

**ORIGINAL**

October 14, 2002

Marysville City Council

7:00 p.m.

Public Safety Center

000095

***Call to Order/Pledge of Allegiance***

CORRECTED: SEE 11-12-02  
MINUTES

Mayor David Weiser called the October 14, 2002 meeting of the Marysville City Council to order at 7:00 p.m., and led the assembly in the Pledge of Allegiance.

***Invocation***

Newton Waldrop, Pastor of Gospel Light Temple in Everett, gave the invocation.

***Roll Call***

Finance Director Sandy Langdon called the roll:

**Council:** Mayor David Weiser, Mayor Pro Tem Mike Leighan, Lisa Vares, Donna Wright, Jeff Seibert, John Soriano, and Suzanne Smith.

**Staff:** Police Commander Robb Lamoureux; Sandy Langdon; Finance Director, Grant Weed, City Attorney, Jim Owens, Public Works Director; Gloria Hirashima, Community Development Director; Gerry Becker, City Clerk, Bill Spies, Fleet and Facilities Manager, Jim Ballew, Parks and Recreation Director, Robin Nelson, City Engineer and Laurie Hugdahl, Recording Secretary.

Mayor Weiser reported that Councilmember Jon Nehring, Chief Administrative Officer Mary Swenson and Chief Bob Carden would not be attending tonight's session. He also announced there would be a closed Executive Session at the end of the meeting.

***Presentations***

Rob Lindsey, Cedarcrest Golf Course Manager, informed the Council that Cedarcrest Golf Course has been awarded a prestigious 3-star award from Golf Digest Magazine. Mr. Lindsey went on to describe the high standards required by the magazine in order to receive the award. Mr. Lindsey attributed the receipt of the award in part to the Councilmembers, including Mayor Weiser, the staff at the Parks and Recreation Department, the staff at the Golf Course and the new Golf Course Superintendent, Peter Colleran who has done a wonderful job bringing the golf course up to par. Rob Lindsey presented the award to the Council. Mayor Weiser asked if Golf Digest comes every year. Mr. Lindsey indicated that they do and that Cedarcrest strives to receive the award every year. Mayor Weiser asked if any other courses in the area had previously received the award. Mr. Lindsey was not aware of anyone else in the county this year, but Kayak Point received one approximately six years ago.

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*Approval of Minutes*

**September 23, 2002 City Council Meeting**

Councilmember Seibert referred to page 4, second paragraph under Audience Participation. The second sentence should read: Councilmember Seibert indicated that we should support this referendum in order to show leadership.

Councilmember Seibert also noted that his name was misspelled in a few cases, but that he was confident that it would be corrected as the secretary got used to it.

Councilmember Soriano referred to the bottom of page 7 and on the third paragraph on page 8. They should read: Councilmember Seibert wanted clarification...

**Motion** by Councilmember Smith, Second by Councilmember Seibert to approve the minutes as amended. **Motion** carried unanimously (6-0).

CORRECTED:  
MINUTES  
SEE 11-12-02

**September 30, 2002 City Council / Marysville School District Joint Workshop**

Councilmember Seibert referred to the third paragraph on page 5. It should read: Councilmember Soriano questioned whether they had looked into grants for solar power.

Councilmember Seibert commented that the following should be added to the second paragraph on page 8: Councilmember Seibert asked whether the school district had asked the Labor Council for help with their levy.

**Motion** by Councilmember Leighan, Second by Councilmember Smith to approve the minutes as amended. **Motion** carried unanimously (6-0).

**October 7, 2002 City Council Work Session**

Councilmember Seibert referred to the first sentence in the second paragraph on page 3. It should read: Mr. Seibert had questions about what Mr. Cundiff's concerns were.

Councilmember Seibert also noted that on page 5, under section E. it reads: Mr. Soriano indicated that... It should read: Councilmember Seibert indicated that...

Councilmember Seibert also added that on the same page under section F it reads: Mr. Soriano brought up the subject of two boats... This should read: Councilmember Seibert asked Mr. Ballew about two boats that are still at the dock.

Councilmember Seibert further noted that on page 8, under his name on Call on Councilmembers it should read that he asked how the Farmers' Market was doing and that Mr. Ballew reported about how they were doing. Also, under his name it

says: He also provided an update on the restaurant. It should read: He asked about the restaurant and Jim Ballew said that the update would be given at the October 14th City Council Meeting.

Councilmember Wright referred to page 1, under Committee Reports. It should read: ...mosquito has arrived in Eastern Washington (not the United States).

Councilmember Vares added that on page 6, under A, she was the one who inquired about the legal ramifications. It should say: Councilmember Vares inquired into the legal ramifications...

Councilmember Smith indicated that she would not be voting on these minutes because she was not present at last week's work session.

**Motion** by Councilmember Leighan, Second by Councilmember Vares to approve the minutes as amended. **Motion** carried 5-0 with Councilmember Smith abstaining.

### ***Consent Agenda***

Councilmember Smith requested that items F, G, and H be removed from the Consent Agenda.

Councilmember Leighan asked to pull item E.

- A. Approval of October 14, 2002 Claims in the Amount of \$2,103, 890.93; paid by Check Nos. 69393 through 69814 with Check Nos. 65577, 68298, 68492, 68842, 69184, 69092, 69403, and 69418 Void.**
- B. Approval of September 2002 Payroll in the Amount of \$1,174,040.90; Paid by Check Nos. 44011 through 44205 with Check No. 44203 Cancelled.**
- C. Approval of Liquor License Renewals for Allen Creek Thriftway, Hunter's Corner, Strawberry Lanes, And Tacos Guaymas of Marysville.**
- D. Award the Bid for Re-Roofing the Public Safety Building to Snyder Roofing, and Approval of Additional Budget Amount.**
- I. Accept the Skate Park Project as Complete, and Begin 45-Day Lien Filing Period.**
- J. Approval of Final Plat for Logan's Landing.**
- K. Approval of Agreement with Visiting Nurse Services of the Northwest to Provide Flu Shots at the KBSCC.**

**Motion** by Councilmember Vares, Second by Councilmember Soriano to approve Consent Agenda Items A, B, C, D, I, J and K. **Motion** carried unanimously (6-0).

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**E. Award the Bid for an Asphalt Paver to Western Power & Equipment of Auburn, Washington.**

Councilmember Leighan asked Jim Owens, Public Works Director, if this was the same asphalt paver that was used on the recent Grove Street paving project. Mr. Owens said that it was. Mr. Leighan asked if it was capable of doing a better job than was done on Grove Street. Mr. Owens assured him it was operator error on the Grove Street project and that it had been addressed with the crew. He said that it was the same one used on the Sunnyside entrance that was considerably higher quality. Councilmember Seibert commented that he had seen the job done at Sunnyside and he confirmed that it did turn out well.

**Motion** by Councilmember Leighan, Second by Councilmember Wright to approve Consent Agenda Item E. **Motion** carried unanimously (6-0).

**F. Approval of Supplemental Agreement No. 1 with Hammond, Collier, and Wade-Livingstone for State Avenue Street Improvements Project (Grove Street to First Street).**

Councilmember Smith referred to page 4 of 5, Task 6-Drainage Analysis. She noted that at the Downtown Merchants' Meeting they were discussing the drain in front of Hilton Pharmacy on Third and State being full and overflowing quite often. Councilmember Smith asked if this would be part of the repair of the road construction. Robin Nelson, City Engineer, confirmed that it would be part of the improvements. Councilmember Smith added that the merchants had requested that the project be started from the south and progress to the north.

Councilmember Leighan asked if there would be a final design plan. Mr. Nelson explained that the preliminary design development would lead to the construction plans. He referred to Task 10-Final Plans, which would address the engineering, work and drainage needs. He added that Task 6 is the analysis of the specific area and takes into effect recommendations to be incorporated into Task 10.

Councilmember Smith questioned the amount of the transfer of funds. Mr. Nelson replied that the amount was for \$380, 945.32. Councilmember Smith indicated she would like to see a breakdown of the costs. Mayor Weiser showed her the breakdown that was distributed at the work session last week.

**G. Approval of Supplemental Agreement No. 2 with Hammond, Collier, and Wade-Livingstone for State Avenue Street Improvements Project (Grove Street to First Street).**

Councilmember Smith asked if the design and construction would be paid under the replacement program of the aging water main pipe system and would be done on an annual basis. Mr. Nelson indicated that it would be.

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**H. Approval of Supplemental Agreement No. 1 with Hammond, Collier, Wade-Livingstone for the Ebey Slough Waterfront Park Project.**

Councilmember Smith questioned the decision to do an upland excavation with regard to the waste soil removal. Mr. Nelson said it depended on the volume of the material that needed to be removed. The offshore disposal site would be cheaper to barge the dredging materials and some of the upland materials for disposal. Due to the revisions of the plan to meet DOE shore land requirements for mitigation, the amount of dredging has been seriously reduced therefore making the upland disposal site option much more cost effective. Councilmember Smith questioned if we would pipe this into the wastewater treatment facility. Mr. Nelson replied that the groundwater would be intercepted and then piped to the treatment plant. The actual onsite material to be excavated will be hauled offsite to a legal disposal site. Councilmember Smith clarified that only a fraction of the material would be moved. Mr. Nelson agreed and said it would be tested as it is excavated.

Councilmember Smith also inquired about the consequences of encountering peat soils at the location of the restroom foundation. Mr. Nelson said they had done some exploratory excavation to define whether or not there was some old submarine netting buried in the ground. During the digging of test holes they discovered a small area of peat. In that area, piles could be driven to support the restrooms. Councilmember Smith asked if it was only in the restroom area or if it was under the boat launch as well. Mr. Nelson replied that it was strictly isolated to the restroom area.

**Motion** by Councilmember Wright, Second by Councilmember Leighan to approve Consent Agenda Items F, G, and H. **Motion** carried unanimously (6-0).

***Review Bids***

**Ash Avenue Park and Ride Improvements**

City Engineer Robin Nelson noted they had been awaiting DOT and CT approvals. He added that this project would be administered by State Dept. of Transportation because portions lie in the I-5 limited access corridor. They will be providing construction management and inspection services. The project was bid as a DOT project and nine bids were received. The low bid of \$1,447,817.15 submitted by Henefin Construction was reviewed. Discussion followed regarding the two low bids received. Mayor Weiser asked if the Council was simply recommending the award. Mr. Nelson responded that the DOT has recommended this to Council for award. Council has the ability to either approve or disapprove the award.

**Motion** by Councilmember Leighan, Second by Councilmember Soriano to award the bid to Henefin Construction for \$1,447,817.15 plus the state sales tax and 4% contingency. **Motion** carried unanimously (6-0).

Councilmember Wright asked about the status of the name of the Ash Avenue Park and Ride lot since Ash Way is used in south Snohomish County and there is some confusion between the two lots. Mayor Weiser responded that Community Transit is still researching this issue.

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### ***New Business***

#### **A. Human Services Grant Funding**

Mayor Weiser asked Gerry Becker, City Clerk, if there was any additional information regarding this issue that she wished to provide. She commented that there was none at this time.

Zoe Hallgren, 7711 59th Avenue N.E., Marysville, 98270, addressed the Council and urged them to consider funding for the Housing Hope Beachwood transitional housing facility. She said there are 26 families and almost 50 children living in the facility.

Councilmember Smith asked if the Snohomish County YMCA School Age Day Care was for the Marysville YMCA. Mayor Weiser indicated that it was. She also asked if the Snohomish County YMCA Late night Teen Program was for the Marysville YMCA. Mr. Weiser confirmed that it was. Councilmember Smith asked where Kids on the Block were located. Mayor Weiser stated that the Kids on the Block program is run out of Everett, and that they perform the after school program throughout all the schools in the city and county. Councilmember Smith confirmed that the funding was to be used for our community. Councilmember Smith also inquired about the Boys and Girls Club of Snohomish County HASCO Westwood Crossing After School Program.

Councilmember Wright added that Kids on the Block was a Drug and Alcohol awareness program and suggested that they probably had alternative sources of funding possibly including funding from the tobacco settlement. Since they are not primarily for Marysville she suggested reducing their funding by half. She also asked if the Y-Zone could be reduced to what they originally requested (\$1500). If another \$500 could be taken from one of the other agencies it would be possible to have \$1500 for Housing Hope. Councilmember Leighan referred to the discussion at the work session last week to take \$500 from the Food Bank, and lower the Y-Zone to \$1500 and the \$500 saved from both of those and give to Housing Hope. He asked Councilmember Vares to share her comments on this from her committee representative view. Councilmember Vares informed the Council that the \$500 was added to the Y-Zone because one of the committee members had some concerns about Housing Hope. She was in support of reallocation of the funds as Councilmember Wright had proposed.

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Councilmember Smith asked Zoe Hallgren how many families were served at Beachwood. Ms. Hallgren said there are currently 26 families who are transitional all the time. She explained that Beachwood requires resident's work, offers educational programs and teaches the residents to become self-sufficient citizens. Councilmember Smith expressed concerns about giving the funding to Housing Hope. She wondered if more people might be served if the money was given to the Marysville Food Bank as opposed to only 26 families at the Beachwood location.

Councilmember Leighan asked Ms. Hallgren what other financial help Housing Hope receives from the community. Ms. Hallgren stated that community support has been much less than it was the first year. She expressed hope that that the council would join in working together with Housing Hope. Councilmember Leighan asked how the money would be spent specifically. Ms. Hallgren said it would go towards social workers, instructors who help to train the parents; bus passes which now cost \$1500 and utilities. The grant amount would be used among the different areas that needed it.

Councilmember Wright inquired about the transportation. Ms. Hallgren stated they were using transportation to commute to work and school. She clarified that the number of 26 families was changing because families were moving in and out all the time.

Councilmember Soriano asked about the particular state of the families who were in the Beachwood facility. Ms. Hallgren said some of the families had been living in their cars. She stated that generally, before Housing Hope, these families who asked for help would be separated. The women would go to women's shelters, the men would go to men's shelter and the children would go into a childcare facility. She added that families are committed to solving their problems. Many of them are there because of no medical insurance. Councilmember Soriano asked again what type of scenario would put them in this situation. She stated again that often it was because of a lack of medical insurance combined with a serious illness or injury to one of the parents.

Councilmember Smith asked if they had requirements regarding drug and alcohol use and how that was monitored. Ms. Hallgren said the Volunteers of America, Housing Hope, caseworkers and the tenants' association, screened them. They must meet certain criteria and sign a contract stating they will be clean and sober before they can enter Beachwood.

Mayor Weiser asked Ms. Hallgren if the money would be used for maintenance and upkeep of the building as required by grant funding and as requested last time. He asked if the maintenance requirement had gone away. She said it hadn't, but that they were looking at other funding sources to provide that.

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**Motion** by Councilmember Vares, Second by Councilmember Wright to approve

the following Human	Boys and Girls Club	\$ 1000
Services Grant Funding:	Kids on the Block	500
	Community Food Bank	3500
	YMCA School Age Day Care	2000
	YMCA Y-Zone	1500
	Housing Hope	1500

**Motion** carried 5-1, with Councilmember Leighan against.

**B. Amending Tax for Punchboards and Pull tabs.**

**Motion** by Councilmember Leighan, Second by Councilmember Seibert to approve Option 2: "and a Tax of 5% Receipts Minus the Amount Awarded as Cash or Merchandise Prizes by Charitable or Non-Profit Organizations." **Motion** carried unanimously (6-0).

**C. Professional Services Agreement for the Surface Water Comprehensive Plan/Surface Water Utility Rate Study and Hydrologic Modeling/Master Drainage Basin Planning.**

**Motion** by Councilmember Smith, Second by Councilmember Leighan to approve the Professional Services Agreement with Otak, Inc. **Motion** carried unanimously (6-0).

**Legal**

**Ordinances and Resolutions**

**A. An Ordinance of the City of Marysville, Washington Repealing Sections 3.64.050 of the Marysville Municipal Code Relating to Utilities Tax to Allow for All Lawful Uses of the Revenue Derived.**

**Motion** by Councilmember Leighan, Second by Councilmember Smith to approve Ordinance No.2439. **Motion** carried unanimously (6-0).

**B. An Ordinance of the City of Marysville, Washington Amending Sections 3.91.020 and 3.92.030 of the Marysville Municipal Code Reducing the Tax Rate on Raffle to 5% and Clarifying What Revenues of Charitable and Non-Profit Organizations are Exempt from Taxation.**

**Motion** by Councilmember Wright, Second by Councilmember Smith to approve Ordinance No.2440. **Motion** carried 5-1, with Councilmember Vares against.

- C. **An Ordinance of the City of Marysville Repealing MMC 1.16.070(3) and Thereby Eliminating a Separate Charge for Staff Time in Searching for Public Records.**

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**Motion** by Councilmember Soriano, Second by Councilmember Seibert to approve Ordinance No. 2441. **Motion** carried unanimously (6-0).

- D. **An Ordinance of the City of Marysville Amending Sections 3.92.040 of the Marysville Municipal Code Levying a Tax of 5% of Gross Receipts from the Sale of Pull tabs and Punchboards by Commercial Stimulant Operators. Option 2: "and a Tax of 5% of Receipts Minus the Amount Awarded as Cash or Merchandise Prizes by Charitable or Non-Profit Organizations."**

**Motion** by Councilmember Leighan, Second by Councilmember Wright to approve Option 2 with the inclusion of 5% of receipts, Ordinance No. 2442. **Motion** carried unanimously (6-0).

### ***Information Items***

A. **Mayor's Business**

1. ***Planning Commission Appointment***

**Motion** by Councilmember Wright, Second by Councilmember Seibert to approve the reappointment of John Carroll to the Marysville Planning Commission for another six-year term. **Motion** carried unanimously (6-0).

B. **Staff Business**

Grant Weed, City Attorney, stated that on Friday the State Supreme Court granted a motion for reconsideration in the Grant County Fire Protection District that declared the petition method of annexation unconstitutional. It is his understanding the court has or will be scheduling a date for rehearing of the case in the 2003 winter term (January-March, 2003). He added that we could expect that the State Supreme Court would be hearing the arguments for reconsideration in that case. He expressed some hope that relief would be granted for cities around the state. In that same vein, his office has prepared a draft interim annexation policy. They have a staff meeting scheduled for October 15, 2002, to review the draft and will be bringing it to the City Council for discussion.

### ***Golf Course Restaurant Report***

Mr. Lindsey gave the Council a synopsis of Chadwick's Restaurant at Cedarcrest Golf Course. Business has been improving since July. February through June 2002 was difficult, but they are trying to keep their head above water. They are still a full service restaurant Monday through Saturday. They have stopped serving dinner on

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Sunday. This has helped a little as costs are down, as they are no longer losing money on that day. They are still running daily specials. Their breakfast business has greatly improved since they instituted a \$3.99 breakfast special. Customer feedback has been very positive. The only negative feedback received was regarding some challenges with the HVAC system this past spring and summer. There are some concerns about sharing the bathrooms with the golf course. They are working on resolving that with the city.

Councilmember Smith asked if the HVAC issue had been resolved. Mr. Lindsey said that the thermostat had been relocated and this solved the problem. Councilmember Smith queried if the nice fall weather was helping business. Mr. Lindsey said the numbers are definitely up.

Councilmember Leighan asked how having the golf course there has affected the rounds of play at the golf course. Mr. Lindsey replied that it was difficult to tell because of the other factors involved such as changes in the course and weather. He said their tournament play was definitely up because of the restaurant. There were twice as many leagues this year as the previous year. Golfers are using the restaurant before and after play. Both the men and women's clubs are utilizing it. The golfers tend to be outside while the families are inside. It works out nicely.

Mayor Weiser commented that the patio area looks great.

Mr. Nelson reminded Councilmembers who are on the Public Works Committee that the Public Works Meeting is scheduled for Thursday, October 17<sup>th</sup> at 2:00 p.m. in the Steamboat Conference Room at Public Works.

Jim Owens, Public Works Director, brought attention to a Contract Change Order for the 2002 Street Overlay Project.

**C. Call on Councilmembers**

Councilmember Vares reported she has received emails regarding the overlay done on Grove Street. She indicated that the residents were expressing frustration that they have not yet been contacted regarding the neighborhood meeting previously discussed. She said they were under the impressions handbills would be passed out. Mr. Owens said they had tentative approval from the Mayor for a meeting on November 6<sup>th</sup> and that Public Works staff would be notifying the citizens.

Councilmember Smith commented on an article in the Everett Herald dated October 8<sup>th</sup> regarding junk cars in Mukilteo. She added that downtown merchants had concerns about parking at the last downtown merchants' meeting. Specifically, the corner of 4th and Columbia was discussed. Councilmember Smith also asked about the status of the Doleshel property. Jim Ballew, Parks and Recreation Director, said that they do not have plans to take it over. Councilmember Smith expressed concerns about the purpose of the monies used for that project.

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Councilmember Seibert questioned City Engineer Robin Nelson regarding the sewer upgrade bids. Mr. Nelson said that bids have been extended one week and are scheduled to be opened on October 31st. Councilmember Seibert also expressed frustration with handling of the Doleshel property. He said staff had previously informed Council that they would be discussing it with Snohomish County and then reporting back, but that had not happened. Councilmember Seibert indicated he would like to see a conclusion one way or another.

Councilmember Wright commented that in many other instances properties, which had been offered to the city for free, had been refused because of tax liability and costs to the citizens. Councilmember Wright also suggested that Marysville should have its own city flag. During the remembrance ceremony for September 11<sup>th</sup>, at Comeford Park, she had noted that it would have been nice to have our own city flag.

***Adjournment***

Mayor Weiser adjourned into Executive Session at 8:26 p.m.

***Executive Session***

Council convened into Executive Session at 8:35 p.m. and reconvened into regular session at 9:45 p.m.

***Motion*** by Councilmember Smith, second by Councilmember Leighan to authorize Mayor to sign settlement agreement as discussed in Executive Session. Motion carried 5-1 with Councilmember Seibert against.

***Adjournment***

The meeting adjourned at 9:46 p.m.

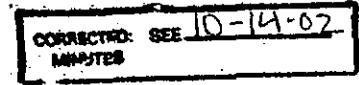
Approved this 28<sup>th</sup> of October, 2002.

*David Weiser*  
Mayor

*Perry Becker*  
City Clerk

*Jennie Hugdahl*  
Recording Secretary

**Call to Order/ Pledge of Allegiance**



Mayor David Weiser called the October 7, 2002 meeting of the Marysville City Council to order at 7:02 p.m. and led the assembly in the Pledge of Allegiance.

**Invocation**

Dr. Ken Squires, representing First Assembly of God gave the invocation.

**Announcements**

Mayor Weiser indicated that there would be an Executive Session taking place this evening at approximately 9:00 p.m. There would be one real estate matter and one personnel matter discussed.

**Committee Reports**

Mr. Nehring presented an update on the State Avenue project.

Ms. Wright reported on behalf of the Snohomish County Health Board that the West Nile mosquito has arrived in the United States. She expounded on this subject.

**Roll Call**

Chief Administrative Officer Swenson called the roll:

**Councilmembers:**

Mayor Dave Weiser  
Mayor Pro Tem Mike Leighan  
Lisa Vares  
Donna Wright  
Jeff Seibert  
Jon Nehring  
John Soriano

Mayor Weiser reported Suzanne Smith would not be attending tonight's session.

October 7, 2002

**Marysville City Council Work Session**

7:00 p.m.

Public Safety Center

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**Staff:**

Chief Administrative Officer Mary Swenson  
City Attorney Grant Weed  
City Engineer Robin Nelson  
Community Development Director Gloria Hirashima  
Finance Director Sandy Langon  
Parks and Recreation Director Jim Ballew  
Police Commander Ralph Krusey  
Public Works Director Jim Owens  
Assistant City Engineer, Jeff Massie  
Fleet/Facilities Manager Bill Spies  
City Clerk, Gerry Becker  
Jody Pinckney, Recording Secretary

**Action Items**

- A. An Ordinance of the City of Marysville, Washington Affirming the Recommendation of the Planning Commission and Rezoning Properties Consistent with the Land Uses Outlined in the Final 116th Street NE Planning Area Master Plan.  
Ordinance No. 2438**

**MOTION** was made by Ms. Wright, second by Mr. Leighan to approve the Ordinance No. 2438. **MOTION** passed unanimously (6-0).

**Discussion Items**

**A. Human Services Grant Funding**

Discussion followed as to clarification for the following organization: Kids On The Block. It was stated that they are housed and based out of Everett but that they are spread throughout Snohomish County.

Discussion then followed concerning the organization Housing Hope. It was indicated that this group is requesting \$2,500.00 At the inception of this group, they were encouraged to utilize public transportation, and the money requested will be primarily used for that purpose.

Ms. Wright indicated that there was an issue that had to do with Housing Hope's statement of non-discrimination and that there were some concerns with the wording of this statement. Discussion followed. Mr. Weed indicated that there are statutory prohibitions based on protected classes.

Ms. Vares indicated that the following amounts were suggested to be awarded as follows:

Marysville Food Bank	\$3,500
Y Zone	\$1,500
Housing Hope	\$1,000

Mr. Seibert made comments about Mr. Cundiff and his concerns. Mr. Weiser indicated that the issue of sexual orientation was discussed with Mr. Cundiff. Mr. Weed stated that there is a separate ordinance that expounds on protected classes.

Further discussion ensued.

**B. Amending Tax for Punchboards and Pulltabs.**

Ms. Langdon indicated that the City has been operating inconsistently with State law regarding the City levying a 5% tax on gross receipts from punchboards and Pulltabs. She read three options that the Council has in remedying this situation. She recommended that we follow option 2 which states:

Tax commercial stimulant operators at the rate of 5% of gross and charge charitable or nonprofits at a rate to be set (not to exceed 10%) of net.

Discussion followed. Ms. Langdon explained gross revenue proceeds.

**C. Buildable Lands Report**

Ms. Hirashima provided an in-depth report regarding the buildable lands reports. She indicated that there are two reports and the County wants to narrow them down to one report.

She indicated also that the results show some differences and that there needs to be an analysis of those differences. She discussed the estimates of capacity in the UGA and indicated that they look pretty good. The City has more land remaining than previously forecast. She indicated the BLR tells you where you are today. There will be a retreat on October 25th hosted by Snohomish County. The next step in this process is allocating growth for the next 20 years. She then explained the SCT process. She indicated that the County will allocate the ranges and work with the cities to incorporate these ranges.

The City is currently working on the Comprehensive Plan.

In depth discussion followed regarding this entire process. Mr. Weiser asked whether the 26th would be the kickoff or beginning of the process? He inquired as to whether or not 2005-2006 would be the target date for final resolution.

Discussion followed regarding developing a collaborative process with the

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County and whether or not the City would be asked to take on more growth because of having the capacity for growth. Ms. Hirashima indicated that the County will look at the City's past growth rates. She indicated a decision would be made based on discussions between the jurisdictions and how the numbers fall in those regions. Mr. Weed indicated that the City should be hopeful and therefore strive to be able to state the City's case and the City's preferences to the County through a collaborative effort and more communication being developed between the City and the County on this issue. He noted the County had the last say the last time this process was utilized. He said the key this time to having the City's voice heard by the County was communication. He was hopeful that the County would participate in the City's hearing processes to be able to better understand the City's position. This would entail that the City invite the County to attend the hearings.

### Consent

- A. Approval of Liquor License Renewals for Allen Creek Thriftway, Hunter's Corner, Strawberry Lanes, and Tacos Guaymas of Marysville.**

There was no discussion or comments.

- B. Award the Bid for Re-roofing the Public Safety Building To Snyder Roofing, and Approve Additional Budget Amount.**

Discussion followed. It was indicated that there had been some patch work.

- C. Award the Bid for an Asphalt Paver to Lowest Most Responsive Bidder. (To be determined at bid opening 10-3-02 at 10:00 a.m.)**

Mr. Bill Spies reported about the bid process. We had received five bids (three vendors). The lowest bid came in at \$63,104 by Western Power & Equipment. The unit is one year old, and the City rented it for a time in order that it could be determined whether it would be a useful machine or not. It was used at Sunnyside.

He went into detail about the various types of paver machines and average life for these machines. Discussion followed. Mr. Nelson explained the difference with a latent box paver.

- D. State Avenue Street Improvements, Grove to First Street; Supplemental Agreement No. 1 to the Professional Services Agreement.**

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Discussion followed. Ms. Swenson talked about the difficulty this project would cause businesses. She stressed the importance that the City communicate very clearly and concisely and regularly with the business owners so that they would know what to expect and when to expect it and hopefully not interfere with their businesses too much.

Mr. Nelson explained that this will be a very significant project and went into detail about the process. There was discussion regarding funding, and it was noted that there is not a lot of grant funding available to support the City.

He passed out a new attachment and explained each of the consultants' various responsibilities for this project.

**E. State Avenue Street Improvements, Grove to First Street; Supplemental Agreement No. 2 to the Professional Services Agreement.**

Discussion followed on this item and it was indicated by Mr. Nelson that there is an AC water line on State Avenue.

Mr. Soriano indicated that he liked seeing the City plan ahead.

**F. Ebey Slough Waterfront Park; Supplemental Agreement No. 1 to the Professional Services Agreement.**

Mr. Nelson indicated that this item had previously been discussed with the Council in February of this year. He indicated that there had been additional testing conducted. He had had meetings with the Department of Ecology in order that the City could meet the needs required by the Department of Ecology. There was an additional cost of \$12,000.00. He discussed a quality control plan and a permit which is also required by the Department of Ecology.

Mr. Soriano brought up the subject of two boats that are still at the dock. Mr. Ballew indicated that there is an application that has been submitted to have these vessels removed.

It was noted that dealing with permitting agencies has been difficult.

**G. Skate Park Acceptance.**

No questions or discussion was had with regard to this item.

**H. Logan's Landing - Final Plat.**

There were no questions or discussion had with regard to this item.

CORRECTED: SEE 10-14-02  
MINUTES  
Member Soriano

CORRECTED: SEE 10-14-02  
MINUTES

**New Business**

**A. Visiting Nurse Services for KBSCC/Flu Shots.**

Ms. Wright inquired into the legal ramifications regarding this item. Mr. Weed indicated that we were only making our facility available and that it would be a very remote chance that a lawsuit could be filed against the City just for providing a facility. He also indicated that this is a policy issue that should be discussed.

**B. Professional Services Agreement for the Surface Water Comprehensive Plan/Surface Water Utility Rate Study And Hydrologic Modeling/Master Drainage Basin Planning.**

Mr. Nelson reported that the overall cost of this project is not going to increase. He indicated that the City was paying what had been estimated and no more than that. He provided detail on the amounts that have been spent to date. There were no further questions or discussion.

**Ordinances and Resolutions**

**A. An Ordinance of the City of Marysville, Washington Repealing Section 3.64.050 of the Marysville Municipal Code Relating to Utilities Tax to Allow for All Lawful Uses of the Revenue Derived.**

This ordinance has been reviewed by Mr. Weed. It had been proposed by the Finance Department and Ms. Langdon provided an explanation as to why this ordinance was needed. She indicated that we would not be repealing the utility tax.

There was no further discussion.

**B. An Ordinance of the City of Marysville Amending Sections 3.92.020 and 3.92.030 of the Marysville Municipal Code Reducing the Tax Rate on Raffles To 5% and Clarifying What Revenues of Charitable And Non Profit Organizations are Exempt from Taxation.**

This ordinance was also suggested by the Finance Department due to the RCWs. Ms. Langdon explained that this ordinance was to be a "clean up" ordinance to bring the municipal code into agreement with the RCWs.

There was no further discussion.

**C. An Ordinance of the City of Marysville Repealing  
MMC 1.16.070 (3) and Thereby Eliminating a Separate  
Charge for Staff Time in Searching for Public Records.**

This ordinance was also proposed by the Finance Department and has been reviewed by the City Attorney.

There was no discussion.

**Information Items**

**A. Mayor's Business**

**1. Planning Commission Appointment**

Mr. Weiser announced his intent to reappoint John Carroll to the Planning Commission.

**2. National League of Cities Conference**

Mr. Weiser noted that there was a National League of Cities conference to be held December 3-7, 2002 in Salt Lake City, Utah. Ms. Wright has asked for permission to attend and her expenses provided. He indicated that a call had been placed to each Councilmember to see whether they would be interested in attending prior to this meeting. The deadline for registration has been extended to October 31, 2002.

Mr. Leighan voiced his concern about the conference expenses appearing to be expensive. He indicated that we should be concerned about out-of-state travel due to the situation with the State. It was estimated that the costs would be as follows: \$395 registration fee plus hotel and airfare for an approximate total of \$1,200.00. Mr. Leighan wanted to know when the Council would decide whether to approve or deny Ms. Wright's request for approval. Mr. Weiser indicated that a decision needed to be made tonight. Mr. Leighan inquired as to whether there was enough money in the travel budget for this expense. Mr. Weiser indicated that there was enough money in the budget.

There were no further questions or comments. Consensus of the Council was to approve Ms. Wright to attend the conference with expenses paid.

**3. Proclamation**

Mr. Weiser read the proclamation regarding Bias Crimes Awareness Week. He indicated that the Police Department had reported no recent bias crimes. The Bias Crimes Awareness Week is held October 7-11, 2002.

October 7, 2002

Marysville City Council Work Session

7:00 p.m.

Public Safety Center

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**B. Staff Business**

1. **Contract Change Order No. 1 for 2002 Street Overlay Project.**

Mr. Weiser indicated this was information only.

2. **Golf Course Report.**

Mr. Weiser indicated that the Council would receive an update on the golf course restaurant on Monday, October 14, 2002 and that Mr. Lindsey will make a presentation.

**C. Call on Councilmembers**

**Mr. Seibert**

Reported that the Farmer's Market went very well and beyond expectations. The vendors are looking forward to next year.

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He also provided an update on the restaurant at Cedarcrest.

**Mr. Soriano**

Thanked the Council for moving the Proclamation forward.

**Ms. Wright**

Announced that the open house for the new fire house will be at 108th and 51st Street this coming Saturday from 9-4. The ribbon cutting ceremony will be held at 9 a.m.

**Ms. Vares**

No comments.

**Mr. Leighan**

Announced that there will be a Public Works meeting on October 17.

**Mr. Nehring**

Announced that the Facilities Committee will be meeting on Monday.

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October 7, 2002

Marysville City Council Work Session

7:00 p.m.

Public Safety Center

Staff

Mr. Nelson

Announced that the City had the low bidders amount for the State DOT bids for the Ash Avenue P&R facility. He indicated that next week there will be an agenda bill for the awarding of the project. He discussed the amount of the bid and the engineer's estimation and that DOT needed our concurrence.

Ms. Swenson

Announced that there had been a change on the calendar. On Monday, October 21, 2002, there will be a budget workshop and no Council meeting.

Adjourn

The meeting was adjourned at 8:55 p.m.

Executive Session

The Council held an Executive Session at 9:00 p.m. until 9:51 p.m. Council reconvened into regular session and adjourned at 9:52 p.m. with no further action taken.

Approved this 14<sup>th</sup> day of October, 2002.

David Wain  
Mayor

Perry Becker  
City Clerk

Joseph Pinckney  
Recording Secretary

### Call to Order

Mayor David Weiser called the meeting to order at 6:35 p.m. He announced this meeting was a joint working session with the Marysville School Board.

He introduced Jody Pinckney as the new minute taker and also introduced Jim Owens as the new Public Works Director. He thereafter introduced Dr. Linda Whitehead as the Superintendent for the School District.

Ms. Whitehead greeted those in attendance and indicated she was happy to be at this meeting.

### Roll Call

The roll call was not verbally taken, but the following Councilmembers and City of Marysville staff were present:

**Council:** Mayor David Weiser, Mayor Pro Tem Mike Leighan, Councilmembers Suzanne Smith, Jeff Seibert, Jon Nehring, Lisa Vares, John Soriano, and Donna Wright

**Staff:** Public Works Director, Jim Owens; Community Development Director, Gloria Hirashima; Finance Director, Sandy Langdon; Community Information Officer, Doug Buell; Chief Administrative Officer, Mary Swenson; Police Chief, Bob Carden; and Recording Secretary, Jody Pinckney

The following Marysville School Board members were present:

**School Board:** Superintendent, Dr. Linda Whitehead; Board member Erik M. Olson; Maintenance Supervisor John Bingham; Executive Director of Finance & Operations Jim Fenstermaker; Board member Helen Mount; Community Relations Representative Judy Parker; and Board member Cary Peterson

There were also several members representing the press in attendance at the meeting.

Mayor Weiser indicated that the Governmental Affairs Committee meets monthly. They have been endeavoring to meet with the School Board on a regular basis. He also indicated that the purpose of tonight's meeting was to have further discussions regarding issues from the last meeting.

**BUSINESS**

**1. Interlocal Agreement Relating to Facilities.**

Mayor Weiser explained that a copy of this agreement had been given to them for their perusal. He asked that everyone review this agreement.

Mary Swenson explained what this Interlocal Agreement was and its intent. She indicated that it mostly addressed park issues. Since this agreement was quite old, she indicated that it probably needs to be updated and expanded upon based on some other things that have been discussed between the Council and the School Board.

Discussion followed by both Councilmembers and School Board members. Ms. Mount explained that the School Board had not met to discuss the Interlocal Agreement. At this point she indicated they would be open to input from the City at this point. Ms. Swenson indicated that it would be up to both groups in terms of decisions and that both groups should meet to discuss this agreement.

At this point, the Mayor then went into some detail in explaining the agreement. Mr. Olson indicated that they had talked about the need for an Interlocal agreement. The next time there is a meeting, he indicated, it should be discussed and whether there are any other types of facilities that need to be added. Ms. Swenson indicated that this has worked well for recreation opportunities and needs to be looked at again.

Mr. Leighan discussed the signatures that were on the current Interlocal agreement and the fact that many had not reviewed this document. Ms. Whitehead indicated that the document was 11 years old and it certainly needs to be reviewed.

Mr. Olson indicated that both the City and the School Board get together to look at the document and discuss it. Discussion followed by Mr. Leighan regarding joint agreements by other cities. Mr. Fenstermaker discussed "dual" use of facilities such as a school during the day and a library at night. Mr. Olson indicated that it was definitely time to partner together.

Mayor Weiser then asked if there was any further discussion with reference to this agenda item. There was none.

The Mayor then asked for discussion and comments regarding agenda item no. 2  
School Resource Officers

**2. School Resource Officers**

Discussion followed regarding the contract and the second Resource Officer.

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Ken Baxter Senior Community Center

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Chief Carden reported that officer Jeremy Wood will be in place this week. He further indicated Chuck Smith was doing a good job. The Cedarcrest School's principal was excited about the "officer" presence.

Ms. Whitehead thanked the officers for the great job that they did at the beginning of this school year. Mr. Olson reported that he went to the junior high school and saw the motorcycle police officers. Opening day went very well.

Ms. Wright also reported that Seniors Against Crime members were also at the school's opening. Mayor Weiser commented about policing the traffic at the schools which included Principal Paula Jones had crossing guards at 47th and Grove who were stopping traffic going against the lights and indicated to the Mayor that the police were doing a good job.

The Mayor then solicited other comments from the forum.

Mr. Olson indicated that he had not heard anything negative in terms of the first two weeks of school and that things have progressed excellently.

The Mayor then asked for discussion and comments regarding agenda item no. 3 Future school locations.

### **3. Future School Locations**

The Mayor opened the discussion by clarifying that the School Board and the City should not both be interested in the same property. Mr. Olson indicated that we need to band together and not be against each other. Long range plans need to be discussed. The Mayor then spoke about growth planning. He indicated that the planning numbers are available, and there's a low, medium and high projection. He also indicated that Snohomish County will be hosting a retreat on October 26, 2002 at the Everett Station. He recommended that someone from the School Board, if possible, attend this retreat. Discussion following regarding density and growth.

Ms. Swenson then posed the question about what schools were the School Board looking at in terms of going forward with building/remodeling. Mr. Olson responded that their biggest need is to have the school bond passed in February, 2003. They are looking at building another high school, junior high school and one elementary school. The others need to be remodeled in order to be able to handle the growth. They need about \$50,000,000.00. Discussion followed regarding the use of a joint stadium and how as soon as one school is opened, it will become almost immediately full, thereby necessitating the building of another school.

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Mr. Fenstermaker indicated that the School Board would be submitting a plan to the Planning Commission. He has been looking at projected new population numbers versus capacity in schools. Discussion followed. He indicated that more than likely every two to three years, there will be a need for an elementary school, and mid-2011 and 2012, there will be a need for another high school. Discussion followed regarding proposed financing and funding – bond/levy.

Ms. Whitehead then answered the question as to whether one should vote for a bond or a levy. She explained that bonds were needed for maintenance and operation of facilities. These are needed to maintain the current learning environment, and the bond alone is \$136,000,000.00. She emphasized the importance of knowing the difference between what would be cost effective in terms of either building a new facility or remodeling a facility. She expressed the importance of understanding that wiring is a big problem because the buildings are old and with the current state of technology, the current wiring cannot handle the demands required with computers, etc. Discussion followed.

Mr. Olson discussed the specifics concerning sharing a district stadium and its cost effectiveness. He also discussed that the stadium needs some improvements and that they have had numerous meetings concerning this issue. It will be at least five years before the new high school is opened. Ms. Mount indicated that the School Board has discussed needs and prioritizing those needs. Mr. Olson also reported that the food is better in the schools and lunch purchases have gone up by 30%. The School Board needs to spend about \$165,000,000.00 on schools.

Mr. Nehring then discussed the county building a new jail and indicated that this definitely is going to happen. He indicated that the bond the School Board has requested should more than likely not be on the same ballot with the jail bond because people will vote for one or the other but probably not both.

Ms. Smith then addressed the issue of maintenance and operations. She inquired of the School Board as to whether or not the proposed bond takes into consideration the next four years. Mr. Olson responded yes and no. Discussion followed in terms of clarification. This included addressing the question as to taking into consideration operating costs will increase as new schools are being built. Ms. Whitehead explained how the finances are distributed by levy dollars and capital improvement dollars. For example, furniture is purchased and then books. Mr. Olson then went into great depth to provide insight and clarification to those present about the cost of running a school. It was further indicated that in regard to maintenance and operation, operation requires more money.

Mayor Weiser then asked if both bonds were passed, would there be a need for portables or would there be a reduction of portables. Discussion followed. Of course, Mr. Olson, replied, portables would be decommissioned and no portables would probably be added. He indicated the oldest portable was installed in 1963.

He further explained how money will be spent on things that you cannot see such as wiring and boilers. Many buildings have single pane windows and no insulation. He indicated that it would be less expensive to tear down a building and rebuild it.

Ms. Smith then asked for clarification of capacity regarding Cascade and Liberty. Mr. Olson provided clarification by stating that they are looking at building upward and utilizing elevators.

Mr. Soriano questioned whether there had been any pursuits to find grant funding. Mr. Bingham reported that they had received a grant a year ago and he provided the explanation about the grant. Most grants require matching funds.

Mr. Olson then discussed the use of solar and how maintenance can be very expensive. Through solar, the largest resource for this use is daylight because most of their business is conducted during the daylight hours. Mr. Bingham then discussed design of certain buildings for fresh air capacity. He indicated this would be accounted for.

The Mayor then posed the question of whether transportation issues had been thought about and addressed as schools increase. He indicated that the City and the School Board should definitely work together to address this issue as this is one of the main concerns of our citizens. Discussion followed regarding how some land is now unusable and the fact that there is a decreasing amount of land available. Regulations are changing constantly regarding land use.

Mr. Olson addressed the topic of vested rights and that the School Board is looking at getting land use permits upon purchase of sites along with getting a conditional use permit immediately. Some of the lands purchased some time ago are now not usable. Ms. Hirashima also pointed out that the School Board needs to also consider wetlands. Discussion followed concerning annexation. Ms. Hirashima indicated that the School Board should speak directly with their own attorney for clarification regarding precluding.

Ms. Swenson commented that she wanted to make sure that the City and the School Board discuss issues such as utilities and traffic problems, amongst other issues. It is important that these discussions take place at the beginning and not at the end of land purchases. Mr. Olson indicated that they are hoping to build the high school on site number 3 and that they do have a backup plan if needed and that would be site number 2. Ms. Swenson reiterated the importance of the two entities working together.

Ms. Mount then posed the issue of students who drive their vehicles and park at current facilities as well as the ones that will be built. This issue needs to be

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strongly considered in terms of planning. Discussion followed. The issue of utilizing transit was also discussed.

The Mayor then posed the question as to whether all three high schools would be the same size. Mr. Olson responded yes and provided clarification and explanation in this regard.

Ms. Smith presented the issues of library, eating areas and foyers, for example, in terms of consideration and funding. Discussion followed.

Ms. Mount reported that she had attended a Legislative Conference. The annual conference will be held in November. She recommended that the City send someone to Olympia at least every three weeks and communicate by e-mail at least once a week with the Legislature. She indicated that there is a move by the Legislature to shift the burden back to the districts and it was important that the City make its presence known in Olympia. Discussion followed.

The Mayor reported that he had attended a meeting this afternoon regarding Initiative 776. If this passes, it will cost the City of Marysville \$220,000 a year. He also addressed initiatives 695 and 790. Discussion followed.

Mr. Olson clarified how the money goes from one place to another. The Mayor asked about design build concepts. Mr. Fenstermaker indicated that they have to get approval for this. Discussion followed.

Mr. Leighan indicated that 60% of the cities could join with mitigation fees and asked about issues that could be worked on. It was indicated that November would be a good time to sit down and talk about what the City and the School Board could do together. Discussion followed.

The Mayor then asked for discussion and comments regarding agenda item Other Business no. 1 – Open Forum.

**OTHER BUSINESS**

**1. Open Forum**

Ms. Vares – had nothing to report.

Ms. Wright – had nothing to report.

Mr. Seibert – had nothing to report.

Mr. Nehring – It seems like there are a set of issues that the City and the School Board can agree on and work together.

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Ms. Smith – Is there some action items or staff can take to start working on sooner rather than later? What is the next step?

Mr. Leighan – AWC has regional meetings coming up.

Ms. Mount – We need to find out where do these people stand. If they can't be won over, then our constituency should know where they stand. Discussion followed.

Ms. Smith – This should be put on the ballot.

Mr. Olson – Maybe this should be worked through the Washington Cities group.

Ms. Mount – Their own association has one day in Olympia. This is a very critical session. The Tax Reform Committee will be coming out with some resolution.

Mr. Leighan – Maybe we should have another dinner and invite them to schools for a day. Discussion followed.

Ms. Swenson – Expressed how much she appreciated working with the School Board and that the dialogue has been great.

Chief Carden – Expressed the same sentiments as Ms. Swenson.

Ms. Hirashima – Announced a capital workshop will be held on October 8th.

Ms. Langdon – no comments.

Mr. Owens – Indicated this session has been very educational and appreciated the spirit of cooperation/dialogue.

Mr. Buell – Indicated that the City had received the results from a citizen survey and will get the School Board copies of the results if they were interested.

Mr. Bingham – Expressed the same sentiments as Ms. Swenson and indicated that he was looking forward to working together with the City in the future.

Mr. Fenstermaker – No comments

Ms. Mount – Had no additional issues. Expressed her appreciation of the openness with the Council.

Ms. Peterson – Indicated that all should go and share information with their neighbors and friends the importance of February 4 and the maintenance and operation bond.

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Mr. Olson – If anyone needs information, contact the Superintendent's office or himself or Mr. Fenstermaker.

Mr. Soriano – Indicated the Labor Council needs to contact Steve Muller.

Mr. Olson – Really wants support for the bond. It is their main focus until February 5, 2003. He indicated that they had budget inflation into the bond and the School Board will definitely build what they say they will build. Credibility is important to this Board.

Ms. Whitehead – Indicated that she looked forward to receiving anyone's calls. She indicated that the Mukilteo's Superintendent was fined \$6,000 even though their bond passed. She indicated this session was absolutely wonderful. This evening has been a time of building bridges. She encouraged all to vote yes for bonds and levies if you believe in education. She further stressed the importance of the fact that we have a responsibility to educate our students, students should have a proper learning environment and proper facilities in which to educate children. She further indicated that a monthly flyer will be sent out from her each month addressing a certain topic. The next topic will include how the School Board will spend tax dollars so that people will have a better understanding of this important issue.

Mr. Leighan – Expressed how nice it was to see two groups working together.

Mayor Weiser – Indicated that he wanted clarification regarding one of the School District's policies and that was whether a parent can just show up in a classroom as he had received a call from a citizen who indicated that he wanted to visit his daughter's classroom at any time. The citizen was told he needed to request permission to do this two days in advance.

Ms. Whitehead responded that parents who just show up at a classroom can be disruptive to the class. It is important that a parent notify the school 24 hours in advance of their intent to visit the classroom and be quiet once in the classroom. They need to set up an appointment. This is important today because of all the things that have been happening in our schools that make it difficult for children's, staff's and parents' safety.

The Mayor then asked for discussion and comments regarding agenda item no. 2 – Future meeting dates.

## 2. Future Meeting Dates

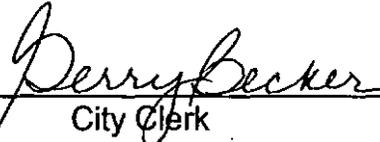
The next meeting has been scheduled for March 31, 2003 at the Board Room at 6:00 p.m.

Adjournment

The meeting adjourned at 8:20 p.m.

Approved this 14<sup>th</sup> day of October, 2002

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Recording Secretary