

September 26, 2005

Marysville City Council
7:00 p.m.

00288
ORIGINAL City Hall

Call to Order/Invocation/Pledge of Allegiance	7:05 P.M.
Roll Call	
Approve absence of Councilmember Soriano.	Approved.
Approve of Minutes	
Approve September 12, 2005 City Council Meeting Minutes.	Approved
Approve September 19, 2005 City Council Work Session Minutes.	Approved
Consent Agenda	
Approve September 14, 2005 Claims in the Amount of \$325,329.78; Paid by Check No. 25317 through 25446 with Check No. 24952 Void.	Approved
Approve September 21, 2005 Claims in the Amount of \$576,771.89; Paid by Check No. 25589 through 25730 with Check No. 25447 through 25588 Void.	Approved
Approve September 20, 2005 Payroll in the Amount of \$514,688.09; Paid by Check No. 15078 through 15143.	Approved
Approve Liquor License Renewals for Fred Meyer #209 (9925 State Avenue); Allen Creek Thriftway (6610-64th St. N.E.); Hunter's Corner (8825 84th St.); Jack Pot Food Mart (5830 Grove St.); Strawberry Lanes (1067 Columbia Ave.); Tacos Guaymas of Marysville (1400 State Ave.); Ichi Bento Teriyaki (1206 State Ave.); and Marysville Chevron (1206 4th Street).	Approved
Authorize Mayor to Sign Birch Creek PRD Final Plat Mylar & Voluntary Developer Mitigation Agreement for Affordable Senior Rental Housing; Final Plat Approval Subject to Simultaneous Recording of Mitigation Agreement; PA 04007.	Approved
Authorize Mayor to Sign Third Amendment of Schedule A of Interlocal Agreement for Jail Services with the City of Arlington And the Fourth Amendment of Schedule A of Interlocal Agreement for Jail Services with the City of Lake Stevens.	Approved
Declare Certain Items of Personal Property to be Surplus and Authorize the Sale or Disposal Thereof.	Approved
Authorize Mayor to Sign Interlocal Agreement with Snohomish County PUD for Reimbursement of Costs in the County's 2005 Overlay Program.	Approved
Authorize Mayor to Sign Escrow Agreement with SRV Construction, Inc.	Approved
Approve New Liquor License for Mai's Thai Restaurant; (9501 State Avenue Suite F).	Approved
Review Bids	
Award Bid for State Avenue (116th Street N.E. to 136th Street N.E.) Roadway Improvement Project to Marshbank Construction.	Approved
Public Hearings	
Current Business	
New Business	
Approve Pinewood Elementary School Annexation; 10% Notice of Intention; PA 05027.	Approved
Approve Kellogg Marsh Elementary School Annexation; 10% Notice of	Approved

September 26, 2005

Marysville City Council
7:00 p.m.

00289
City Hall

Intention; PA 05028.	
Approve First Assembly of God Annexation; 10% Notice of Intention; PA 05031.	Approved
Approve Mattson Annexation; 10% Notice of Intention; PA 05033.	Approved
Legal	
Ordinances and Resolutions	
Approve an Ordinance of the City of Marysville Relating to the Subscription and Fees for Utility Search Services and Adding a New Section 14.05.090 to the Marysville Municipal Code.	Approved Ord. 2598
Approve a Resolution of the City of Marysville Stating Its Intention to Annex and Zone a Certain Unincorporated Area Known as the Smith Annexation into the City and Transmitting the Matter to Matter to the Snohomish County Boundary Review Board for Approval.	Approved Res. 2154
Approve a Resolution of the City of Marysville Stating Its Intention to Annex and Zone a Certain Unincorporated Area Known as the A.R.T. Investments – Wicklow Condominium Annexation into the City and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.	Approved Res. 2155
Approve a Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.	Approved Res. 2156
Information Items	
Mayor's Business	
Appoint Donna Wright as the voting delegate for the NLC Conference in Charlotte, NC in December, 2005.	Approved
Staff Business	
Authorize the Mayor to sign the Professional Services Agreement for Gordon Krandall to act as Hearing Examiner Pro Tem.	Approved
Call on Councilmembers	
Adjournment	9:08 p.m.
Executive Session	9:15 p.m.
1. One Litigation Item	No Action
2. One Real Estate Item	
Adjournment	9:25 p.m.

MARYSVILLE CITY COUNCIL MEETING**SEPTEMBER 26, 2005****7:00 P.M.****CITY HALL****CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE**

Mayor Dennis Kendall called the September 26, 2005 meeting of the Marysville City Council to order at 7:05 p.m. Pastor Jack Richards of Bethlehem Lutheran Church gave the invocation. Mayor Kendall then 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: Lee Phillips, Jeff Seibert, Jeff Vaughan, Donna Wright and Mayor Pro Tem Jon Nehring

Staff: Ralph Krusey, Police Commander; Sandy Langdon, Finance Director; Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney, Gloria Hirashima, Community Development Director; Kevin Nielsen, City Engineer; Jim Ballew, Parks and Recreation Director; Doug Buell, Community Information Officer; Chris Holland, Senior Planner; and Laurie Hugdahl, Recording Secretary.

Council absences: John Soriano and Lisa Vares

Councilmember Vaughan stated that Councilmember Soriano had informed him that he had another commitment and would not be able to attend tonight.

Motion made by Councilmember Vaughan and second by Councilmember Phillips to excuse Councilmember John Soriano. **Motion** carried unanimously (5-0).

COMMITTEE REPORTS

Councilmember Phillips reported on the **Finance Committee** meeting. Topics discussed included:

- Webcheck – a new online service for escrow companies to check balances on utility bills
- Online bill-pay possibilities. Will be a timesaver for staff and a convenience to escrow companies.
- Paperless agenda – start date in November
- Options for funding State Avenue improvements
- Utility billing positions
- Budget Workshop dates of November 1 & 3, from 5-9 p.m.

- Fire district annexation
- Computer Support Position hired
- Councilmembers' pay for meetings – to be coming to council soon

Councilmember Vaughan stated that the **LEOFF I Board** reviewed and approved two claims.

Councilmember Seibert reported on the **Snohomish County Solid Waste Advisory Board**.

- North County is purchasing a new compactor.
- Cathcart conditional use permit for landfill is closed at this time.
- Public Works maintenance building permit approved.
- Plans for dealing with long-term delays related to railroads were discussed. Tom Riley of BNSF talked about issues the railroad has had and plans they have to deal with delays again.
- There was a 3% increase in tonnage at the Southwest Transfer Station.

Councilmember Wright reported that WIC will now be administered by the **Health District**. The Health District building has been newly remodeled and will hold an open house on October 5 at 1:30 pm.

PRESENTATIONS

A. Employee Service Awards.

Chris Holland, Senior Planner, Community Development Department – 5 years.

Mr. Holland grew up in Everett and lives with his dog Ace. He has a degree in Urban and Regional Planning from Eastern Washington University. He began his career with the City as an Associate Planner then quickly moved into his current Senior Planner position. His responsibilities include development review, annexations, code writing and comprehensive planning. He does an exemplary job of dealing with a variety of issues with the public. In his free time Mr. Holland enjoys boating, fishing, camping and watching the Mariners. Community Development Director Gloria Hirashima presented Mr. Holland with his award.

Sandra Gruber, GIS/CAD Technician, Community Development Department – 5 years.

Ms. Gruber grew up in Toledo, Oregon. She had a variety of job experiences ranging from air traffic control in the Air Force to high school English and remedial math teacher. She has even attended clown school. Ms. Gruber holds a Masters of Science in geography. She previously worked for Snohomish County doing mapping, but has worked with the City of Marysville for five years. Ms. Gruber is responsible for putting together the City's GIS system and gathering the enormous amount of data required to complete that project. This was a remarkable accomplishment. Since she is so knowledgeable about the City, she regularly handles customer service questions on utilities. In her free time Ms. Gruber is extremely active in the American Cancer Association events and leadership. She has also been very involved with the city's employee recognition events. She is also a skilled baker who treats her co-workers. Ms. Hirashima commended Ms. Gruber's outstanding achievements.

B. Employee of the Month.

None.

C. Swear-In Custody Officer Aaron Parker.

Mayor Kendall introduced Aaron Parker and swore him in to the Marysville Police Department. Mr. Parker was born in Ogden, Utah, but graduated from Marysville Pilchuck High School in 2000. After participating in a two-year mission trip in North Carolina, he attended Washington State Corrections Academy. He has also worked as a Snohomish County corrections officer.

D. Recognize Detective Jeff Franzen – Certified Forensic Computer Examiner.

Commander Ralph Krusey reviewed the outstanding career of Detective Jeff Franzen. Mr. Franzen has been with the City for eight years. He holds an Associate of Arts degree from Shoreline Community College. In 2001, he became a detective working with narcotics. In 2003, he received the Chief's Meritorious Service Award for his work in narcotics. He was also instrumental in capturing a serial arsonist. In 2003, he moved to the general detective area and was instrumental in convicting a Level 3 sex offender. In 2003, he went to computer forensics school. This was a very intensive, two week class followed by eight months of on the job testing. The final exam was a 180-hour test. Since passing the test, Detective Franzen is now a Certified Computer Forensics Examiner. Commander Krusey proudly presented Detective with his award of recognition.

E. "Save Our Communities" – Gregory Hauth, President

Mr. Hauth gave a PowerPoint presentation describing why Save Our Communities is opposed to commercial expansion of Paine field. Concerns included: lost property values; extremely high noise mitigation costs; diminished health, especially for children; congestion and infrastructure costs; possible security impacts on the Navy; and environmental impacts. A major issue for the group is that the marketing study has failed to show any cost/benefit analysis.

AUDIENCE PARTICIPATION

Steve Harris, 5730 – 60th Drive NE.

Mr. Harris expressed concerns about excessive speeding traffic. He did not feel that the speed bumps are helping. He is very worried about the safety of the residents in the area. Mr. Harris suggested a two-way stop or tabletop speed bumps. City Engineer Kevin Nielsen assured him that they are looking at solutions to that problem.

Ron Howell, 5803 – 60th Drive NE.

Mr. Howell also discussed the excessive traffic on 60th Drive. With the construction in that area, he felt that this would be an ideal time to address the speed bump issue. Issues of concern for him were noise, speed, loud exhausts and safety.

DISCUSSION ITEMS

None.

APPROVAL OF MINUTES.

A. September 12, 2005 City Council Meeting.

Motion made by Councilmember Nehring; seconded by Councilmember Vaughan to approve the minutes as presented. **Motion** passed unanimously (5-0).

B. September 19, 2005 City Council Work Session.

Motion made by Councilmember Wright; seconded by Councilmember Vaughan to approve the minutes as presented. **Motion** passed unanimously (5-0).

CONSENT AGENDA ITEMS

A. Approval of September 14, 2005 Claims in the Amount of \$325,329.78; Paid by Check No. 25317 through 25446 with Check No. 24952 Void.

B. Approval of September 21, 2005 Claims in the Amount of \$576,771.89; Paid by Check No. 25589 through 25730 with Check No. 25447 through 25588 Void.

C. Approval of September 20, 2005 Payroll in the Amount of \$514,688.09; Paid by Check No. 15078 through 15143.

D. Approval of Liquor License Renewals for Fred Meyer #209 (9925 State Avenue); Allen Creek Thriftway (6610-64th St. N.E.); Hunter's Corner (8825 84th St.); Jack Pot Food Mart (5830 Grove St.); Strawberry Lanes (1067 Columbia Ave.); Tacos Guaymas of Marysville (1400 State Ave.); Ichi Bento Teriyaki (1206 State Ave.); and Marysville Chevron (1206 4th Street).

E. Authorize Mayor to Sign Birch Creek PRD Final Plat Mylar & Voluntary Developer Mitigation Agreement for Affordable Senior Rental Housing; Final Plat Approval Subject to Simultaneous Recording of Mitigation Agreement; PA 04007.

F. Authorize Mayor to Sign Third Amendment of Schedule A of Interlocal Agreement for Jail Services with the City of Arlington And the Fourth Amendment of Schedule A of Interlocal Agreement for Jail Services with the City of Lake Stevens.

G. Declare Certain Items of Personal Property to be Surplus and Authorize the Sale or Disposal Thereof.

H. Authorize Mayor to Sign Interlocal Agreement with Snohomish County PUD for Reimbursement of Costs in the County's 2005 Overlay Program.

I. Authorize Mayor to Sign Escrow Agreement with SRV Construction, Inc.

J. Approval of New Liquor License for Mai's Thai Restaurant; (9501 State Avenue Suite F).

Mayor Kendall solicited audience and public comment on the Consent Agenda items. There were no comments or questions regarding these items.

Motion made by Councilmember Nehring; seconded by Councilmember Vaughan to approve consent agenda items A-J. **Motion** passed unanimously (5-0).

REVIEW BIDS

A. State Avenue (116th Street N.E. to 136th Street N.E.) Roadway Improvement Project.

Public Comment:

Mae Schoenrock, 11106 – 46th Avenue NE

Ms. Schoenrock expressed concerns about the status of 116th and State Avenue. She was very opposed to the widening of State Avenue at this time due to the delays that are already present. She requested that the City wait until the Smokey Point overpass is completed. Kevin Nielsen assured her that the intersection would be improved with this project. He stated that the whole corridor is a primary focus for the City.

There were no further public comments.

City Engineer Kevin Nielsen explained that Marshbank Construction was the apparent low bidder. This would be contingent upon the TIB approving the award of this project. Mayor Kendall solicited comment from any of the bidders in the audience. There were no comments.

Motion made by Councilmember Seibert; seconded by Councilmember Nehring to award the bid for the "State Avenue Reconstruction Phase 2 Project" to the apparent low bidder, Marshbank Construction, Inc., in the amount of \$5,954,068.00 including Washington State Sales Tax; authorize the Mayor to sign the contract documents; and approve 5% Management reserve of \$297,703.40 – for a total allocation of \$6,251,771.40. This bid award is contingent upon final, expected approval to award from the Transportation Improvement Board. **Motion** passed unanimously (5-0).

PUBLIC HEARINGS

A. Smith Annexation and Pre-Zone; PA 0504.

Chris Holland described the annexation process and described this particular annexation.

Public Comment (8:10 p.m.)

Scott Power, 91st Street

Mr. Power expressed concerns about changes in zoning. He was also worried about being assessed for sewer and water. Ms. Hirashima explained that annexation to the City would

not override existing covenants. The zoning would be essentially the same. Regarding water and sewer, the City does not have plans to do a public project in that area. The sewer that is in the area has been done by developers.

Karla Husby, 9245 35th Avenue NE.

Ms. Husby spoke against the annexation. She requested exclusion from the annexation area. She expressed concerns about the zoning. Ms. Hirashima explained that the zoning the City is proposing is no different than their current zoning.

Daryl Jensen, 52nd Drive NE

Mr. Jensen was concerned that the public testimony would not make a difference. Ms. Hirashima stated that public comment would definitely be considered. She discussed the goals of the GMA to Urban Growth Boundaries.

The Public Hearing closed at 8:19 p.m.

Council Discussion:

Councilmember Seibert asked Chris Holland about the possibility of the Boundary Review Board invoking jurisdiction. Mr. Holland replied that there was a very good possibility that this would happen. Mr. Seibert clarified that even if Council chose to exclude those not interested in the annexation, the BRB would be likely include them anyway. Mr. Holland agreed.

See Ordinances and Resolutions, Item B below for action taken.

B. A.R.T. Investments – Wicklow Condominium Annexation and Pre-Zone; PA 04036.

Chris Holland reviewed this annexation description and history. He commended Mr. Kotter and some other residents in the area for getting a tremendous number of signatures for this.

Public Comment (8:23 p.m.):

Karl Kotter, 8405 – 55th Avenue NE

Mr. Kotter spoke in support of the resolution to annex. He encouraged the City Council to vote in support. He believes he represents 140 property owners in the area who would like a voice in city government, are interested in lower water and sewer rates and are looking forward to service by the Marysville Police Department.

Ilene Ellickson, 8302 – 52nd Drive NE

Ms. Ellickson spoke in opposition to the annexation. She does not believe this is a benefit to most of the residents in the area.

Doug Lee, 81st Street.

Mr. Lee spoke in support of the annexation. He supports city government and wants to see his tax dollars spent in the city where he lives and works. He would also like to see sewer come into his neighborhood.

Public Hearing closed at 8:29 pm.

See Ordinances and Resolutions, Item C below for action taken.

CURRENT BUSINESS

None.

NEW BUSINESS

A. Pinewood Elementary School Annexation; 10% Notice of Intention; PA 05027.

There were no comments or questions regarding this item.

Motion made by Councilmember Nehring; seconded by Councilmember Wright to approve the staff recommendation to accept the 10% Notice of Intent for circulation of the 60% petition for the Pinewood Elementary School Annexation. The annexation should be subject to the city's bonded indebtedness and city's comprehensive plan land use designation of High Density, Single Family (R-6.5). **Motion** passed unanimously (4-0. Councilmember Phillips was absent for the vote).

B. Kellogg Marsh Elementary School Annexation; 10% Notice of Intention; PA 05028.

Motion made by Councilmember Seibert; seconded by Councilmember Vaughan to approve the staff recommendation to accept the 10% Notice of Intent for circulation of the 60% petition for the Kellogg Marsh Elementary School Annexation. The annexation should be subject to the city's bonded indebtedness and city's comprehensive plan land use designation of High Density, Single Family (R-6.5). **Motion** passed unanimously (5-0).

C. First Assembly of God Annexation; 10% Notice of Intention; PA 05031.

Ms. Hirashima explained that this is unusual in that it is currently outside the UGA, but it is part of the county's proposed inclusion area. Staff would process this as far as is possible until the County Council approves the UGA expansion. She suggested flexibility in the boundary of the roadway pending discussion with the Tribes.

Motion made by Councilmember Wright; seconded by Councilmember Seibert to accept the 10% Notice of Intent and establishment of an annexation area for circulation of the 60% petition. The annexation should be subject to the City's bonded indebtedness and the City's future comprehensive plan land use designation for this area as adopted. The applicant should be required to submit a perimeter legal description for the proposed boundary. The abutting right-of-ways in the area of 140th should be subject to review with the Tulalip Tribes and the potential for exclusion. **Motion** passed unanimously (5-0).

D. Mattson Annexation; 10% Notice of Intention; PA 05033.

Ms. Hirashima explained that this also is outside the current UGA, but proposed for inclusion by the County Council.

Motion made by Councilmember Phillips; seconded by Councilmember Vaughan to accept the 10% Notice of Intent and establishment of an annexation area for circulation of the 60% petition. The annexation should be subject to the City's bonded indebtedness and the City's future comprehensive plan land use designation for this area as adopted. The applicant should be required to submit a perimeter legal description for the proposed boundary. **Motion** passed unanimously (5-0).

LEGAL

None.

ORDINANCES AND RESOLUTIONS

A. An Ordinance of the City of Marysville Relating to the Subscription and Fees for Utility Search Services and Adding a New Section 14.05.090 to the Marysville Municipal Code.

Motion made by Councilmember Nehring; seconded by Councilmember Phillips to approve Ordinance 2598 related to utility search services. **Motion** passed unanimously (5-0).

B. A Resolution of the City of Marysville Stating Its Intention to Annex and Zone a Certain Unincorporated Area Known as the Smith Annexation into the City and Transmitting the Matter to Matter to the Snohomish County Boundary Review Board for Approval.

Motion made by Councilmember Vaughan; seconded by Councilmember Seibert to approve Resolution 2154 regarding the Smith Annexation. **Motion** passed unanimously (5-0).

C. A Resolution of the City of Marysville Stating Its Intention to Annex and Zone a Certain Unincorporated Area Known as the A.R.T. Investments – Wicklow Condominium Annexation into the City and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.

Motion made by Councilmember Wright; seconded by Councilmember Nehring to approve Resolution 2155 regarding the A.R.T. Investments – Wicklow Condominium Annexation. **Motion** passed unanimously (5-0).

D. A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.

Motion made by Councilmember Nehring; seconded by Councilmember Vaughan to approve Resolution 2156 regarding surplus property related to the WWTP Upgrade. **Motion** passed unanimously (5-0).

INFORMATION ITEMS

A. Mayor's Business

Mayor Kendall requested that Council select a voting delegate for the National League of Cities' annual business meeting in December. **Motion** made by Councilmember Nehring;

seconded by Councilmember Seibert to appoint Donna Wright as the voting delegate for the NLC Conference in Charlotte, NC in December, 2005. **Motion** passed unanimously (5-0).

Mayor Kendall stated that the Marysville School Board was interested in meeting the 5th Monday in October. Since this would be Halloween, there was consensus to wait until January unless there was something urgent to discuss.

He commended the groundbreaking event at the Sound Harley Davidson site.

He noted that Tuesday is Lunch Bunch at the Public Safety Building from 11:30-1 p.m.

B. Staff Business

Jim Ballew announced that they had received a \$2,000 donation from the Ross Miller's for the Ken Baxter Community Center.

Next year the National Parks and Recreation Association Congress will be held in Washington State. This will involve 15,000 people coming to the area for the week of October 11-16.

Kevin Nielsen cancelled the Public Works Committee meeting for October saying that the only topic would be budget and this would be discussed at the Budget Workshops.

Gloria Hirashima had no further comments.

Grant Weed stated that on 9/16 the City of Everett entered into a significant settlement agreement and water supply agreement resolving a decades-long dispute. He has a copy of the agreement and will be reviewing its impact on Marysville. They are scheduling a meeting with the City of Everett to clarify some issues.

He requested appointment of a Hearing Examiner Pro Tem since Ron McConnell will not be available for an upcoming hearing. He recommended the appointment of Gordon Krandall.

Motion made by Councilmember Seibert; seconded by Councilmember Nehring to authorize the Mayor to sign the Professional Services Agreement for Gordon Krandall to act as Hearing Examiner Pro Tem. **Motion** passed unanimously (5-0).

Mary Swenson stated that they are all working on the budget. She had two items for Executive Session – one potential litigation and one real estate item. These were expected to take ten minutes.

Sandy Langdon had no further comments.

Ralph Krusey explained that Chief Carden was attending an out-of-town conference. He thanked Council for the award recognizing Jeff Franzen.

C. Call on Councilmembers

Jeff Vaughan stressed that the City of Marysville has a lot to offer the individuals for annexations. He pointed to the police force, parks, civic programs and infrastructure. He referred to a great compliment for the Mayor and the City staff from the owners of the new Harley Davidson. The owners commended the way the City has worked with them on that project. Mr. Vaughan stated that he is proud to be part of the City.

Donna Wright concurred with Councilmember Vaughan's sentiments.

Jeff Seibert also discussed the benefits of being a part of the City and able to participate in government. He appreciates being a member of the City.

He noted that the intersection of 80th and Grove has been taken care of.

He discussed the issue of congestion at 88th. He suggested adding a right-turn lane going northbound to I-5. Kevin Nielsen responded that WSDOT and the City are both looking at that area to come up with alternatives to move more traffic through there.

Jon Nehring had no further comments.

Lee Phillips echoed Councilmember Vaughan's comments about the groundbreaking and the compliments to the City.

He noted that he witnessed the entry team in action on Saturday and was very impressed.

D. Marysville Park Board Minutes; July 13, 2006.

Information only.


ADJOURNMENT

Seeing no further business, Mayor Kendall recessed at 9:08 p.m. with Executive Session set to begin at 9:15 p.m.


EXECUTIVE SESSION

City Council met in Executive Session at 9:15 p.m.; discussed one litigation item and one real estate item; reconvened into Regular Session at 9:25 p.m., and taking no further action adjourned.


Approved this 10th day of October, 2005.



Mayor
Dennis Kendall



City Clerk
Gerry Becker



Recording Secretary
Laurie Higdahl

MARYSVILLE CITY COUNCIL WORK SESSION

SEPTEMBER 19, 2005

7:00 P.M.

CITY HALL

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the September 19, 2005 work session of the Marysville City Council to order at 7:00 p.m. There was no invocation. 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: Lee Phillips, Jeff Seibert, John Soriano, Lisa Vares, Jeff Vaughan, Donna Wright and Jon Nehring

Staff: Robert Carden, Police Chief; Sandy Langdon, Finance Director (*arrived at 7:30 pm*); Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney, Gloria Hirashima, Community Development Director; Paul Roberts, Public Works Director; Chris Holland, Senior Planner and Laurie Hugdahl, Recording Secretary.

COMMITTEE REPORTS

Mayor Pro Tem Jon Nehring reported on the Golf Committee meeting held last week. Topics discussed included: salaries, maintenance issues – public versus private companies, and the importance of regaining the Men's Club members. Mr. Nehring stated that the committee is diverse and is working well together.

PRESENTATIONS

None.

ACTION ITEMS

None.

DISCUSSION ITEMS

None.

OTHER ITEMS SCHEDULED FOR SEPTEMBER 12, 2005 MEETING

APPROVAL OF MINUTES.

- A. September 12, 2005 City Council Meeting.
- B. September 19, 2005 City Council Work Session.

CONSENT

- A. Approval of September 14 Claims.
- B. Approval of September 21 Claims.
- C. Approval of September 20, 2005 Payroll.
- D. Approval of Liquor License Renewals for Fred Meyer #209 (9925 State Avenue); Allen Creek Thriftway (6610-64th Street NE); Hunter's Corner (8825 84th Street); Jack Pot Food Mart (5830 Grove Street); Strawberry Lanes (1067 Columbia Ave.); Tacos Guaymas of Marysville (1400 State Ave.); Ichi Bento Teriyaki (1206 State Ave.); and Marysville Chevron (1206 4th Street).

There were no comments or questions regarding this item.

E. Authorize Mayor to Sign Birch Creek PRD Final Plat Mylar & Voluntary Developer Mitigation Agreement for Affordable Senior Rental Housing; Final Plat Approval Subject to Simultaneous Recording of Mitigation Agreement; PA 04007.

- Councilmember Seibert referred to the July 30 *Hearing Examiner's Recommendation* to withdraw the condition regarding the realignment of 61st place. Gloria Hirashima explained that this decision had subsequently been reversed in the *Hearing Examiner's Reconsideration* dated August 21.
- There was then discussion about the Affordable Senior Rental Housing component of this development.
- Councilmember Vaughan noted that it was an unusual location for this type of development. Ms. Hirashima explained that this is the first of its kind in Marysville, but the developer has done them in other places.
- Councilmember Seibert referred to the applicant's request for a reduced parks fee. Ms. Hirashima explained why the reduced mitigation fee had been considered. Mr. Seibert expressed concern about the precedent this would set and how that might affect the City's estimated revenues for mitigation fees.

F. Authorize Mayor to Sign Third Amendment of Schedule A of Interlocal Agreement for Jail Services with the City of Arlington and the Fourth Amendment of Schedule A of Interlocal Agreement with City of Lake Stevens.

Chief Carden reviewed the agreements with Arlington and Lake Stevens. There were no further comments or questions regarding this item.

G. Declare Certain Items of Personal Property to be Surplus and Authorize the Sale or Disposal Thereof.

Public Works Director Paul Roberts described the leftover items from WWTP upgrade.

H. Authorize Mayor to Sign Interlocal Agreement with Snohomish County PUD for Reimbursement of Costs in the County's 2005 Overlay Program.

Paul Roberts explained that PUD would be reimbursing the City for half of the cost of overlay since Snohomish County PUD needs to replace their water main in that same portion of Soper Hill Road.

I. Authorize Mayor to Sign Escrow Agreement with SRV Construction, Inc.

There were no comments or questions regarding this item.

J. Approval of New Liquor License for Mai's Thai Restaurant; (9501 State Avenue Ste. F).

There were no comments or questions regarding this item.

K. Approval of Subscription and Fees for Utility Search Services.

Mary Swenson explained that this would be a great time saver for Finance staff.

REVIEW BIDS

A. State Avenue (116th Street N.E. to 136th Street N.E.) Roadway Improvement Project.

Paul Roberts pointed out that the bids would be open on Thursday morning. Council will receive more information next week.

PUBLIC HEARINGS

A. Smith Annexation and Pre-Zone; PA 0504.

Senior Planner Chris Holland explained that the county was likely to invoke jurisdiction and ask the Boundary Review Board to expand the boundary.

B. A.R.T. Investments – Wicklow Condominium Annexation and Pre-Zone; PA 04036.

Councilmember Vaughan brought up a concern that this annexation would be creating an "island". Ms. Hirashima noted that there were ways to address this.

CURRENT BUSINESS

None.

NEW BUSINESS

A. Pinewood Elementary School Annexation; 10% Notice of Intention; PA 05027.

Gloria Hirashima commented that this is the result of the Marysville School District attempting to annex all of its schools into the City.

B. Kellogg Marsh Elementary School Annexation; 10% Notice of Intention; PA 05028.

Ms. Hirashima stated that this was a cleanup effort from the original annexation.

C. First Assembly of God Annexation; 10% Notice of Intention; PA 05031.

Ms. Hirashima pointed out that this area is not yet within the UGA, but it is within the County Council's planning recommendation. It will be processed as much as possible, but then held pending the County Council's decision.

D. Mattson Annexation; 10% Notice of Intention; PA 05033.

Ms. Hirashima pointed out that this area also is not yet within the UGA, but it is within the County Council's planning recommendation. It will be processed as much as possible, but then held pending the County Council's decision.

E. Pet Licensing Program and Fine Adjustment.

Chief Carden discussed the new pet licensing program and fine adjustment. He pointed out that this would result in significant cost savings for the police department. He noted that this is a new approach, somewhat of a pilot program. There was discussion about ways to encourage spaying and neutering of pets and responsible pet ownership. There was consensus by the council to put this on next week's agenda.

LEGAL

None.

ORDINANCES AND RESOLUTIONS

A. An Ordinance of the City of Marysville Relating to the Subscription and Fees for Utility Search Services and Adding a New Section 14.05.090 to the Marysville Municipal Code.

B. A Resolution of the City of Marysville Stating Its Intention to Annex and Zone a Certain Unincorporated Area Known as the Smith Annexation into the City and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.

C. A Resolution of the City of Marysville Stating Its Intention to Annex and Zone a Certain Unincorporated Area, Known as the A.R.T. Investments – Wicklow Condominium Annexation into the City and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.

D. A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.

INFORMATION ITEMS**A. Mayor's Business**

- Mayor Kendall commended Councilmember Seibert for earning his Certified Municipal Leader certificate from AWC.
- He noted that he had attended a meeting with Community Transit regarding a new Ash Avenue bus exit from the freeway.
- He attended a grand opening for a new tutoring business, Knowledge Point on 116th Street.
- On Saturday at 9:00 a.m. there will be a ground-breaking ceremony for the new Harley Davidson site.
- Upcoming meetings: Chamber - Friday, Cities and Towns -Thursday, AWC - October 6.

B. Staff Business

Sandy Langdon explained that she had given a presentation to the City of Bothell's city council tonight. They had been very appreciative of her time.

Gloria Hirashima distributed and discussed sign pickup/code information.

She then reviewed a meeting held with city officials and Barclays North on September 14 regarding the questions and complaints raised by citizens at Eagle Point Mobile Home Park. She distributed the minutes from the meeting, which outlined Barclays' responses/explanations.

She responded to Councilmember Seibert's question regarding Willow Run. She had discovered that they had no senior housing restriction. The Housing Authority has owned that property for several years.

The County will be having their Comprehensive Plan Hearing on October 3-5. Marysville will be discussed on October 3 and the City will have a representative in attendance with comments. The County's recommendation is pretty consistent with the City's recommendations with the exception of the treatment of Rural Cluster Subdivisions in Transition Areas.

Chief Carden stated that they are continuing to work on the Eagle Point situation. He added that there will be a Public Safety meeting on Thursday.

Paul Roberts noted that on Friday the Tribes and the City of Everett signed an agreement settling litigation for water rights. At the ceremony the Tribes had commended the working relationship they have had with the City of Marysville. Mr. Roberts commended Mayor Kendall for his leadership strengthening the relationship with the Tribes.

Grant Weed had no comments other than to say that he had a real estate matter for Executive Session that he expected to take twenty minutes.

Mary Swenson noted that they are working on scheduling a Governmental Affairs meeting with the Tribes.

A Maryfest debriefing meeting was held today. They are hoping to begin the planning process with the City earlier in the year next year.

C. Call on Councilmembers

Lee Phillips had no comments.

Lisa Vares asked about dates for budget workshops. Mayor Kendall and Mary Swenson indicated that this information would be coming next week.

Jeff Vaughan had no further comments.

Donna Wright informed councilmembers that she would be leaving on Tuesday for an out-of-town conference. She noted that she would like to attend the Congress of Cities in December.

Jon Nehring had no further comments.

Jeff Seibert thanked Paul Roberts' department for taking care of Grove Street.

He complimented Community Development and the Mayor's staff on the article in the paper stating how pleased the Harley shop owners had been with working with the City. He asked if the City had responded to the petition for 80th Street. Mary Swenson indicated that she would check on that.

He asked about the status of hiring full-time police officers. Chief Carden stated that they still have one or two left to hire. He noted that there definitely are impacts from the annexations and more details will come about this during the budget discussions.

He announced that the new Standards for Prosecutions have been adopted and there will be a formal ceremony at the county courthouse on Wednesday.

ADJOURNMENT

Mayor Kendall recessed at 8:20 pm with Executive Session scheduled to begin at 8:30 p.m. There was one real estate matter to discuss.

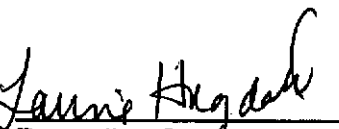
EXECUTIVE SESSION

Council adjourned into Executive Session at 8:30 p.m.; discussed one real estate item; reconvened into Regular Session at 8:58 p.m.; took no further action; and adjourned.

Approved this 26th day of September, 2005.


 Mayor
 Dennis Kendall


 City Clerk
 Gerry Becker


 Recording Secretary
 Laurie Higdahl