which has been annexed into the City but the City has a policy of one house, one property, so they are not allowed to build a house for their mother who is getting up in age. He explained they went through the standard process but got denied so they went through the temporary process but it's not going to be a temporary structure. He said they also talked about a duplex but the building inspector says there has to be a common wall which they can't do because of the setbacks. The other alternative is to short plat and they don't have the time to do that, he said; they just want to take care of their mother, not to develop the property. He said they are asking Council to grant the building permit on the proviso that they tear the old home down when she passes on; it has its own water, septic and driveway and they just want to take care of their mother.

Councilmember Pedersen asked if the mother is living on the property now and Mr. Rumsey said yes, and her son and daughter-in-law would live on the property to take care of her.

Mayor Weiser noted he discussed this situation with Mr. Rumsey last week, Mr. Rumsey did not feel the alternatives available were timely or cost effective to the family and so it was suggested Mr. Rumsey come to a City Council meeting to appeal to Council.

Councilmember Pedersen asked about any provision that would allow for two residences on one parcel when there is a medical condition as they have in the county. She noted in the county they require a letter from the physician.

City Attorney Weed said he did not believe Marysville has that regulation and City Administrator Zabell added that in the county they are limited to a mobile home; Marysville's Comp Plan will be addressing the accessory hom but the Comp Plan has not been codified as yet, he pointed out.

Councilmember Pedersen said she would like this investigated further and in this case she would support a variance or exception. City Administrator Zabell said he could get together with staff and Mr. Rumsey within the next 2 weeks, with information back to Council by next meeting.

Mr. Rumsey stated they would be willing to return it to one lot/one house when their mother passes on.

Councilmember Herman suggested bonding to cover demolition costs and Mr. Rumsey said they would be will to do that, also. He gave his phone number: 360-293-8252 (Anacortes) and City Administrator Zabell gave Mr. Rumsey his business card.

Councilmember Myers asked if a mobile home would be acceptable to the family and Mr. Rumsey said that would not be their preference but time is of the essence and so they would do that if necessary.

City Administrator Zabell promised to have the information back within two weeks about the existing code and whether or not a variance process is the way they will have to go.

Craig Ramey, Portland, Oregon, addressed Council. He stated he wished to talk about the water situation in Smokey Point, that he works with Bertrand Northwest Real Estate and are involved with the major tenant, Ernst Home Center, who have incurred costs to do with soils engineering, etc., as well as Sheri's Restaurant who would like to know what is happening also as far as when they can locate their businesses at Smokey Point. Mr. Ramey explained they made application for water and now are stuck in a holding pattern and the folks at the City Planning Dept. do not know what to tell him at this point.

CORRECTED: SEE 8/7/95 home MINUTE

Mr. Ramey stated they would very much like to move forward, Ernst would like to move forward, the option holders want them to come up with a decision within 45 days and there are a lot of things waiting for this City Council's decision, so he would urge Council to address the issue as soon as possible and for Mr. Winckler to continue to process applications, if that is acceptable prior to the public hearing.

Mayor Weiser explained the City would not be able to process applications prior to the public hearing.

Councilmember Pedersen pointed out that Arlington says they have the water and sewer issues under control so perhaps Mr. Ramey could check with them. Mr. Ramey said Arlington just refers people back to Marysville.

Mayor Weiser promised to let him know about when the public hearing is set for, if Mr. Ramey should have to leave before it is set tonight.

Laurie D'Alessandro, Ernst Home Center Inc., 1511 6th Av., Seattle, addressed Council. She stated she is here on the same issue and their options are running out. She said as she understands it, Arlington and Marysville may have to start all over in trying to resolve these issues and that could take a long time. She pointed out there are a lot of projects in progress and this has really taken everyone by surprise. With the infrastructure, fees and annexation issues, she said she knows this is a multifaceted thing but they have worked very hard and long and need to know by August 22.

Ralph Monty of Arlington addressed Council. He explained he has two sizable projects in the area and noted he is confused about the water and sewer issues. He said they already paid for sewer 25 years ago under a ULID and his understanding was that water went with the sewer. He said they have a plan for a \$12 million project in limbo because of this with \$20,000 per month bank payments. The City of Arlington said they could bring him the water but he said he doesn't see why Marysville and Arlington can't work this out.

Councilmember Baxter said with a ULID there is a lot of work and time and money invested in the operation and somehow it doesn't seem fair to let a latecomer come in a get utilities.

Mr. Monty pointed out that the City could be collecting the \$250,000 fees for hookups, etc. He said he knows the Growth Management Act has a lot to do with it but he signed a non-protest agreement when he got the sewer.

Mayor Weiser explained the City was prevented by the GMA to include some areas in the Smokey Point area in Marysville's Urban Growth Boundary and so could not activate the non-protest agreements.

Mr. Monty said as far as the City having a lot to lose, it seems to him the City is using RUSA as an excuse not to give water and it's hard to figure out where Marysville is coming from.

Councilmember Pedersen said she has been on the RUSA Committee for 6 years and ~~Arlington and Marysville~~ did come to an agreement where Arlington was allowed to have water from Marysville but Marysville added a phrase that nothing would be done about the Smokey Point annexation until the agreement was signed and so Arlington would not sign the agreement because of that phrase in it; but Arlington and Marysville have been negotiating on utilities for at least the last six years, she pointed out.

Mr. Monty pointed out the property owners are the ones being caught in the middle because of the disagreements between Arlington and Marysville.



Mayor Weiser said he thinks the public hearing will answer a lot of questions and Mr. Monty agreed, adding he would like to see his projects get some water and sewer as well as some answers to all these issues.

CONSENT AGENDA:

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2. Authorize Mayor to Sign the Interlocal Agreement with Snohomish County regarding Smokey Point Boulevard Phase I, Stage I (Contract No. CX05-95).
3. Acceptance of Lloyd Taubeneck Building Reroof and begin 45 day Lien Filing Period.
4. Authorize Mayor to execute the proposed contract amendment with Lewis Architects and recommend project funding from un-encumbered general fund reserves.

Several Councilmembers had questions about Item #2. City Attorney Weed explained he had recommended changes that "District" be changed to "City", that Section X-Disputes wording be stricken regarding the county having final decision making authority and also language regarding cost overruns was stricken as the county is satisfied that their Public Works Dept. would anticipate cost overruns and work it out with the City.

There was discussion about having more specific language about cost overruns, widening project should be done in conjunction with utilities which could save Marysville money, coordinating responsibility with the county, a number of excellent reasons why this should be done in a timely fashion. Public Works Director Winckler said Marysville should know first hand whether there are going to be cost overruns and have a handle on it. He stated the county anticipates the bid date to be next week.

Councilmember Herman stated that he would like to see this item moved to Current Business or New Business so Council can approve the rest of the Consent Agenda. He pointed out that items under Consent Agenda are not supposed to be discussed at length as this item. Mayor Weiser agreed to move this item to #5 under New Business.

Councilmember Wright moved and Councilmember Leighan seconded to approve Consent Agenda Items 1, 3 & 4. Passed unanimously with Councilmember Baxter abstaining on Voucher #25199 under Item #1.

STAFF BUSINESS:

Public Works Director Winckler referred to a handout that was faxed from WSDOT concerning a request to obtain the City's preference as to when I-5 traffic delays should be while the contractor retrofits rails on the overpass above 4th St.

After discussion, it was the preference of the majority of City Council that Option 2 be chosen to minimize any inconvenience to emergency vehicles. Option 1 and Option 2 are both the same times, from 9 p.m. to 5 a.m. but Option 1 consisted of possible 10 minute delays to traffic whereas Option 2 consisted of cone channelization and flaggers and no stops, per se.

Public Works Director Winckler gave two upcoming meeting times and dates: Vactor Grit Task Force to meet on Tue. at 1:30 p.m. in the County Courthouse Conference Room, RUSA Committee to meet Thu. 7/27 at 7:30 a.m. in the Marysville Public Works Conference Room. He stated the Traffic Safety Committee has reviewed the 84th & 67th and 88th & 67th intersections and the Committee's responses will be presented at the weekly briefing. He reported on the Alternate Access to the Public Works Building project, noting the

shoreline permit review process is being undergone at this point and they are planning to move on that project rather soon. He reported on the new water based paint they have been using for painting street lines, noting they have installed \$3,000 worth of modifications to the equipment and have received a \$1,000 discount from the paint distributor. He said the paint is less clean up, they use no solvents and the paint only takes 30 seconds to dry which is really expediting the process.

In reference to a communication from Burlington Northern, they would charge \$490 per foot for a set of tracks at First St. for the upgrade and \$44,000 is the City's ballpark estimate for a cement crossing to repair and upgrade the crossing, he said.

Councilmember Pedersen said she thought that was going to be Burlington Northern's & Amtrak's responsibility but Public Works Director Winckler said he wasn't sure why they didn't include this. City Administrator Zabell explained the railroad companies were only going to cover gates and not these big ticket items; this is the City's responsibility, according to the railroad.

MAYOR'S BUSINESS:

Mayor Weiser reported that pursuant to the letter City Administrator Zabell was directed to send to WSDOT concerning traffic congestion on I-5 due to construction and the effects that it's going to have on the southbound traffic also, City staff has been speaking with DOT. They report the northbound project will be completed later this week and then they will switch over to the southbound lanes for 20 days on 7/31 and will only affect the section of freeway over Steamboat Slough, he said. The original estimate was that it was going to take 110 to 120 days with only one lane northbound open, but they do have two lanes open with less time being taken on the project, also, he said. He added that he also asked them about closing the Ebey Slough entrance/exit and they said it was because of an equipment part they needed, although they knew in Feb. 1994 who the contractor was going to be, etc. and they couldn't explain why the Ebey Slough section wasn't done first. He said they talked about better communications with the local jurisdictions and Marysville will be sending another letter to DOT expressing our desire about the communications ahead of time. Also, they have been limited with the hot weather in their process and they can't work double shifts, either, it was explained.

Councilmember Herman asked if we are only going to have two south bound lanes for 20 days and Mayor Weiser said DOT don't feel there will be as much restriction because it's a more consistent traffic flow in the southbound lanes and there will be no impairment of the entrance onto I-5 from 528 or 529, so overall traffic should flow more smoothly than what's been happening lately in the north-bound lanes.

Councilmember Herman expressed a deep concern if Marysville were to experience gridlock in downtown for 20 days. He said he can see where they could have put in four lanes on I-5 vs 2 or 3 and it makes him nervous about their southbound traffic study. He asked if they can make any changes if their study doesn't prove out and he said he would actually like to see someone make a presentation on this from DOT.

Mayor Weiser said no one will know until it happens but City staff can get in touch with DOT and see if they can make a presentation.

Councilmember Wright asked if this will be discussed at the upcoming Traffic Advisory Committee meeting and Public Works Director Winckler said yes, they will have a representative from DOT there, although it may not be a "decision making" representative.

City Administrator Zabell noted he drives that road every day and he thinks they are making some effort to make it better.

CALL ON COUNCILMEMBERS:

Councilmember Pedersen asked about a Golf Course revenue report and restaurant update sometime in the near future. Also, she reminded the Mayor about the annual performance review of the City Administrator to be done.

Councilmember Baxter reported he has spoken with boat ramp users and parking seems to be working OK, the First St. railroad tracks do slow down the traffic which is OK and everything seems to be working out nicely with people cooperating with traffic on Welco's haul road. He also reported the golf course clubhouse got all new carpeting in but it did not match and so had to be sent back. He said he would like an update, also, on the restaurant and also from the golf course architect.

Councilmember Myers asked about painting the curb yellow on Armar Rd. where the paint has worn off and people insist on parking there. Public Works Director Winckler stated it would be attended to this week for sure.

Councilmember Myers reported that something also has to be done about 57th St. where vehicles are parking and there is no way an emergency vehicle could get through.

Councilmember Bartholomew reported they have started moving heavy equipment off the north bound lane of I-5 now. She also reported Marysville had gridlock in downtown for at least 20 minutes today because of a train engine at a stand still at 4th St. She explained that people try to get around and go through parking lots and that causes more problems.

Mayor Weiser said he didn't know what happened there but he will check into it.

Councilmember Bartholomew said she was very impressed with Lt. Peterson's recent comprehensive report which showed 12,000 incidents in the first six months of 1995. She asked if this would be a regular reporting procedure and Lt. Peterson said it would be.

There was more discussion about gridlock in Marysville, on I-5, the train situation, 4th St. on the verge of "not working".

Councilmember Herman thanked City Administrator Zabell, Mayor Weiser and Public Works Director Winckler for their efforts on the I-5 situation in dealing with DOT.

REVIEW BIDS:

1. **Cement Concrete Curb, Gutter and Sidewalk Annual Contract, #95-01.**

Public Works Director Winckler reviewed the agenda bill, noting staff is recommending awarding the bid to Finishing Edge. He stated the contract will be utilized on an as needed basis, with the total not to exceed \$27,000. It was noted there is no sales tax on these services.

After brief discussion about Limited Liability Corporations, Councilmember Myers moved and Councilmember Baxter seconded to award the bid to Finishing Edge Curb & Sidewalk, L.L.C. as recommended by the Public Works staff. Passed unanimously.

**2. Emergency Radio Tower Project; Police Department.**

Lt. Peterson first of all thanked City Council for approval of the incident response unit which has been very useful lately. He reviewed the agenda bill on the tower, noting one bid was received but it was overbid and did not meet the specs so the Police Dept. would like to refuse the bid and seek more bidders on the next bid. He stated the original estimate was obtained from different communication companies and this bid for \$42,514 is way out of line. Bids were sent to three local areas this last time and they want to expand their advertising and put it into some trade magazines this next time, he said.

Councilmember Baxter moved to reject all bids and authorize the MPD to seek additional bids as outlined by Lt. Peterson. Councilmember Herman seconded and the motion passed unanimously.

**3. Four Wheel Drive Loader; Public Works Dept.**

Public Works Director Winckler reviewed the agenda bill noting one bid was received for \$77,582 for used equipment, as well as one from Western Power & Equipment for \$77,685.84 including tax for a new Case 621B however they would charge an additional \$500 plus tax for repair manuals. Staff is recommending the Western Power & Equipment bid for the new Case 621B, he said and he added that the amount budgeted was \$90,000.

Councilmember Baxter moved and Councilmember Bartholomew seconded to award the bid to Western Power & Equipment as outlined by Public Works Director Winckler for \$77,685.84 including tax plus \$500.00 plus tax. Passed unanimously.

CURRENT BUSINESS:

**1. Wheeling Agreement between City of Marysville & Tulalip Tribes**

Mayor Weiser made some comments about concerns expressed by the Tulalip Tribes utilities dept. in not knowing what the wheeling agreement was about.

Councilmember Bartholomew said she felt it should be explained for the audience's benefit tonight that this is an entirely different situation than the Smokey Point issue.

Mayor Weiser agreed and explained that when Marysville put the pipeline in between Marysville and Everett a joint operating agreement was drawn up between PUD, the Tulalip Tribes and City of Marysville to establish charges as far as getting water from the PUD transmission line to the Tulalip Tribes and Marysville. This wheeling agreement is essentially a delivery charge; they get a billing from Marysville for transmission and a billing from Everett for the usage of the water.

Councilmember Baxter moved and Councilmember Bartholomew seconded to authorize the Mayor to sign the Wheeling Agreement between City of Marysville and Tulalip Tribes. Passed unanimously.

Jim Cameron of the Tulalip Tribes expressed gratitude that this wheeling agreement has been approved and stated his hope that they can now move forward from here. He said he thinks this is a major step in the process and he talked about something that was discussed when the joint operating agreement was first signed--a joint water line in order to serve more customers. He thanked City Council for this approval.

Mayor Weiser talked about regionalization and how this is for the benefit of all parties.

**2. 5th Street Railroad Crossing Project R9412; Professional Services - Transpo. Mayor Weiser stepped down.**

Public Works Director Winckler reviewed the agenda bill and Mayor Pro Tem Pedersen noted this cost would include \$10,900 for Transpo's traffic data and forecasts, engineering issues and hearing preparation plus an additional \$160,000 plus for opening the crossing.

Public Works Director Winckler noted the cost of the crossing has now been estimated at somewhere between \$200,000 and \$300,000.

There was discussion about whether an additional railroad crossing would be to the City's advantage, discussion about when the Utility Commission hearing will actually be as it has been postponed several times now, outcome of Transpo study may swing the decision at the hearing, when it is appropriate to do engineering studies, before or after the hearing, City not being very optimistic about getting the 5th St. crossing, Burlington Northern having moved their headquarters to Texas, why the City can't do the engineering themselves, modeling traffic movement can't be done by the City, 88th St. opening may not make 5th St. crossing so urgent, waiting until 88th St. is open to see how that affects 4th St., need to relieve congestion in Marysville, UTC hearing schedules, City Administrator Zabell to follow up and explore whether we could delay hearing further without hindering our position with information back to Council within two weeks, the study needs to be done for the whole downtown area, east-west traffic is very bad, need to pursue the Transpo study and possibly find out what the cost would be for studying the whole downtown area.

City Administrator Zabell referred to the 6 Year TIP later on the agenda and Councilmember Bartholomew noted we need to solve this situation; there are some downtown merchants angry about traffic congestion and she said she would suggest City Administrator Zabell follow up and this be continued to the first meeting in August.

After brief discussion, Councilmember Bartholomew moved and Councilmember Myers seconded to continue this matter to Aug. 7, 1995 to allow staff to get information. Passed unanimously.

NEW BUSINESS:

**1. Public Safety Center - Cleaning HVAC/Exhaust System.**

Lt. Peterson reviewed the agenda bill, noting there is a 1" build-up of diesel and other material on the HVAC/Exhaust System of the Public Safety Building that needs to be removed. It will cost \$10,200 to do this which is a non-budgeted item, he explained.

There was discussion about need, the auxiliary generator exhaust system, whether the problem is still being created, Snohomish Co. had a similar problem and it might be well to talk with Alison Singh about how they solved that, what about a design problem, look at architectural liability/responsibility, fire dept. truck exhaust system was just installed and it needs to be looked at.

Councilmember Leighan asked about how this would be funded and there was discussion about whose responsibility it is, the fire district's proportion could be investigated further, routine maintenance in the future, changing filters, etc.

Councilmember Baxter moved and Councilmember Myers seconded to approve cleaning of the HVAC/Exhaust system as outlined by Lt. Peterson with Finance Director Wilson to bring back a budget amendment. Passed unanimously.

Councilmember Pedersen mentioned the Liquor Control Board recently distributed funds and Marysville just got \$23,000, she read, but she noted maybe it went to the Tulalip Tribes. Finance Director Wilson to check on this as a possibility for additional funds.

**2. Haul Road Agreement with Snohomish County for 1994-1995 Water Improvements Project & 360 Zone Reservoir Project.**

Public Works Director Winckler referred to the agenda bill and noted 100th St. roadway is badly deteriorated but the county is willing to pay for part of the repair work. He outlined cost changes resulting in a net change of \$1038.34 credit plus an additional \$6600 change order that will be presented at a later date, he said.

City Attorney Weed commented on his review of the agreement and said he believes the degree of negotiability with the county may be limited; there is authority for the county to use their roads, however there is provision for a preproject inspection as well as a post project inspection. He said his concern is how you determine the City's road deterioration responsibility vs some other entity's responsibility for road deterioration although this issue has been acknowledged by the county, he said and added the project will be going on into the fall and winter and that's a traditional time for frost damage, etc. Another concern is an assumed acceleration of road deterioration, he said.

There was discussion about use of 108th vs backtracking, no construction projects on 528 at the same time as it's going to be used as a haul road, steep grade and lack of width of 108th and 84th, portion of county road north of City limits, previous county projects.

Councilmember Leighan moved and Councilmember Bartholomew seconded to authorize the Mayor to sign the agreement as presented. Passed unanimously.

**3. Six Year Transportation Improvement Plan.**

Public Works Director Winckler reviewed the agenda bill and recommended Council set a public hearing date of August 28, 1995. He also noted that the City has an 18 year plan that can be reviewed.

Councilmember Pedersen noted she will not be in attendance at the Council meeting on August 28 and asked about Boeing funds and the status of 60th being put through. Public Works Director Winckler said he would check on these two items.

Councilmember Leighan asked about studying roads that could be extended, dead end streets, etc. and Public Works Director Winckler said a committee will be set up soon to do this and they are looking for people to serve on it. He said he would like to give Council a chance to pose questions about the 6 Year TIP at the first Council meeting in August, after having reviewed the plan.

Councilmember Myers moved and Councilmember Bartholomew seconded to set a public hearing for 8/28/95. Passed unanimously.

**4. Discussion regarding Utility Services Issues to Smokey Point Area (Set Public Hearing Date).**

City Administrator Zabell reviewed the agenda bill and noted there is a conflict with Marysville's code because there is an annexation in process which is not within Marysville's Interim Urban Growth Area. He said Council should consider setting a public hearing to discuss continuing services and conditions under which that type of service would be continued.

Councilmember Pedersen stated that as a member of the RUSA Committee she would like to clarify that the water utility variances were granted as the result of health and safety factors, to schools, a federal project (HUD/Stillaguamish Sr. Center), etc. and not just picked out of mid air.

City Administrator Zabell added the City also had a sewer moratorium as well as a study with regard to need in the Smokey Point area.

Councilmember Baxter added that the Growth Management Act, county rulings, the Critical Water Study Area and RUSA boundaries, as well as the Interim Urban Growth Boundary created a lot of confusion and it brought everything to a standstill. He noted Smokey Point is actually in Arlington's service area and also the process is very confusing to PUD, Marysville, etc. He said the question is whether Marysville can legally serve the area and for the City to spend more time and effort when we have had a plan in existence for 30 years is really confusing.

Councilmember Pedersen stated a lot of information needs to be shared with the public and the public needs to share information with the City and she said she hoped the public hearing will be a good forum for that sharing so people will see the situation the City has had to work with.

Councilmember Herman talked about land use, water and sewer planning issues, the controversy over annexation issues, confusing messages being sent and suggested inviting Arlington to make a presentation at the upcoming public hearing.

Councilmember Baxter noted as of last week there is a new appeals process for disputes about getting utilities so you can take it to the county council; he said he realizes people are getting tired of waiting.

There was more discussion about having a presentation at the public hearing from Arlington, what there plan is for Smokey Point, requesting staff to make it a light agenda on the night of the public hearing, what is going on legally as far as challenges to the GMA, the action between Marysville & Arlington, referendum petition process, property rights initiative which stays any further planning/building transactions in the county, possibly having a special meeting for this public hearing.

Councilmember Bartholomew moved and Councilmember Baxter seconded to set the public hearing for 8/28/95. Passed unanimously.

**5. Interlocal Agreement with Snohomish County regarding Smokey Point Boulevard Phase I, Stage I (Contract No. CX05-95).**

Mayor Weiser asked about putting in language about cost overruns and City Attorney Weed acknowledged that the responsibility of overruns needs to be clarified.

Councilmember Pedersen asked about "Extra Work" and City Attorney Weed said cost overruns could be added to that section; they are not both the exact same things but a limit of what can be charged could be added into that section.

There was discussion about making it more clear and then Councilmember Herman moved, Councilmember Pedersen seconded to authorize the Mayor to sign the interlocal agreement with changes as discussed plus changes to clarify cost overrun language as per the City Attorney. Passed unanimously.

ADJOURNED INTO EXECUTIVE SESSION: 10:17 p.m.

**1. Personnel.**

RECONVENED: 11:04 p.m.

City Administrator Zabell briefed the Council on proposed base salary wage grids and wage adjustments for non-union and management personnel for 1995(see exhibit A).

Councilmember Myers moved and Councilmember Herman seconded to adopt 1995 base salary wage grids and recommendations of the City Administrator effective July 1, 1995. Passed unanimously.

ADJOURNED INTO EXECUTIVE SESSION: 11:05 p.m.

2. Litigation. (No Action)

RECONVENED & ADJOURNED: 11:25 p.m.

Accepted this 7th day of August, 1995.

David Wason  
MAYOR

Mary Swenson  
CITY CLERK

Wanda A. Swenson  
RECORDING SECRETARY

## EXHIBIT A

Management  
1995

00177

Pay Grade	Step A	Step B	Step C	Step D	Step E	Step F	Step G
X	2507	2577	2660	2746	2836	2927	3024
XI	2702	2788	2873	2984	3066	3151	3286
XII	2814	2894	2973	3086	3172	3259	3399
XIII	2885	2969	3057	3176	3269	3365	3515
XIV	2983	3075	3178	3285	3383	3482	3637
XV	3084	3175	3270	3396	3499	3600	3759
XVI	3186	3313	3412	3512	3650	3793	3906
XVII	3321	3418	3552	3655	3781	3932	4066
XVIII	3543	3683	3796	3912	4066	4228	4355
XIX	4022	4181	4306	4433	4589	4746	4910
XX	4424	4603	4742	4885	5056	5233	5417

3% Pay Grade	Step A	Step B	Step C	Step D	Step E	Step F	Step G
X	2582	2654	2740	2828	2921	3015	3115
XI	2783	2872	2959	3074	3158	3246	3385
XII	2898	2981	3062	3179	3267	3357	3501
XIII	2972	3058	3149	3271	3367	3466	3620
XIV	3072	3167	3273	3384	3484	3586	3746
XV	3177	3270	3368	3498	3604	3708	3872
XVI	3282	3412	3514	3617	3760	3907	4023
XVII	3421	3521	3659	3765	3894	4050	4188
XVIII	3649	3793	3910	4029	4188	4355	4486
XIX	4142	4306	4435	4566	4727	4888	5057
XX	4557	4741	4884	5032	5208	5390	5580

6% Pay Grade	Step A	Step B	Step C	Step D	Step E	Step F	Step G
X	2657	2732	2820	2911	3006	3103	3205
XI	2864	2955	3045	3163	3250	3340	3483
XII	2983	3068	3151	3271	3362	3455	3603
XIII	3058	3147	3240	3367	3465	3567	3726
XIV	3162	3260	3369	3482	3586	3691	3855
XV	3269	3366	3466	3600	3709	3816	3985
XVI	3377	3512	3617	3723	3869	4021	4140
XVII	3520	3623	3765	3874	4008	4168	4310
XVIII	3756	3904	4024	4147	4310	4482	4616
XIX	4263	4432	4564	4699	4864	5031	5205
XX	4689	4879	5027	5178	5359	5547	5742

## EXHIBIT A

Management  
1995

00178

To implement 8% - see Chapter VII,  
Section 25, of the Personnel Rules.

8% Pay Grade	Step A	Step B	Step C	Step D	Step E	Step F	Step G
X	2708	2783	2873	2966	3063	3161	3266
XI	2918	3011	3103	3223	3311	3403	3549
XII	3039	3126	3211	3333	3426	3520	3671
XIII	3116	3207	3302	3430	3531	3634	3796
XIV	3222	3321	3432	3548	3654	3761	3928
XV	3331	3429	3532	3668	3779	3888	4060
XVI	3441	3578	3685	3793	3942	4096	4218
XVII	3587	3691	3836	3947	4083	4247	4391
XVIII	3826	3978	4100	4225	4391	4566	4703
XIX	4343	4515	4650	4788	4956	5126	5303
XX	4778	4971	5121	5276	5460	5652	5850

EXHIBIT A  
Non-Union  
1995

00179

Pay Grade	Step A 00-06m	Step B 07-12m	Step C 13-24m	Step D 25-36m	Step E 37m	Step F Merit	Step G Merit
I	1552	1592	1641	1690	1742	1796	1853
II	1648	1691	1742	1796	1853	1911	1970
III	1759	1808	1865	1925	1984	2045	2110
IV	1844	1891	1948	2011	2073	2137	2207
V	1938	1989	2052	2116	2181	2252	2324
VI	2031	2088	2149	2221	2292	2364	2443
VII	2129	2186	2256	2327	2402	2480	2561
VIII	2224	2286	2359	2431	2510	2589	2674
IX	2319	2385	2461	2541	2620	2705	2794
X	2507	2577	2660	2746	2836	2927	3024
XI	2702	2789	2887	2984	3082	3181	3286
XII	2815	2893	2987	3086	3187	3290	3398
XIII	2885	2969	3072	3176	3285	3398	3515

3% Pay Grade	Step A 00-06m	Step B 07-12m	Step C 13-24m	Step D 25-36m	Step E 37m	Step F Merit	Step G Merit
I	1599	1640	1690	1741	1794	1850	1909
II	1697	1742	1794	1850	1909	1968	2029
III	1812	1862	1921	1983	2044	2106	2173
IV	1899	1948	2006	2071	2135	2201	2273
V	1996	2049	2114	2179	2246	2320	2394
VI	2092	2151	2213	2288	2361	2435	2516
VII	2193	2252	2324	2397	2474	2554	2638
VIII	2291	2355	2430	2504	2585	2667	2754
IX	2389	2457	2535	2617	2699	2786	2878
X	2582	2654	2740	2828	2921	3015	3115
XI	2783	2873	2974	3074	3174	3276	3385
XII	2899	2980	3077	3179	3283	3389	3500
XIII	2972	3058	3164	3271	3384	3500	3620

## EXHIBIT A

Non-Union  
1995

00180

6% Pay Grade	Step A 00-06m	Step B 07-12m	Step C 13-24m	Step D 25-36m	Step E 37m	Step F Merit	Step G Merit
I	1645	1688	1739	1791	1847	1904	1964
II	1747	1792	1847	1904	1964	2026	2088
III	1865	1916	1977	2041	2103	2168	2237
IV	1955	2004	2065	2132	2197	2265	2339
V	2054	2108	2175	2243	2312	2387	2463
VI	2153	2213	2278	2354	2430	2506	2590
VII	2257	2317	2391	2467	2546	2629	2715
VIII	2357	2423	2501	2577	2661	2744	2834
IX	2458	2528	2609	2693	2777	2867	2962
X	2657	2732	2820	2911	3006	3103	3205
XI	2864	2956	3060	3163	3267	3372	3483
XII	2984	3067	3166	3271	3378	3487	3602
XIII	3058	3147	3256	3367	3482	3602	3726

To implement 8% - see Chapter VII,  
Section 25, of the Personnel Rules.

8% Pay Grade	Step A 00-06m	Step B 07-12m	Step C 13-24m	Step D 25-36m	Step E 37m	Step F Merit	Step G Merit
I	1676	1719	1772	1825	1881	1940	2001
II	1780	1826	1881	1940	2001	2064	2128
III	1900	1953	2014	2079	2143	2209	2279
IV	1992	2042	2104	2172	2239	2308	2384
V	2093	2148	2216	2285	2355	2432	2510
VI	2193	2255	2321	2399	2475	2553	2638
VII	2299	2361	2436	2513	2594	2678	2766
VIII	2402	2469	2548	2625	2711	2796	2888
IX	2505	2576	2658	2744	2830	2921	3018
X	2708	2783	2873	2966	3063	3161	3266
XI	2918	3012	3118	3223	3329	3435	3549
XII	3040	3124	3226	3333	3442	3553	3670
XIII	3116	3207	3318	3430	3548	3670	3796

CITY COUNCIL MINUTES  
July 24, 1995

00181

**Recommended Grade Adjustments Non-Union/Management, July 1, 1995**

<u>Classification</u>	<u>Current Gr/Step</u>	<u>Grade Adjustment</u>
Public Works Director	IXX	XX
Finance Director	XVII	XVIII
Police Lt.	XV	XVI
City Planner	XVI	XVII
Parks & Recreation Director	XVI	XVII
City Clerk/Asst to Administrator	XIII	XIV
Asst. Finance Director	XI	XIII
Senior Planner	X	XII
Associate Planner	IX	X
Code Enforcement Officer	VIII	IX

Anniversary dates are all changed to July 1 for purposes of future step increases.  
#s denote upgrades.