

October 20, 2003

7:00 p.m.

City Hall

### CALL TO ORDER / PLEDGE OF ALLEGIANCE / INVOCATION

Mayor David Weiser called the October 20, 2003 work session of the Marysville City Council to order at 7:00 p.m. He then led those present in the Pledge of Allegiance. There was no invocation given.

### ROLL CALL

The recording secretary called the roll. The following councilmembers and staff members were in attendance:

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

**Staff:** Grant Weed, City Attorney; Jim Owens, Public Works Director; Kevin Nielsen, City Engineer; Jeff Massie, Assistant City Engineer; Gloria Hirashima, Community Development Director; and Sandy Langdon, Finance Director.

### COMMITTEE REPORTS

Councilmember Jeff Seibert reported on items the **Public Works Committee** discussed:

- Update on salmon habitat map
- Cleaning of Smokey Point channel
- Update on State Avenue: 100<sup>th</sup> to 116<sup>th</sup> Street Sewer Project
- Comprehensive Transportation Plan options – tiered fee system

### DISCUSSION ITEMS

#### A. Transportation Comprehensive Plan.

Mayor Weiser explained the focus of the discussion on the Transportation Comprehensive Plan. Public Works Director Jim Owens added that this might necessitate another public hearing depending on the action taken by Council.

Councilmember Mike Leighan asked about the opportunity to amend the Plan next year. Community Development Director Gloria Hirashima explained that there would be an opportunity to change the Plan during the 2004 update. Councilmember Leighan commented that they have spent a lot of time and money on this document already and he

hates to go back. He said he was in favor of saving it for the new Council to discuss next year.

Councilmember Seibert commented that any new development between now and next year would be affected by not making changes. He further explained his concerns about averaging the Level of Service (LOS) of the intersections. He was in favor of being proactive about this. Councilmember Leighan commented that the City is still collecting the impact fees for the corridor. He had concerns about making the impact fees too high, which might affect the economic development that the City is trying to make happen. Councilmember Seibert explained that that was the rationale behind the tiered fee system.

Councilmember Suzanne Smith detailed her concerns about lowering the standards for the Level of Service along the corridors. She referred to the Transportation Element and noted that currently 19 of 24 intersections are operating at LOS D or better. In 6 years, only 11 of 24 are expected to operate at LOS D or better. In 20 years, only 8 of 24 intersections are expected to operate at LOS D or better. This was not acceptable to her. She urged Council to find some way to make improvements. She added that she could not support any plan that did not move in that direction.

Mayor Weiser commented that the Plan assumes only the projects currently planned. As the City adds new projects, the LOS will improve. City Engineer Kevin Nielsen concurred. Mayor Weiser went on to say that the LOS would go down only if nothing additional is done. The responsibility will be on future councils as it has been with this one to plan and implement improvements. Councilmember Smith responded that she understood that, but that she does not want to give the latitude to lower the LOS. Councilmember Donna Wright stated that the 6-year and 20-year plans are not in concrete, but are always changing. Accepting this Plan does not lock the City into anything.

Councilmember Seibert asked how long it would take to gather some of the information regarding alternative solutions they had talked about to bring back to Council. Jeff Massie, Assistant City Engineer, replied that they would meet tomorrow to discuss it. City Engineer Nielsen added that they could probably figure it out within three months, but then there would be a need for a public hearing so it would probably be January or February.

Councilmember Jon Nehring inquired how mitigation fees related to the actual impact of new businesses. Mayor Weiser explained that the mitigation fees are based on what new traffic is generated by a new business. Community Development Director Hirashima added that theoretically the sales tax would also help with improvements. Councilmember Nehring then asked about the tiered rate system. Councilmember Seibert explained this further. Ms. Hirashima explained the basis for this. She added that they are considering having different zones – downtown and external areas. Mr. Nielsen briefly explained how the city of Duvall has implemented this.

Councilmember Smith referred to "mitigation payments, which have not yet been enacted" referred to in the Transportation Element. Assistant City Engineer Massie said he would check on this. Councilmember Leighan suggested that it might mean fees not yet collected. Mr. Massie thought this was likely.

Councilmember Lisa Vares said she would like to continue working on a tiered rate system and other issues. In terms of the corridor LOS issue, she stated that improving these corridors would be cost prohibitive and she does not see how they are going to get around that now. While they are waiting to get it done right, she is in favor of adopting the Plan and revisiting it next year.

Councilmember John Soriano asked about the estimates for TIB and federal grants. Mr. Massie responded that they are conservative estimates. Councilmember Soriano asked what could be done to get more of them. Mr. Massie said that the matching funds are critical.

Councilmember Nehring asked how staff views the lower LOS. He asked why options for increasing fees were not included in the information given to Council. Mr. Massie replied that when they were working on this they took into account the current economic environment. Ms. Hirashima explained that the cost of those corridors would be so enormous that it would have been prohibitive to consider right now. Referring to Everett, she added that downtown areas typically have lower LOS than other areas of cities.

Councilmember Leighan commented that if a particular intersection falls into a LOS F there would be a moratorium on development. If taken as a corridor this would not be an issue. Councilmember Seibert stated that they have already exempted some of the intersections. He was in favor of trying to address it now so money could be collected for it now without hampering development. There were no further comments. Mayor Weiser said they would bring this back on Monday.

**B. Resolution of the City of Marysville Urging Labor Issues between Marysville Education Association and Marysville School District Be Resolved.**

City Attorney Grant Weed distributed a draft for Council to review. He suggested some possible changes. Mayor Weiser said he received a call from an anonymous person asking why this was being considered now. Councilmember Seibert suggested saying that they had hoped it would not get this far. Mr. Weed suggested changing the wording of the title and throughout the document to "settlement of labor issues" rather than "settlement of strike." There was general agreement about this. Councilmember Leighan discussed adding the impact of not having children in school. He suggested saying that community leaders are role models for students. Saying they won't resolve issues without a contract may be sending the wrong message. Councilmember Vares said she agreed with Councilmember Seibert and Mr. Weed's suggestions.

**Mark Graven, 17628 – 39<sup>th</sup> Drive NE, Arlington**

Mr. Graven claimed responsibility for the strike. He apologized for not coming up with the answer sooner. He stated that the answer is for the community to come together to solve the problem. He suggested two things. First, he suggested that Council could declare November Educators Appreciation Month. The Chamber could suggest to businesses that they give discounts to school employees. He stated that this has had a big effect on the economy. Mr. Graven added that public education is the backbone of democracy. He urged the community to help create a spirit of generosity.

The other suggestion he had was to expand the Education Assistants Program so more people could be involved from the community. This would be a big benefit to teachers who already have many demands on their time. He suggested mobilizing senior citizens and other volunteers in the community.

*Council Discussion*

Councilmember Smith commented that these are good ideas, but implementing them was the hard part and would take some time to figure out.

**Motion** made by Councilmember Jeff Seibert, seconded by Councilmember Lisa Vares to adopt Resolution 2107 with the changes discussed and to authorize signature after the changes are made. **Motion** passed 6-1 with Councilmember Leighan voting against.

**CONSENT AGENDA ITEMS**

**C. Approval of Liquor License Renewals for Cristiano's Pizza, Etc., Alf's Pizza and Pasta, Buzz Inn, Danny's Midway Pub & Grill, Mary's Grocery and Deli, Haggen Food & Pharmacy #77, and Cedar Crest Family Restaurant & Grill.**

There were no comments or questions regarding this item.

**D. Authorize Mayor to Sign Customer Service Contract with Snohomish County PUD for Utility Relocation in the Amount of \$14,258.**

There were no questions regarding this item.

**E. Authorize Mayor to Sign Contract for Deferred Construction of Curbs, Gutters and Sidewalks; Ron Bauer – Body Craft.**

Councilmember Leighan asked if Mr. Bauer was going to be asked to contribute. Ms. Hirashima explained that he would and that this was just a deferment. Councilmember

Seibert asked what type of business this would be. Ms. Hirashima replied that it would be an auto body shop.

**F. Authorize Mayor to Sign First Amendment to the Interlocal Agreement with Community Transit Regarding Ash Avenue Park and Ride; Project T9805.**

Councilmember Soriano asked when they would install the camera system. Mr. Massie explained that this is just an opportunity for Community Transit to install the conduit system now for the future if they decide to do it. They do not have plans now to install a camera system. There were no further questions.

**G. Authorize Mayor to Sign Law Enforcement Assistance Agreement with the City of Lake Stevens.**

Councilmember Nehring asked if this was for profit or if it just covered costs. Mayor Weiser explained that it just covers the costs. Councilmember Soriano asked if SnoPac is no longer providing services. Mayor Weiser was not sure, but said he would try to get clarification. Councilmember Leighan asked if this would be used as a reason to hire a new person in the future. Mayor Weiser said that it is not expected to require much time.

**REVIEW BIDS**

**A. Edwards Springs Treatment Facility.**

There was some discussion about the requirement to submit the technical specifications.

**B. Kellogg Marsh Reservoir Demolition.**

Councilmember Smith asked what would be done with this site. Mayor Weiser said it would be a storage facility for the north end.

**NEW BUSINESS**

**A. Dale Gribble – Center Construction Annexation; PA 0101004.**

There were no questions regarding this item.

**B. Consultant Agreement with Entranco for State Avenue Street Improvement, Grove Street to First Street.**

There was discussion about the cost of construction management.

**C. Agreement with Verizon Associated with State Avenue Street Improvement Project; Work Order No. 9405.**

Councilmember Smith inquired if this was part of the budget. Mr. Massie replied that it was all budgeted. Public Works Director Jim Owens commented that it is an extremely complex project and that Verizon is especially complex to work with. Councilmember Seibert had concerns about the City being charged for costs associated with removal of existing aerial facilities since they would need to be removed anyway. Mr. Massie said he would discuss this with Verizon for clarification.

**D. Professional Services Agreement; Gray & Osborne, Inc. for Wastewater System Comprehensive Plan.**

Public Works Director Owens noted that they changed consultants for this project. He reviewed the merits of the new consultants. Councilmember Smith asked about a management reserve. Mr. Owens replied that there is no management reserve since it is a professional services agreement.

**E. Grove Street Pedestrian Safety Recommendations.**

Councilmember Seibert referred to the slide show and asked if options would be discussed before then. Mr. Owens said they would be presented at the slide show.

**F. Supplement No. 6 to Professional Services Agreement with Tetra Tech/KCM, Inc. for Construction Management Services for the Wastewater Treatment Plant Upgrades and Expansion – Phase II, Effluent Transfer Pipeline.**

Mr. Owens explained how the construction management services would be funded primarily by the surplus already approved for design fees that came in under bid.

**ORDINANCES & RESOLUTIONS**

**A. An Ordinance of the City of Marysville Amending the 2003 Budget.**

There was no discussion on this item.

**B. An Ordinance of the City of Marysville Adopting the Transportation Element of the Marysville Comprehensive Plan.**

See Discussion Items above.

**C. An Ordinance of the City of Marysville Adopting the Water Comprehensive Plan Element of the Marysville Comprehensive Plan.**

There was no discussion on this item.

**D. An Ordinance of the City of Marysville Affirming the Decision of the Hearing Examiner and Rezoning Properties Owned by Craig and Barbara Nilson Amending the Official Zoning Map of the City.**

Councilmember Smith said she lives in that area and did not get a notice. Ms. Hirashima said this was brought to Council at the last meeting. She was not sure why Ms. Smith did not receive a notice, but a mailing did go out.

**E. A Resolution of the City of Marysville Stating Its Intention to Annex Certain Unincorporated Area, Known as the Gribble – Center Construction Annexation, into the City, and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.**

**F. A Resolution of the City of Marysville Declaring the Need for the Housing Authority of Snohomish County to Operate within the Boundaries of the City of Marysville.**

Mayor Weiser commented that this has been done before. This is a site-specific type resolution.

**INFORMATION ITEMS**

**A. Mayor's Business**

Mayor Weiser informed Council that they would be holding exit interviews with the State Auditor's office on October 29. Finance Committee is scheduled to meet with the auditor at 3 p.m. If any other Councilmembers would like an interview they should notify the Mayor to arrange for a time.

He then stated that the State Department of Community Trade and Economic Development had received the Buildable Lands Analysis given to them by the planning department. They had commended the work done on it. Mayor Weiser congratulated Gloria Hirashima on a job well done.

Finally, Mayor Weiser said that they need a motion to approve the action discussed at the last Executive Session regarding remodeling the old city hall.

**Motion** made by Councilmember Vares, seconded by Councilmember Seibert to approve that action. **Motion** passed unanimously 7-0.

**B. Staff Business**

**Gloria Hirashima** had no comment.

**Sandy Langdon** had no comment.

000 49

**Jeff Massie** had no comment.

**Kevin Nielsen** had no comment.

**Jim Owens** responded to an issue brought up by Councilmember Leighan who had asked at the budget workshop if the patch truck could accommodate a tar pot. Bill Spies, Fleet/Facilities Manager, had researched this matter and determined that it would not work on the patch truck. It would need to be mounted on a flatbed truck.

Mr. Owens then referred to the Information Item on State Avenue Improvements / Grove to First Street Nighttime Work. He stated that a noise ordinance variance is required. There was some discussion about the shifts to be worked.

**Grant Weed** said he had three matters for Executive Session: One potential litigation and two real estate matters.

#### **C. Call on Councilmembers**

**Donna Wright** had no comment.

**Suzanne Smith** asked if the matter regarding Lloyd McAfee's water meter had been resolved. Mayor Weiser said they are still researching this. Ms. Smith then referred to a letter she had received from residents regarding traffic in the alley. Mayor Weiser explained that there was no money in the alley rehabilitation account and that, speaking from experience, this would only increase the speed and traffic. Councilmember Smith then discussed a Family Center in Lake Stevens where a friend of hers volunteers. The City of Lake Stevens provides a house plus free utilities and \$5000/year to the program. There are quite a few activities going on there for the community and all classes are free. Her friend would be willing to come speak to Council about this if anyone is interested in learning more.

**Jeff Seibert** requested a list of electrical contractors used for Edward Springs so he could determine if there is a conflict of interest because of his employer. Public works staff said they could get that for him.

**Jon Nehring** had no comment.

**John Soriano** had no comment.

**Lisa Vares** confirmed that the Image and Identity meeting would be on Wednesday, October 22 at 4:00 p.m.

**Mike Leighan** had no comment.

**D. State Avenue Improvements/Grove to First Street Nighttime Work.**

See above under Staff Business: Jim Owens.

**ADJOURNMENT**

The Work Session was adjourned into Executive Session at 8:28 p.m.

**EXECUTIVE SESSION**

Council met in Executive Session at 8:35 p.m. to discuss one pending/potential litigation issue and 3 real estate issues.

Council reconvened into regular session at 9:05 p.m.

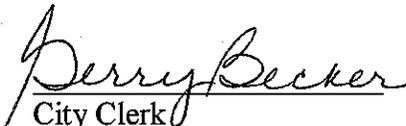
**Motion** by Councilmember Seibert, second by Councilmember Soriano to authorize the Mayor to sign the purchase and sale agreement for property as discussed in Executive Session: **Motion** passed unanimously (7-0).

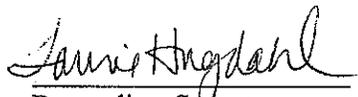
**ADJOURNMENT**

Mayor Weiser adjourned the October 20, 2003 City Council Work Session at 9:07 p.m.

Approved this 27<sup>th</sup> day of October, 2003.

  
 Mayor  
 David Weiser

  
 City Clerk  
 Gerry Becker

  
 Recording Secretary  
 Laurie Hugdahl