

# COUNCIL



# MINUTES

## **Work Session** *July 6, 2009*

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

Mayor Kendall called the meeting to order at 7:00 p.m. and 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 and Councilmember Donna Wright

**Absent:** None

**Also Present:** Chief Administrative Officer Mary Swenson, City Attorney Craig Knutson, Community Development Director Gloria Hirashima, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Police Commander Robb Lamoureux, and Asst. Admin. Services Director Tracy Jeffries.

### **Committee Reports**

John Soriano reported that the LEOFF 1 Committee met on June 24 where they reviewed and approved four claims.

### **Discussion Items**

### **Approval of Minutes**

1. Approval of June 15, 2009 City Council Work Session Minutes.
2. Approval of June 22, 2009 City Council Meeting Minutes.

### **Consent Agenda Items**

3. Approval of June 17, 2009 Claims in the Amount of \$1,454,189.43; Paid by Check No.'s 56348 through 56493 with Check No.'s 51594, 55713, and 55749 Voided.
4. Approval of June 24, 2009 Claims in the Amount of \$384,678.43; Paid by Check No.'s 56494 through 56630.
5. Approval of July 1, 2009 Claims
6. Approval of June 19, 2009 Payroll in the Amount of \$914,818.32; Check No.'s 21495 through 21560.

### **Review Bids**

7. Award Bid for the Sunnyside Well 1R Drilling and Development Project.

Public Works Director Kevin Nielsen reported that the low bid was around \$139,000. The engineer's estimate was around \$170,000. More information will be in Council's packet next week.

8. Award Bid to Modern Machinery Co., Inc. in the Amount of \$112,937.48 for the Purchase of a New Hydraulic Excavator.

Public Works Director Kevin Nielsen stated that this is to replace a backhoe since an excavator is more suitable for some of the types of work they do.

### **Public Hearings**

9. Joint Public Hearing between Marysville City Council and Snohomish County Council to Discuss the "Central Marysville Annexation". (Public Hearing to be held on July 13<sup>th</sup>)

Community Development Director Gloria Hirashima explained the annexation is being jointly advertised by the Snohomish County Council and Marysville City Council. The County Council will be coming to the meeting next week to hold the public hearing. This will get an Interlocal Agreement in place which is consistent with state law relating to annexations by Interlocal Agreement. Assuming approval by both councils, they would then move the annexation to the next step which is the Boundary Review Board. She noted that several community meetings and open houses have been planned in advance of the hearing to give the public a chance to ask questions in a more informal setting.

## **New Business**

10. Interlocal Agreement between the City of Marysville and Snohomish County Providing the Annexation to the City of the Area Known as the "Central Marysville Annexation" Pursuant to RCW 35A.14.460.

See above.

11. Interlocal Agreement between Snohomish County and the City of Marysville Concerning the Coordination of Improvements to 88<sup>th</sup> Street NE.

Director Hirashima explained that this is a separate item because it requires two separate actions. The County Council's process is a little longer than Marysville's so the 88<sup>th</sup> Street Interlocal will only be considered by the City of Marysville even though Snohomish County Council will be here. They will need to have a second hearing to consider the 88<sup>th</sup> Street Interlocal Agreement on their own. This provides for the transfer of 88<sup>th</sup> Street to the City of Marysville

Mary Swenson thanked Gloria Hirashima and Kevin Nielsen for their role in negotiating these Interlocal Agreements. She commended Director Hirashima for taking the lead on these.

Jon Nehring also congratulated staff on the Interlocal Agreement and the funding support. He asked if the duration on this agreement is standard. Director Hirashima explained that the County felt it was important to have a termination date for the Interlocal Agreement. Staff felt that in ten years they will have transferred everything so it is not likely to be an issue. There is a provision for extension if needed. There was discussion about all the work that has been done to get to this point.

Councilmember Nehring asked if staff was comfortable with the building permit extensions. Director Hirashima stated that they are. She added there have been some letters written by Pacific Ridge Homes who have concerns about the plan review process.

Jeff Seibert asked what the reason was for the four-month building permit extensions. Director Hirashima stated that this is standard in the City's current Agreement. It allows things that are already in process to be completed. She discussed staff's reasoning for this.

Councilmember Seibert asked about a sunset period for major developments. Gloria Hirashima acknowledged that this is an issue and discussed staff's comfort level with this issue. Councilmember Seibert commended staff for all the work they have done.

John Soriano referred to item 9 on page 10-8 regarding Parks and Open Space. He asked how the separate documents conveying the different parks to the City would be handled. Director Hirashima said the Quit Claim Deeds would have to be handled individually at a later date.

Councilmember Soriano pointed out a spelling error of *automatic* on item P on page 10-16. He then asked if this code gives specifics as to residential versus commercial. Director Hirashima indicated it was similar to the City's code. There was some discussion about sprinkling requirements for single-family homes.

Jeff Vaughan asked if this would include the high school. Mayor Kendall replied that it would as well as other schools. Mary Swenson added that there are some road improvements that are already in play that the County is going to complete.

Carmen Rasmussen asked why certain road projects were referenced in the Agreement while others weren't. Mayor Kendall explained that projects that are expected to be done before the annexation aren't noted in the Agreement.

Mary Swenson concluded that this appears to have the full support of the County. She credited the Mayor for this. She also noted that this annexation completes the City's annexation plan resulting in the entire UGA being in the city limits after this annexation.

12. Approve Marysville Downtown Merchants Association to Conduct a Special Event on August 14<sup>th</sup> and August 15<sup>th</sup>, 2009, Including the Street Closure of 3<sup>rd</sup> Street between State Avenue and Alder Avenue, as well as the Alley between 3<sup>rd</sup> Street and 4<sup>th</sup> Street, as Requested by the Applicant.

Mayor Kendall reviewed this item. There were no comments or questions.

13. Approve Orange Cab to Operate a For-Hire Business in Marysville.

Jeff Seibert commented that this is providing a need for some residents in the city.

14. Final Plat Mylar for Jacqueline Ridge – Phase 3.

Director Hirashima commented that the change of payment to the building permit issuance has allowed some people to move forward more quickly.

15. Amended Basic Terms and Conditions Agreement through the Snohomish County Human Services Department providing for Reimbursement of Wages for the Program Clerk Position at KBSCC.

Parks and Recreation Director Jim Ballew stated that this is an Amended Agreement from the County. This is a renewal with some housekeeping changes.

16. Acceptance of the SR 528 (47<sup>th</sup> Avenue NE to 67<sup>th</sup> Avenue NE) Road Improvement Project Marking Initiation of the 45-Day Lien Filing Period for Project Closeout.

Councilmember Seibert stated that he appreciates the effort that staff and the contractor went to in order to alleviate the problem with the "bump". Public Works Director Kevin Nielsen recognized Kyle Woods who managed most of the construction on this project.

17. Interlocal Agreement GCA-5715 with Washington State Department of Transportation for Police Traffic Control Services.

Kevin Nielsen discussed this item.

18. Incentive Payment Memorandum of Understanding (IMPOU) Agreement between the Social Security Administration and the Washington Association of Sheriffs and Police Chiefs.

Robb Lamoureux explained how this Agreement would benefit the City.

### **Mayor's Business**

Mayor Kendall had the following items to report:

- He gave an update regarding fire calls on the 4<sup>th</sup> of July. He was informed by the fire department that there were 68 fire calls, 24 brush fires, 2 dumpsters fire, 1 residence fire, 3 mutual calls to residential, 3 cardiac arrests and 1 stabbing. 28 of the calls were fireworks-related.
- He displayed a photograph of one of the parks that city staff cleaned up. He commended staff's work over the weekend.
- Community Transit broke ground last week for the Park and Ride.
- He went to Granite Falls as a member of the Board of Directors of the Public Works Trust Fund. They did the ground-breaking on the Granite Falls bypass. This will take out 2,000 rock trucks out of the middle of Granite Falls by the year 2011.
- He attended a meeting at the bakery to meet with the merchants down on 3<sup>rd</sup> Street.
- Open House tomorrow regarding the annexation.

### **Staff Business**

Robb Lamoureux:

- The police department received 98 complaints from 6 a.m. Friday morning through 6 a.m. Monday morning which was fewer complaints than last year. Two citations were written for illegal fireworks over the weekend.
- They received a grant for four more flashing school zone beacons. After those are installed all of the elementary schools will have flashing beacons in their school zones.

Kevin Nielsen:

- Public Works is cleaning up fireworks before they get into the storm drains.
- They are working on a sink hole on Sunnyside south of 52<sup>nd</sup>. It looks like a conduit is going through the sewer.
- He commended John Tatum, the engineering staff as well as the police for getting this together and receiving the grant.

Jim Ballew:

- He has not heard anything yet from Maryfest but staff thinks all went well.
- The first film was last week and between 400 and 500 people showed up. This was more than they expected and the best turnout they have ever had.
- Repairs to Ebey Waterfront Park are done.
- Jennings Park and Comeford Park concerts start this week.

Gloria Hirashima:

- Annexation meeting tomorrow night. One of the reasons people are in favor of the annexation is that the Mayor and the Council are exhibiting good leadership.
- Downtown Plan workshops are occurring now. Community meetings will be scheduled over the next couple months.
- She has attended some housing meetings that concern Marysville. The Federal Reserve Board sponsored a meeting in the area. They will be holding a foreclosure prevention workshop in Everett later this month. Community Trade and Economic Development (CTED) also sponsored a meeting to go over recovery plans for the area. CTED is submitting a grant to the Department of Commerce. Our area was identified as one of the highest foreclosure areas and high-leverage loan areas.
- Community Development will be changing counter hours from 7:30 to 4:00 effective July 15 due to staffing reductions.

Craig Knutson stated the need for an Executive Session to discuss one litigation item, expected to last 15 minutes with action needed.

Mary Swenson:

- Stated that the meeting with Downtown Merchants was a very good. There were some issues regarding parking that they wanted to discuss. The City informed them they would have two follow-up meetings, one with the police department and one regarding the Downtown Plan.
- Was pleased that the Tulalips cracked down on illegal fireworks this year.

### **Call on Councilmembers**

Jeff Vaughan had no comments.

Carmen Rasmussen:

- Congratulated Director Hirashima and her staff and everyone who worked on the annexation.
- She thanked Gloria Hirashima for her work with the neighborhood stabilization programs.
- She noted that at the groundbreaking for Community Transit, one of the CT staff members approached her and told her how fabulous the community development department in Marysville is to work with.
- She will attempt to make it to the open house tomorrow night.

- She noted that the stop sign at 88<sup>th</sup> Street and 55<sup>th</sup> going westbound is hidden by a tree.

Jon Nehring:

- Thanked Gloria Hirashima, Kevin Nielsen and the rest of the staff for their work on the annexation.
- He congratulated Director Hirashima and Sandy Langdon for their time with the City.

Lee Phillips had no comments.

John Soriano:

- Congratulated the Wellness Committee for the City who received the AWC award for their efforts.
- He commended staff on the work for the annexation.
- He enjoyed the Freedom Fair at the naval base in Everett.

Donna Wright said they would have a program later to honor the Wellness Committee. She said she also heard comments from Community Transit about how they enjoy working with Marysville staff and the Mayor.

The Popcorn in the Park was packed and a lot of fun.

Jeff Seibert commended the Mayor for going to Granite Falls for the groundbreaking.

- He congratulated staff for their work on the Annexation Agreement and for the positive feedback about working with Marysville staff.
- He referred to a letter from Senator Jean Burkey commending the wastewater treatment staff for receiving the Outstanding Wastewater Treatment Performance for 2008 from Washington State Department of Ecology.

Mayor Kendall recessed the meeting at 8:09 p.m. before reconvening into Executive Session to discuss one litigation item expected to last 15 minutes with action to be taken.

## **Executive Session**

Executive session started at 8:16 p.m. and lasted until 8:30 p.m.

### **A. Litigation**

### **B. Personnel**

### **C. Real Estate – one matter pursuant to RCW 42.30.110(1)(i)**

**Motion** made by Councilmember Jon Nehring, seconded by Councilmember Jeff Seibert, to authorize the Mayor to sign the Settlement Agreement as discussed in executive session. **Motion** passed unanimously (7-0).

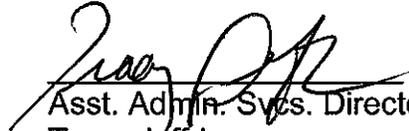
**Adjournment**

Seeing no further business Mayor Kendall adjourned the meeting at 8:30 p.m.

Approved this 27<sup>th</sup> day of July, 2009.



Mayor  
Dennis Kendall



Asst. Admin. Svcs. Director  
Tracy Jeffries