

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
<b>Presentations</b>	
Employee Service Awards	Completed
<b>Approval of Minutes</b>	
Approve October 27, 2008 City Council Meeting Minutes.	Approved
Approve November 3, 2008 City Council Work Session Minutes.	Approved
Approve October 21, 2008 City Council Budget Workshop Minutes.	Approved
<b>Consent Agenda</b>	
Approval of October 22, 2008 Claims in the Amount of \$1,179,635.18; Paid by Check No.'s 50938 through 51120 with Check No.'s 16374, 17079, 17664, 18497, 18534, 18568, 18754, 19310, 19363, 19419, 19474, 19622, 19628, 20173, 20479, 20550, 20667, 21317, 21682, 21774, 21869, 21996, 22076, 22643, 23513 and 23538 Voided.	Approved
Approval of October 29, 2008 Claims in the Amount of \$365,861.80; Paid by Check No.'s 51121 through 51295 with no Check No.'s Voided.	Approved
Approval of November 5, 2008 Payroll in the Amount of \$1,221,266.59; Paid by Check No.'s 20587 through 20643 with Check No. 20446 Voided.	Approved
Authorize the Mayor to Terminate the Facility HVAC Maintenance Services Contract with the W.A. Botting Company.	Approved
<b>Review Bids</b>	
Award Bid for the Edward Springs Booster Pump Station Piping Modifications Project to Archer Construction in the Amount of \$67,714.85 Including Washington State Sales Tax, and Approve a Management Reserve of \$3,400 for a Total Allocation of \$71,114.85.	Approved
Award Bid for the SR 9 Reservoir Demolition Project to Plats Plus, Inc. in the Amount of \$44,590.25 Including Washington State Sales Tax and Approve a Management Reserve of \$5,409.75 for a Total Allocation of \$50,000.	Approved
<b>Public Hearings</b>	
2009 Preliminary Budget.	Held
<b>New Business</b>	
An Ordinance of the City of Marysville levying EMS taxes upon all property real, personal and utility subject to taxation within the corporate limits of the City of Marysville, Washington for the year 2009.	Approved Ord. No. 2749
An Ordinance of the City of Marysville adopting a budget for the City of Marysville, Washington, for the year 2009, setting forth in summary form the totals of estimated revenues and appropriations for each separate fund and the aggregate totals of all such funds combined, and including the Pay Classification Plan.	Continued
An Ordinance of the City of Marysville adopting a budget for the City of Marysville, Washington, for the year 2009, setting forth in summary form the totals of estimated revenues and appropriations for each separate fund and the aggregate totals of all such funds combined, and including the Pay Classification Plan.	Continued
<b>Legal</b>	

**November 10, 2008**

**7:00 p.m.**

**City Hall**

<b>Mayor's Business</b>	
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Adjournment</b>	<b>9:03 p.m.</b>

# COUNCIL



# MINUTES

**Regular Meeting**  
November 10, 2008

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

Mayor Dennis Kendall called the November 10, 2008 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Police Chaplain/Pastor Victor Rodriguez of the Free Methodist Church. 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:** Councilmember Jon Nehring, Councilmember Lee Phillips, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan

**Absent:** Councilmember Donna Wright

**Also Present:** Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, Police Chief Rick Smith, Community Development Director Gloria Hirashima, Commander Rob Lamoureux, Parks and Recreation Director Jim Ballew, Community Information Officer Doug Buell, Public Works Director Kevin Nielsen, Financial Planning Manager Denise Gritton, Financial Analyst John Nield, Judge Fred Gillings and Court Administrator Suzanne Elsner, City Clerk Tracy Jeffries,

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Seibert, to excuse Councilmember Wright who was out of town. **Motion** passed unanimously (6-0).

## **Committee Reports**

None

## **Presentations**

Employee of the Month – Kyle Woods

Mayor Kendall congratulated Public Works Engineering Aid Kyle Woods as the Employee of the Month for November. He commended Kyle's performance and reviewed his contributions to the City.

## **Audience Participation**

None

## **Approval of Minutes**

1. Approval of October 27, 2008 City Council Meeting Minutes.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve the minutes as presented. **Motion** passed 6-0.

2. Approval of November 3, 2008 City Council Work Session Minutes.

Councilmember Phillips indicated that he would be abstaining from the vote since he did not attend the November 3rd meeting.

**Motion** made by Councilmember Nehring, seconded by Councilmember Soriano, to approve the minutes as presented. **Motion** passed 5-0 with Councilmember Lee abstaining.

3. Approval of October 21, 2008 City Council Budget Workshop Minutes.

**Motion** made by Councilmember Nehring, seconded by Councilmember Vaughan, to approve the minutes as presented. **Motion** passed 6-0.

## **Consent**

Mayor Kendall announced that item #12 had been pulled from the agenda.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve the following Consent Agenda items 4, 5, 7, and 11:

4. Approval of October 22, 2008 Claims in the Amount of \$1,179,635.18; Paid by Check No.'s 50938 through 51120 with Check No.'s 16374, 17079, 17664, 18497, 18534, 18568, 18754, 19310, 19363, 19419, 19474, 19622, 19628, 20173, 20479, 20550, 20667, 21317, 21682, 21774, 21869, 21996, 22076, 22643, 23513 and 23538 Voided.

5. Approval of October 29, 2008 Claims in the Amount of \$365,861.80; Paid by Check No.'s 51121 through 51295 with no Check No's Voided.
7. Approval of November 5, 2008 Payroll in the Amount of \$1,221,266.59; Paid by Check No's 20587 through 20643 with Check No. 20446 Voided.
11. Authorize the Mayor to Terminate the Facility HVAC Maintenance Services Contract with the W.A. Botting Company.

**Motion** passed unanimously (6-0).

### **Review Bids**

8. Award Bid for the Edward Springs Booster Pump Station Piping Modifications Project to Archer Construction in the Amount of \$67,714.85 Including Washington State Sales Tax, and Approve a Management Reserve of \$3,400 for a Total Allocation of \$71,114.85.

**Motion** made by Councilmember Nehring, seconded by Councilmember Soriano to award the bid for the Edward Springs Booster Pump Station Piping Modifications project to Archer Construction. Motion passed unanimously (6-0).

9. Award Bid for the SR 9 Reservoir Demolition Project to Plats Plus, Inc. in the Amount of \$44,590.25 Including Washington State Sales Tax and Approve a Management Reserve of \$5,409.75 for a Total Allocation of \$50,000.

Councilmember Phillips asked about the difference between the budgeted amount and the engineer's estimate. Public Works Director Kevin Nielsen explained that contracted amounts are just really good right now.

Councilmember Nehring asked about the fact that 7 of the 12 bidders did not submit all the required material. Director Nielsen explained that there was a supplemental addendum that was required for this. They were not sure why some of the bidders did not complete it.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Seibert, to award the bid for the SR 9 Reservoir Demolition Project to Plats Plus, Inc. **Motion** passed unanimously (6-0).

### **Public Hearings**

10. 2009 Preliminary Budget.

Mayor Kendall opened the public hearing at 7:18 p.m.

*Staff Presentation:*

Chief Administrative Officer Mary Swenson and Finance Director Sandy Langdon delivered a PowerPoint presentation on the budget as contained in Council's packet.

CAO Swenson discussed options for the admissions tax. She explained that adopting the budget would not automatically put in an admissions tax. She thanked the budget directors for all their hard work on the budget.

*Public Comment:*

Dorie and Chris Boyles, 3271 118th Dr NE, Lake Stevens, WA 98258, owners of the batting cage in town, expressed concern about the admissions tax and how it would impact their business in town.

CAO Swenson indicated that staff would be in contact with them and anyone else who commented on the matter tonight.

Elaine Wells, 412 172nd NE, Arlington, WA, owner of Strawberry Lanes Bowling Center, expressed concern about the admissions tax and how it would impact her business.

City Attorney Grant Weed explained that it is up to the Council to determine the specifics of the admissions tax if they choose to implement one.

Robert Hagglund, Space Station Games, 17532 Smokey Pt Blvd #42 ½, Arlington spoke in opposition to the admissions tax.

The public hearing was closed at 7:59 p.m.

Councilmember Seibert asked about the difference between what was in their packet and what they had received at the meeting. Sandy Langdon reviewed the formatting changes.

Councilmember Vaughan asked why the admissions tax isn't coming back to council until January. Mary Swenson stated that they haven't had time to meet with the businesses that will be affected. Councilmember Vaughan stated that he was not comfortable having the admissions tax as part of this budget without it being approved by Council. CAO Swenson reviewed the options available to Council.

Councilmember Phillips spoke in opposition to the tax being tied to the budget. He asked if the total of \$151,000 in the budget was assuming that the tax was at 5%. Finance Director Langdon affirmed that it was, but noted that this was a very conservative number since many businesses were not included in the calculations. Councilmember Phillips felt that this item should not be included as part of the budget since it was not ready for Council review. CAO Swenson replied that staff was under the impression that Council had wanted to consider this. She explained that the Council

could adopt the budget without the admissions tax, but they would have to direct staff to cut \$151,000 out of the budget.

Councilmember Rasmussen thought that the holiday season would be a difficult time for business owners to meet for discussions about this. She spoke in support of waiting until a time that is more reasonable for businesses to discuss their issues. She said she would like to look at the various sectors that this would cover and what exemptions could be made.

Councilmember Seibert said he would like to see a survey of what other cities are charging for the admissions tax.

Councilmember Soriano asked Councilmember Phillips and Vaughan if they would be more comfortable with the budget if this was stricken.

Councilmember Nehring asked for confirmation that if this was removed from the budget staff would either have to bring back a budget with \$151,000 cut out or take the money out of reserves. Mayor Kendall affirmed this and explained that the Council has the ability to make amendments to the budget at any time.

### **New Business**

13. An Ordinance of the City of Marysville levying EMS taxes upon all property real, personal and utility subject to taxation within the corporate limits of the City of Marysville, Washington for the year 2009.

**Motion** made by Councilmember Soriano, seconded by Councilmember Seibert, to adopt Ordinance 2749. **Motion** passed unanimously (6-0).

14. An Ordinance of the City of Marysville levying regular taxes upon all property real, personal and utility subject to taxation within the corporate limits of the City of Marysville, Washington for the year 2009.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to adopt Ordinance 2750 with the elimination of section two, resulting in not taking or banking the 1% property tax. Councilmember Soriano requested a roll call vote. Upon a roll call vote, the **motion** tied (3-3) with Councilmembers Nehring, Seibert and Vaughan voting in favor and Councilmembers Rasmussen, Phillips, and Soriano voting against.

**Motion** made by Councilmember Phillips to approve Ordinance 2750, Option 1, with 0% property tax increase, but banking the 1%. Mayor Kendall called for a roll call vote. The **motion** tied (3-0) with Councilmembers Rasmussen, Phillips and Soriano voting in favor and Nehring, Seibert and Vaughan voting against.

The motion was tabled until the next meeting when all councilmembers would be present.

15. An Ordinance of the City of Marysville adopting a budget for the City of Marysville, Washington, for the year 2009, setting forth in summary form the totals of estimated revenues and appropriations for each separate fund and the aggregate totals of all such funds combined, and including the Pay Classification Plan.

Councilmember Rasmussen requested that staff look at different possible uses of the Hotel/Motel Tax fund, such as a future performing arts center. She also expressed disappointment that the community policing coordinator was not funded in the budget.

**Motion** made by Councilmember Seibert, seconded by Councilmember Rasmussen, to approve Ordinance 2750 regarding the budget. Mayor Kendall called for a roll call vote. Upon a roll call vote, the **motion** tied (3-3) with Councilmembers Rasmussen, Soriano and Seibert voting in favor and Councilmembers Phillips, Nehring and Vaughan voting against.

**Motion** made by Councilmember Phillips, seconded by Councilmember Seibert, to table this until the Work Session on November 17. **Motion** passed (5-1).

## Legal

### Mayor's Business

Re-appointment of John Soriano to the Marysville Disability Board

**Motion** made by Councilmember Nehring, seconded by Councilmember Seibert, to approve the re-appointment of Councilmember John Soriano to the Marysville Disability Board serving until December 31, 2010. **Motion** passed unanimously (6-0).

Comments from the Mayor:

- The grand opening of the Grease Monkey at Lakewood Crossing was last weekend.
- Next weekend is the grand opening of Strawberry Fields for Rover.
- Ribbon-cutting at IHOP will be next Saturday.

### Staff Business

Jim Ballew had no comments

Commander Rob Lamoureux stated that the gang awareness training held last Thursday and Friday was very useful. He thanked the city for putting on the training event.

Kevin Nielsen:

- There has been a lot of wet weather. Staff is working hard to prevent any flooding.
- Staff is working on a stimulus package for roadway projects.

- Public Works meeting will be held this Friday.
- Everett will be shutting down the major transmission main for 12 hours from midnight on Friday night until Saturday at noon.
- He discussed a hole in front of the Shell station.

Gloria Hirashima had no comments.

Sandy Langdon had no comments.

Grant Weed stated that there was no need for an Executive Session.

Mary Swenson said she attended funeral today for Shirley Bartholomew. She commended the public works department for keeping the drains clear and preventing any flooding.

### **Call on Councilmembers**

Jeff Vaughan thanked everyone for attending the gang awareness training last week.

Carmen Rasmussen stated that the gang awareness training was great. It would be great to have a community policing officer to further the training.

Lee Phillips stated he was able to attend part of the gang awareness training on the first night. He thanked everyone who participated in that.

John Soriano

- Kudos to those involved in the gang awareness training.
- Thanked Council for the re-appointment to the LEOFF1 Disability Board.

Jon Nehring

- Gang awareness training was well-attended and informative.
- Thanked staff for the work on budget.
- Thanked public works staff for dealing with the weather issues.

Jeff Seibert

- Thanked staff for the work on budget.
- Discussed the gang awareness training. He thanked Jeff Vaughan for his involvement with the issue.
- Asked Director Kevin Nielsen how they handle leaves from people who blow them onto the streets. Director Nielsen acknowledged that this is a problem. People are not supposed to do it, but many do anyway.

**Adjournment**

Seeing no further business, Mayor Kendall adjourned the meeting at 9:03 p.m.

Approved this 24<sup>th</sup> day of November, 2008.

  
Mayor  
Dennis Kendall

  
Asst. Admin. Svcs. Director  
Tracy Jeffries