

## MARYSVILLE CITY COUNCIL WORK SESSION

April 17, 2006

7:00 P.M.

CITY HALL

## CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the April 17, 2006 work session of the Marysville City Council to order at 7:00 p.m. There was no invocation given. Mayor Kendall led those present in the Pledge of Allegiance.

## ROLL CALL

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

**Mayor:** Dennis Kendall

**Council:** Mayor Pro Tem Jon Nehring, Lee Phillips Carmen Rasmussen, Jeff Seibert, John Soriano, Jeff Vaughan, and Donna Wright

**Staff:** Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Sandy Langdon, Finance Director; Gloria Hirashima, Community Development Director; Paul Roberts, Public Works Director; Robb Lamoureux, Police Commander; Worth Norton, Information Systems Manager; Steve Roberge, Senior Planner; and Laurie Hugdahl, Recording Secretary.

**COMMITTEE REPORTS – None.**

**PRESENTATIONS – None.**

**DISCUSSION ITEMS – None.**

## CONSENT AGENDA

- A. Approval of April 10, 2006 City Council Meeting Minutes.**
- B. Approval of April 17, 2006 City Council Work Session Minutes.**
- C. Approval of April 5, 2006 Claims in the Amount of \$422,078.95; Paid by Check No. 29754 through 29924 with Check No. 10610, 28284, and 29582 Void.**
- D. Approval of April 12, 2006 Claims.**
- E. Approval of April 20, 2006 Payroll.**
- F. Authorize Mayor to Sign Memorandum Among the Naval Criminal Investigative Service and Participating Federal, State, County and**

**Municipal Agencies for an Information Sharing Initiative Known as the Law Enforcement Information Exchange (LInX NW).**

Commander Lamoureux explained that this is a no-cost enhancement to the police department's ability to obtain additional information for investigative purposes. It is funded by NCIS.

- Councilmember Carmen Rasmussen noted that the original agreement was in June. She wondered why there had been such a delay. Commander Lamoureux responded that it had just been a slow process getting people on board.
- Councilmember Seibert asked if Marysville would have membership on the Governance Board. Commander Lamoureux replied that the Governance Board is comprised of members of NCIS since they are the ones running the program.
- Councilmember Seibert addressed concerns about public disclosure. City Attorney Grant Weed stated that they had looked into this and learned that any item under investigation would remain exempt from public disclosure. Commander Lamoureux added that the information held in the system would all be historical data. That information would be used to facilitate the current investigations.

**G. Approval of New Liquor License for Grove Street Market (5931 Grove Street #B).**

**H. Approval of Liquor License Renewals for Albertson's #471 (301 Marysville Mall); Albertson's #412 (11401 State Avenue); G.A. Maxwell (1204 – 3rd Street); Home Plate Pub (9317 State Avenue Ste. B & C); Mai's Tai Restaurant (9501 State Avenue #F); Marysville Grocery Outlet (9620 State Avenue Ste. B); Marysville Tobacco Bar (1102 State Avenue); Marysville Chevron (1206 4<sup>th</sup> Street); and Soap & Such Gifts (7511-77th Drive NE).**

**I. Authorize the Mayor to Sign Commercial Master Service Agreement with Tel West Communications, LLC.**

Grant Weed stated that his office had reviewed the agreement. Sandy Langdon explained that this covers the general telephone service for the City.

Councilmember Seibert asked for explanations of the acronyms used on the agenda bill. Worth Norton indicated he would get that for Council. Councilmember Seibert also requested a magnified copy of the agreement.

**J. Authorize the Mayor to Sign the AT Systems Used Vehicle Donation to Law Enforcement Donation Agreement and Authorize the City of Marysville Fleet Division to Expand the Fleet by (1) Additional Vehicle.**

Commander Lamoureux explained that this would benefit the entry team and would provide better protection for high-risk entries. This is a donated vehicle that can be enhanced at little cost.

Councilmember Seibert asked if the \$5000 included lights, radio, siren, etc. Commander Lamoureux and Paul Roberts were not sure, but indicated they would find out. Mr. Roberts thought that most of the \$5000 would be needed for mechanical operations.

**K. Authorize the Mayor to Sign 2006 Snohomish Countywide TEA-21 Project Applications.**

Public Works Director Paul Roberts stated that this would focus on 88<sup>th</sup> Street and State Avenue improvements since those most closely fit the criteria. Other projects were considered, but these seemed to be the best fit with this application.

**L. Authorize the Mayor to Sign Interlocal Agreement with Snohomish County for the 67th Avenue Road Rehabilitation and Watermain Extension Project.**

Paul Roberts noted that staff is requesting the removal of this item from the agenda in order to refine the scope of the project.

**M. Authorize Mayor to Sign Professional Services Supplemental Agreement No. 1 with Otak for Construction Management Services for the 67th Avenue NE Watermain Extension & Road Rehabilitation Project.**

Paul Roberts noted that staff is also requesting the removal of this item from the agenda in order to refine the scope of the project.

**REVIEW BIDS**

**A. Regan Road Lift Station Improvements.**

Paul Roberts stated that staff is recommending award of the bid for the project to Gary Harper Construction, Inc. as stated on the agenda bill.

**PUBLIC HEARINGS**

Mayor Kendall noted that there would be a public hearing although it was not listed on the agenda for next week's meeting. Community Development Director Gloria Hirashima explained that the hearing for the Right-of-Way Vacation on behalf of Harbour Homes had been properly advertised, but had not gotten on the agenda.

**CURRENT BUSINESS – None.**

**NEW BUSINESS**

**A. Wireless Communication Facilities (WCF) Code Amendment; PA 06007.**

Senior Planner Steve Roberge reviewed the proposed changes to the Wireless Communications Facilities Code as outlined in his memos to the Planning Commission dated 1/4/06, 2/8/06, 2/22/06 and 3/10/06. Gloria Hirashima stated that this was a definite effort to get away from the large stand-alone towers.

- Councilmember Seibert asked how this would work on utility poles. Mr. Roberge explained that the PUD required a separation between the electrical equipment and the antennae, but the antennae would extend up above the pole about 10 feet.
- Mr. Seibert asked about ground equipment placement. Mr. Roberge explained how this is addressed in the Code's Design Standards.
- Councilmember Seibert stated that he would like to see something in the franchise agreements addressing who is responsible for removal of the facilities in the future. City Attorney Grant Weed stated that this is something that is typically in the agreements.
- Councilmember Vaughan addressed concerns regarding some highly visible *stealth* facilities in the area. Gloria Hirashima discussed how this relates to the signage code.
- Councilmember Vaughan asked about incentives for collocation. Mr. Roberge explained that there is a height incentive.
- Mr. Vaughan then asked about amateur radio towers in annexation areas. Mr. Roberge explained that they would be grandfathered in if they were already in existence.
- Councilmember Soriano asked about enforcement. Mr. Roberge explained that it would be either the FCC or the city.

#### **B. Manufactured Homes Code Amendment; PA 06007.**

Steve Roberge explained that SB 6593 states that cities cannot treat manufactured homes any differently than single-family homes. The proposed code amendments would make the City's code consistent with state law. He reviewed the changes as detailed in his memo to the Planning Commission dated 1/10/06.

- Councilmember Nehring asked if manufactured homes could be placed anywhere that single-family homes were allowed. Mr. Roberge affirmed that they could.
- The Council asked Jason McCracken of Heritage Home Center in Everett to explain the difference between mobile homes and manufactured homes. Mr. McCracken discussed the differences with regard to construction, especially wiring.
- Carmen Rasmussen noted that areas with CC&R's had the right to restrict manufactured homes. Mr. Roberge concurred and noted that this was because it was a private agreement.
- Councilmember Seibert asked if neighborhoods could form a homeowners association at any time. Grant Weed stated that this is generally done when a property is platted. He wasn't familiar with any situation where an existing, unrelated group of lots formed an association, but he thought it would probably be legal.

#### **C. Professional Services Agreement for Design of a New Two-Way Radio System.**

Paul Roberts stated that they are waiting for the results of the bids. Staff will have the results for Council on Monday.

**D. Professional Services Agreement with RH2 Engineering for Design Services on 73rd Ave. Water Main Improvements Project.**

Councilmember Seibert requested a map of this project. Mr. Roberts indicated that he would obtain one.

**LEGAL – None.**

**ORDINANCES AND RESOLUTIONS**

**A. An Ordinance of the City of Marysville, Washington, Concerning Wireless Communication Facilities, Amending MMC Chapter 19.06, Repealing, Adding and Modifying Wireless Communication Facility Definitions; Amending MMC Section 19.08.060 Establishing Permitted Uses; Amending Section MMC 19.12.110, Allowing Setback Modifications; Amending Section MMC 19.16.090, Landscape Buffers; Amending MMC Chapter 19.43, Wireless Communication Facilities; Amending MMC Section 20.04.050, Subdivision Exemption for Personal Wireless Service.**

Discussed above.

**B. An Ordinance of the City of Marysville, Washington Related to Manufactured Homes Amending MMC 19.06, Definitions; Amending MMC 19.08.030; Allowing Manufactured Homes to be Treated as Single Detached Homes Subject to Conditions; and Amending MMC Section 19.38.020; Removing Individual Lot Reference in Mobile Home Park Standards.**

Discussed above.

**C. A Resolution of the City of Marysville for the Acceptance of a Gift Subject to Conditions.**

Discussed above.

**INFORMATION ITEMS**

**A. Mayor's Business**

- Mayor Kendall noted that there would be a work session at 6:00 p.m. on Monday, April 24 regarding the selection process for a new police chief.
- There will be a joint meeting with the School District at 6:00 on Monday, May 8 to discuss their upcoming building plans.
- He attended the egg hunt on Saturday. He was pleased to report a great turnout, beautiful weather and a lot of food collected for the food bank.

**B. Staff Business**

Gloria Hirashima distributed copies of the graffiti incident log and an example of a letter sent to citizens who had been victimized by graffiti. She noted that they are looking at ways that staff can assist with cleanup. Carmen Rasmussen suggested explaining in the letter that one reason why prompt removal of graffiti is important is to discourage this type of behavior. Commander Lamoureux added that Worth Norton has added a graffiti hotline email address for citizens to report incidents of graffiti.

Sandy Langdon stated that there would be a Finance Committee meeting on Wednesday at 4:30 p.m.

Paul Roberts reported that there had been a tabletop exercise for emergency management. He commended the police department, fire department and IT for their parts in the exercise.

Grant Weed stated that he had two items for Executive Session – one pending litigation item and one personnel item. The two items were expected to take approximately 15 minutes.

Mary Swenson reported that Officer Stiles had made an arrest of five or six kids with spray paint.

Staff had their first meeting regarding selection of a new police chief. They are working toward selection in July with a beginning date of September.

**C. Call on Councilmembers**

Lee Phillips attended the Easter Egg Hunt and thought it was a great event.

Carmen Rasmussen asked if there would be a Governmental Affairs meeting on Wednesday morning. Mary Swenson confirmed that there would be.

Ms. Rasmussen commented that there would be an Open House for the public for information regarding the Qwuloolt Project on Tuesday, April 25 from 5:30-7:30 p.m. at the City Hall.

Jeff Vaughan noted that during the power outages the signal at State and Grove was solid red on all four directions.

He addressed concerns about the Group Retro with AWC since he had learned of AWC's poor performance rating. He had concerns about how this would impact the City.

Jeff Seibert stated that he appreciated the updates on the Community Development's website.

John Soriano asked about the result of a citizen's request to install a graffiti wall. Mary Swenson indicated they would bring back more information to council, but that Parks and Recreation Director Jim Ballew had contacted several other jurisdictions and had discovered there were some serious issues associated with this approach.

**ADJOURNMENT**

Mayor Kendall recessed into Executive Session at 8:15 p.m.

**EXECUTIVE SESSION**

Council met in Executive Session at 8:20 p.m.; discussed one pending litigation and one personnel issue; and adjourned at 8:35 p.m. with no further action taken.

Approved this 24<sup>th</sup> day of April, 2006.

Dennis L Kendall

Mayor  
Dennis Kendall

Gerry Becker

City Clerk  
Gerry Becker

Laurie Huggahl

Recording Secretary  
Laurie Huggahl