

**Minutes Recap
Marysville City Council, Regular Meeting
January 28, 2002**

000252

I. Call to Order	7:00 p.m.
II. Pledge of Allegiance	
III. Invocation	
IV. Roll Call	
V. Committee Reports	
Councilmember Leighan gave the Public Works committee report.	
VI. Audience Participation	
None	
VII. Approval of Minutes	
January 7, 2002 Council Work Session	Approved as Amended
Motion: amending animal control ordinance amendment.	Approved
January 14, 2002 City Council Meeting	Approved as Amended
January 22, 2002 Council Work Session	Approved as Amended
IX. Consent Agenda	
A. Approval of December 31, 2001 claims in the amount of \$468,524.38 and January 28, 2002 claims in the amount of \$518,186.58.	Approved
B. Approval of liquor license renewals for AM/PM Mini Mart #5566, Boulevard Grocery, Froso's Greek & Italian Cuisine, Las Margaritas Family Mexican Restaurant, Rite Aid #5243, Saigon Garden Restaurant, Loyal Order of Moose, Marysville Lodge 1845, Circle K #8878, Pearl Garden, Jackpot Foodmart #160, 88th St. Texaco Food-Mart & Car Wash, Fanny's Restaurant, Jackpot Foodmart (5830 Grove St.), Jackpot Foodmart (1034 State Ave.).	Approved
C. Acceptance of fire sprinkler system project and begin 45-day lien filing period.	Approved
D. Authorize Mayor to sign contract for services agreement with Whatcom County for the Northwest Mini Chain bus.	Approved
E. Authorize Mayor to sign the letter of agreement with Snohomish County Center for Battered Women for 2002.	Approved
F. Approval of final change order #17 in the amount of \$4,822.50 for the SR 528 (67th Ave. to 83rd St.) road improvement project.	Approved
G. Authorize Mayor to sign contract with Larry Trivett for Municipal Court Judge.	Approved
H. Authorize Mayor to sign contract with Allied Employers, Inc.	Approved
I. Authorize Mayor to sign agreement for personal services with Pac Rim Code service, Tim Nordtvedt for professional plans examiner service.	Approved
J. Approval of new for-hire business to operate in Marysville; Marysville Limousine.	Approved

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JL

K. Authorize Mayor to sign Gardner Johnson economic development contract.	Approved
L. Authorize Mayor to sign contract amendment for Phase II of the 51st St. Lift Station rehabilitation with RH2 Engineering, Inc.	Approved
M. Authorize Mayor to sign supplemental agreement for Trunk F to A Intertie with Beryman & Henigar, Inc.	Approved
N. Authorize Mayor to sign supplemental agreement #2 for Edwards Springs/Stillaguamish water system improvements with MWH Americas, Inc.	Approved
O. Authorize Mayor to sign mailing services agreement; mobile mailing services.	Withdrawn by Staff
P. Authorize Mayor to sign second addendum to professional services contract for crime prevention with Loree Parker.	Approved
X. Current Business	
A. Amendment to Ordinance 2035 outlining procedures for putting items on the council agenda.	Approved
XI. New Business	
A. Access point decision report--North Marysville Interchange	Approved
B. Contract award for surface water comprehensive plan revision & surface water utility rate study with Entranco.	Approved
XII. Legal	
None	
XIII. Ordinances and Resolutions	
A. Ordinance 2402 amending the 2001 budget & providing for the increase of certain expenditure items as budgeted for in 2001.	Approved
XIV. Information Items	
A. Mayor's Business	
B. Staff Business	
C. Call on Councilmembers	
XV. Adjournment	
The Council adjourned into Executive Session at 8:26 p.m.	
XVI. The Council returned to Regular Session at 8:50 p.m.	
Motion: Authorizing a 3.2% cost of living adjustment effective January 1, 2002 for Police Chief Carden.	Approved
Motion: Authorizing the Mayor to sign separation agreement as discussed in Executive Session	Approved
XVI. Adjournment	
The meeting adjourned at 8:51 p.m.	

000253

I. Call to Order

Mayor Weiser called the meeting to order at 7:00 p.m.

II. Pledge of Allegiance

The assembly joined in the pledge of allegiance to the flag.

III. Invocation

Police Chaplain, Dennis Niva, gave the invocation.

IV. Roll Call

Roll call was taken with the following Councilmembers present:

Councilmembers:

David Weiser-Mayor
Mike Leighan-Mayor Pro Tem
Tom Grady
Donna Wright
Jeff Seibert
Jon Nehring
John Soriano
Suzanne Smith

City Staff Present:

Mary Swenson, Chief Administrative Officer
Bob Carden, Police Chief
Sandy Langdon, Finance Director
Grant Weed, City Attorney
Gloria Hirashima, Planning Director
Ken Winckler, Public Works Director
Roberta Stevens, Recording Secretary

V. Committee Reports

Councilmember Leighan gave the Public Works committee report.

VI. Audience Participation

None

VII. Approval of Minutes

A. January 7, 2002 City Council Work Session.

Councilmember Soriano said on page 4, paragraph 4 it was he that asked the question regarding the 19,000 cubic yards of landfill, not Councilmember Seibert.

Councilmember Grady said on page 7 the minutes need to be changed to 9 p.m. instead of 9 a.m.

000254

Councilmember Seibert said on page 4 third paragraph the "will" needs to be deleted at the reference to "bridge will be removed".

MOTION by Leighan, second by Grady to approve the minutes as amended. **MOTION** passed 7-0.

B. January 14, 2002 City Council Meeting.

MOTION by Nehring, second by Leighan to amend the animal control ordinance amendment passed last meeting to read: \$30 lifetime for altered animals, \$15 lifetime for altered animals for citizens 60 years or older. Councilmember Smith offered a friendly amendment of \$15 a year for unaltered animals for citizens 60 years or older. Councilmember Nehring accepted the friendly amendment. **MOTION** passed 7-0.

Councilmember Seibert said on Page 8 item D that the motion was made by Councilmember Smith and seconded by Councilmember Seibert instead of the reverse for approval of Resolution 2057.

MOTION by Leighan, second by Grady to approve the minutes as amended. **MOTION** passed 7-0.

C. January 22, 2002 City Council Work Session.

Councilmember Grady asked that Councilmember Soriano be shown as present. **MOTION** by Leighan, second by Grady to approve the minutes as amended. **MOTION** passed 7-0.

VIII. Consent Agenda

A. Approval of December 31, 2001 Claims in the Amount of \$468,524.38; Paid by Check Nos. 63838 and 63844 through 63971 and January 28, 2002 Claims in the Amount of \$518,186.58; Paid by Check Nos. 63839 through 63843 and 63972 through 64221 with Check Nos. 63735, 63821, 63952, and 64030 Void.

B. Approval of Liquor License Renewals for AM/PM Mini Mart #5566, Boulevard Grocery, Froso's Greek & Italian Cuisine, Las Margaritas Family Mexican Restaurant, Rite Aid #5243, Saigon Garden Restaurant, Loyal Order of Moose Marysville Lodge 1845, Circle K No. 8878, Pearl Garden, Jackpot Foodmart #160, 88th Street Texaco Food-Mart & Car Wash, Fanny's Restaurant, Jackpot Food Mart (5830 Grove Street), Jackpot Food Mart (1034 State Avenue).

- C. Acceptance of Fire Sprinkler System Project and Begin 45-Day Lien Filing Period.
- D. Authorize Mayor to Sign Contract for Services Agreement with Whatcom County for the Northwest Mini Chain Bus.
- E. Authorize Mayor to Sign the Letter of Agreement with Snohomish County Center for Battered Women for 2002.
- F. Approval of Final Change Order No. 17 in the Amount of \$4,822.50 for the SR528 (67th Avenue to 83rd Street) Road Improvement Project.
- G. Authorize Mayor to Sign Contract with Larry Trivett for Municipal Court Judge.
- H. Authorize Mayor to Sign Contract with Allied Employers, Inc.
- I. Authorize Mayor to Sign Agreement for Personal Services with Pac Rim Code Service, Tim Nordtvedt, for Professional Plans Examiner Service.
- J. Approval of New For-Hire Business to Operate in Marysville; Marysville Limousine.
- K. Authorize Mayor to Sign Gardner Johnson Economic Development Contract.
- L. Authorize Mayor to Sign Contract Amendment for Phase II of the 51st Street Lift Station Rehabilitation; RH2 Engineering, Inc.
- M. Authorize Mayor to Sign Supplemental Agreement for Trunk F to A Intertie; Berryman and Henigar, Inc.
- N. Authorize Mayor to Sign Supplemental Agreement No. 2 for Edward Springs/Stillaguamish Water System Improvements; MWH Americas, Inc.
- O. Authorize Mayor to Sign Mailing Services Agreement; Mobile Mailing Services.— WITHDRAWN BY STAFF
- P. Authorize Mayor to Sign Second Addendum to Professional Services Contract for Crime Prevention with Loree Parker.

MOTION by Councilmember Leighan, second by Wright to approve the consent agenda with the exception of Item O. **MOTION** passed 7-0.

IX. Current Business

A. Procedures for Putting Items on the Council Agenda.

Councilmember Seibert said that he wants to keep the option of filling out the current agenda request form to place items on the agenda; the primary means of placing items on the agenda would be the councilmember making the motion at a regular meeting.

Councilmember Leighan mentioned the Ordinance that had been passed out to the council last June with sections crossed out and asked that it be provided to the whole council so that they may study it before the March retreat when it will be amended.

MOTION by Grady, second by Nehring to approve Mayor Weiser's memo with Councilmember Seibert's options and direct the city attorney to prepare an amendment to Ordinance 2035. **MOTION** passed 7-0.

X. New Business

A. Access Point Decision Report – North Marysville Interchange.

Mr. Bill Binford of 11417 124th Ave. NE, Suite 201, Kirkland, made a presentation on the North Marysville Interchange at 158th Street. He passed out more information to the city council. He said there were two projects; one an economic development project, and one an interchange project. He said the State and Federal governments are eager to back anything that is seen as an economic development and this is seen as more of an economic development than transportation project. Mr. Binford recommends that pressure be brought to bear on the BNSF to build an overpass to go over their proposed 156th Street crossing closure.

Mayor Weiser said the City may not be able to get the paperwork back to Mr. Binford until February or March, 2002.

Councilmember Smith asked how many lanes the interchange would have. Mr. Binford said there would be 3-5 lanes. Councilmember Smith said she would like more information from the staff on tax increment financing.

Councilmember Leighan asked about the regional retention system. Mr. Binford said that would be a separate project. Councilmember Leighan asked at what point the retention system was going to be started. Mr. Binford responded that it will be 120 days or so; Mr. Winckler said that Mr. Nelson says it will probably be longer than 120 days.

000257

Councilmember Grady asked what the assessed value currently is on the 200 acres in question. Mr. Binford said it is currently assessed as farmland at about \$120,000 to \$150,000.

Councilmember Soriano asked if Mr. Binford has come up with any new ideas on storm water detention. Mr. Binford said that they will use some filter equipment in pipe and that they were going to use a multi- cell facility, and state of the art design.

Mr. Winckler said that the staff is requesting approval from the Council to go through the consultant selection process, and Public Works can negotiate a scope of work and fee. This will take the better part of the month of February. Mr. Winckler believes that they will be able to bring something back to the Council by the March 4 work session, and it will be on the agenda for City Council meeting March 11,2002. Mr. Winckler said he would bring a recommended budget amendment to the March 11 meeting.

MOTION by Seibert, second by Leighan to move forward with this study. Councilmember Smith asked where the funding comes from. Ms. Langdon responded that it will come from the general fund reserves which are currently at four million dollars. Councilmember Grady asked if the County or Arlington would be willing to share in some of the expenses. Mr. Binford said it is unlikely that Arlington will be willing to share, but they would certainly explore the possibility of the County participating. **MOTION** passed 7-0.

Councilmember Seibert said if this moves forward that the City needs to get the overpass on the BNSF 156th closed crossing on the 6 year TIP.

XI. Legal

XII. Ordinances and Resolutions

A. An Ordinance of the City of Marysville Amending the 2001 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in 2001.

MOTION by Wright, second by Smith to approve Ordinance 2402.
MOTION passed 7-0

XIII. Information Items

A. Mayor's Business.

The Mayor said he and Councilmember Leighan attended a meeting with the Snohomish County Department of Transportation regarding the repair of the Steamboat Slough bridge on SR 529 for a 157 day closure. Four alternatives to handle traffic from Everett/Marysville were presented. The construction will begin approximately March 26, and southbound traffic will be rerouted to the northbound lanes, to the 1st Street bypass. Another proposal is to change SR 529 to one way southbound in morning (about 5:30 a.m.-9 a.m.) and northbound in evening (about 2:30 p.m.-6:30p.m.). An idea of completing an interchange by Dagmar's Landing for northbound on-ramp was brought forth, but that is extremely expensive. An additional lane going at least as far as Ross Avenue was also proposed. The timing of the light at 4th Street and State Avenue may be adjusted for the duration of the construction project.

After the 157 work days on SR 529 is completed, work will commence on SR 2 in August; in September work will begin again on SR 529, and it will be closed for three weekends in September.

B. Staff Business.

Chief Carden said that there was only one more week to go on the 84th Street detour.

Ms. Langdon said that time sheets are due January 29. The Finance meeting will be Wednesday, February 6, at 3 p.m. at City Hall.

Mr. Winckler said the TIB meets on a quarterly basis at different locations throughout the state and it was fortunate that they met in Everett this time. He and Mayor Weiser attended the meeting and felt it went very well. Mr. Winckler congratulated the Mayor on the first-rate job he did as part of the welcoming committee. Mr. Winckler said that 58th Street in the Parkside Manor neighborhood would be closed to do some repair work in early February.

Councilmember Seibert asked that in the future truck signage needs to be put out at the beginning of a detour so that they don't go through a residential street. He was assured by Mr. Winckler that the signage would go up at the beginning of a project.

Ms. Hirashima said that the Comprehensive Plan cycle has been advertised through February 11, and that later this year Planning will be doing a forward view of the document. She thanked the staff and city officials that attended the Lakewood meeting.

C. Call on Councilmembers.

Councilmember Soriano said he had received a lot of calls about the detour and was glad that the complaints were handled in such a prompt manner. He mentioned that he had been to the YMCA recently and encouraged the other councilmembers to go and take a look at the artwork around pool.

Councilmember Seibert said that Ordinance 2035 required a review in January in even numbered years, and asked Mr. Weed if going over it at the March Council Retreat would be legal. Mr. Weed said that as long as there is a definite schedule set in the near future, it should be OK.

Councilmember Seibert said that he was uncomfortable with not allowing public discussion on the Consent Agenda items. At the work sessions no public comment is allowed. He asked the Mayor if he could ask at the beginning for public comment on the consent agenda.

Councilmember Seibert asked when the invocation discussion would be coming back on the agenda. Mayor Weiser said that staff has been doing research on invocations.

Councilmember Seibert asked about the traffic timing signals for 88th and State, the back-up there is really unreasonable. Mr. Winckler said he would have his staff look into it.

Councilmember Grady commended the Mayor and Mr. Winckler on the quick resolution of the 72nd Street traffic detour problem.

Councilmember Leighan complimented the Staff on their professional handling at the Lakewood meeting.

Councilmember Leighan said that at the next Chamber of Commerce breakfast meeting a person from WSDOT will be speaking. He suggested that someone from the Governmental Affairs committee meet with the Chamber of Commerce.

Councilmember Smith said she agreed with Councilmember Seibert that a lot of discussion on the Consent Agenda takes place at the work session without allowing public input, and that it would be a simple thing for the Mayor to ask if there were any questions under audience participation.

Ms. Swenson said that the Mayor could ask if there was anyone that wanted to comment prior to the motion being made on the Consent Agenda.

000260

XIV. Adjournment

The Mayor adjourned the meeting at 8:20 p.m. and said they would reconvene into Executive Session at 8:30 p.m. to discuss two personnel items and one litigation item.

XV. Executive Session

The meeting reconvened into Executive Session at 8:26 p.m.

XVI. Adjournment

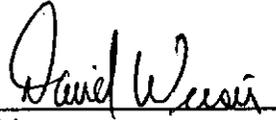
The meeting returned to regular session at 8:50 p.m.

MOTION by Smith, second by Soriano authorizing a 3.2% cost of living adjustment effective January 1, 2002 for Police Chief Carden. **MOTION** passed 7-0.

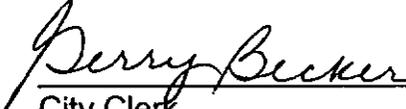
MOTION by Seibert, second by Nehring authorizing the Mayor to sign a separation agreement as discussed in Executive Session. **MOTION** passed 7-0.

Meeting adjourned at 8:51 p.m.

Approved this 11th day of February, 2002.



Mayor



City Clerk



Recording
Secretary

ORIGINAL

I. Call to Order

000247

Mayor Weiser called the meeting to order at 7:00 p.m.

II. Pledge of Allegiance

The assembly joined in the pledge of allegiance to the flag.

III. Invocation

The invocation was given by Chaplain Dennis Niva.

IV. Roll Call

Councilmembers Present:

David Weiser, Mayor
Mike Leighan, Mayor Pro Tem
Tom Grady
Donna Wright
Jeff Seibert
Jon Nehring
Suzanne Smith
John SORIANO

Staff Present:

Mary Swenson, Chief Administrative Officer
Sandy Langdon, Finance Director
Grant Weed, City Attorney
Gloria Hirashima, Planning Director
Ken Winckler, Public Works Director
Robin Nelson, City Engineer
Jim Ballew, Parks & Recreation Director
Doug Buell, Public Information Officer
Greg Young, Grant Administrator
Roberta Stevens, Recording Secretary

CORRECTED: SEE 1.28.02 MINUTES *ms*

V. Committee Reports

VI. Discussion Items

A. Edward Springs/Stillaguamish Water System Improvements; MWH Americas, Inc.

Mr. Nelson gave an explanation of the requirements and background on the Edward Springs and Stillaguamish Water Systems. A general discussion with questions and answers followed.

B. Access Point Decision Report – North Marysville Interchange.

Mr. Nelson presented a hand-out and gave a summary of the action plan on the North Marysville Interchange proposal. Mr. Nelson indicated that if

there is going to be action on this item, it needs to be included in the six year TIP, and he needs that information before June. The funding sources need to be identified as well. The Transportation Comprehensive Plan should be completed by March. After a general discussion, he indicated that he needed direction from the Council next week to ascertain if their wish was to move forward or not. The money for this study will come from the General Fund Reserves.

C. Gardner Johnson Economic Development Contract.

Mr. Young introduced Matthew Gardner of Gardner Johnson. The Economic Development Contract encompasses an economic impact analysis of the Tribes future development plans and an economic impact analysis development strategy for Marysville from Ebey Slough to the northern city limits bordering State Avenue. The study would commence on February 1 and end in October. Input from a large number of citizens would be generated and taken into consideration. This study would be on a computer modeling system so that it can be kept current and viable.

D. Mailing Services Agreement; Mobile Mailing Services.

Ms. Langdon explained the current procedure of statement mailings at City Hall and said that the proposed mailing service would be less money than the City is now expending, and free up the personnel to handle more calls. The current machine jams and service calls for the machine are not always handled in a timely manner, resulting in manual stuffing of the envelopes at times.

E. Procedures for Putting Items on the Council Agenda.

Resolution 2035 was discussed briefly and it will be revised at the retreat or at another time soon. Mayor Weiser indicated that he would generate an amendment for the January 28 meeting that would encompass the language of having a councilmember make a motion to put an item on the agenda, seconded by another councilmember. That item would then be put on the agenda for the next work session for the councilmembers to discuss. The Mayor said this would do away with the "ambush" motions that have sometimes resulted in the past couple of years. There was a discussion regarding this topic.

VII. Other Items Scheduled for January 28, 2002 Meeting

A. Approval of Minutes.

000249

1. January 7, 2002 City Council Work Session.
2. January 14, 2002 City Council Meeting.
3. January 21, 2002 City Council Work Session.

B. Approval of January 28, 2002 Claims.

C. Approval of Liquor License Renewals

D. Approval of Final Acceptance for Fire Sprinkler System.

E. Authorize the Mayor to Sign Contract for Services Agreement with Whatcom County for the Northwest Mini Chain Bus.

F. Authorize the Mayor to Sign Letter of Agreement with Snohomish County Center for Battered Women for 2002.

G. Approval of Final Change Order No. 17 in the Amount of \$4,822.50 for the SR528 (67th Avenue to 83rd Street) Road Improvements Project.

H. Authorize Mayor to Sign Contract with Larry Trivett for Municipal Court Judge.

I. Authorize Mayor to Sign Contract with Allied Employers, Inc.

J. Authorize Mayor to Sign Agreement for Personal Services with Pac Rim Code Service, Tim Nordtvedt, for Professional Plans Examiner Service.

K. Approval of New For-Hire Business to Operate in Marysville; Marysville Limousine.

VIII. Current Business

IX. New Business

A. 51st Street Lift Station Rehabilitation; RH2 Engineering, Inc.

B. Supplemental Agreement for Trunk F to A Intertie; Berryman and Henigar, Inc.

000250

X. Legal

A. Second Addendum to Professional Services Contract for Crime Prevention with Loree Parker.

XI. Ordinances & Resolutions.

XII. Information Items

A. Mayor's Business

B. Staff Business

C. Call on Councilmembers

D. Request for Waiver of Capital Improvement Fees; Arlington Christian School—1993 Water Line Extension.

The information was provided to the councilmembers that Arlington Christian School is outside the Marysville UGA and a recovery contract is not possible in those circumstances.

E. Marysville Planning Commission Minutes; December 11, 2001.

XII. Adjournment

MOTION by Grady, second by Smith to extend the meeting until 10:00 p.m. to allow time for the items to be discussed at the Executive Session. **MOTION** passed 6-1 with Leighan opposed.

Mayor Weiser recessed the regular meeting at 9:10 p.m., indicating that they would reconvene into Executive Session at 9:20 p.m. to discuss two real estate matters and personnel matters.

XIV. Executive Session

The council went into Executive Session at 9:17 p.m. Returned to regular session at 10:00 p.m. **MOTION** by Seibert, second by Smith to extend Executive Session until 10:15 p.m. **MOTION** passed 6-1 with Leighan opposed. The council returned to Executive Session.

000251

Returned to regular session at 10:15 p.m. **MOTION** by Grady, second by Seibert to extend Executive Session until 10:30 p.m. **MOTION** passed 6-1 with Leighan opposed. The council returned to Executive Session.

Returned to regular session at 10:29 p.m. **MOTION** by Grady, second by Seibert to authorize the Mayor to sign the contract with Teamsters Local 763. **MOTION** passed 7-0.

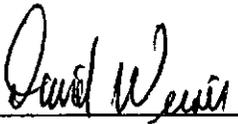
MOTION by Grady, second by Soriano to approve Resolution 2060, adopting a management employee salary schedule and adopting pay grades for certain management personnel. **MOTION** passed 7-0.

MOTION by Leighan, second by Grady to approve Resolution 2061, adopting a non-represented employee salary schedule and adopting pay grades for certain non-represented personnel. **MOTION** passed 7-0.

XIII. Adjournment

Meeting adjourned at 10:30 p.m.

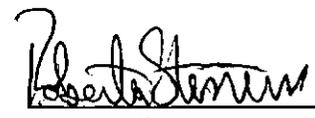
Approved this 28th day of January, 2002.



Mayor



City Clerk



Recording
Secretary