

March 27, 2006

Marysville City Council
7:00 p.m.

ORIGINAL 00100
City Hall

Call to Order/Invocation/Pledge of Allegiance	7:00 P.M.
Roll Call	
Approve of Minutes	
Approve March 13, 2006 City Council Meeting Minutes.	Approved
Approve March 20, 2006 City Council Work Session Minutes	Approved
Consent Agenda	
Approve March 15, 2006 Claims in the Amount of \$1,463,309.39; Paid by Check No. 29217 through 29419 with Check No. 29157 and 29180 Void.	Approved
Approve March 20, 2006 Payroll in the Amount of \$541,603.84; Paid by Check No. 15945 through 16008.	Approved
Approve Liquor License Renewals for Kuhnle's Tavern (204 State Avenue); Maxi's Restaurant (9611 State Avenue Suite C); 4th Street Market & Deli (1212 Fourth Street); 7-Eleven Store #2306-32834A (3609 88th Street NE); 7-Eleven Store #29536 (10013A Shoultes Road); Acapulco Mexican Restaurant (9611 State Avenue, Suite A); and LaHacienda #4 (9922 State Avenue).	Approved
Approve Lease Renewal Agreement and Contract for Deering Wildflower Acres Park and Jeffrey & Karen Pickard for Caretaking Services.	Approved
Authorize Mayor to Sign Interagency Agreement with Snohomish County for the 2006 Overlay Program.	Approved
Set a Public Hearing Date of April 24, 2006 to Consider Vacation of a Portion of Unimproved Right-of-Way of 83rd Avenue N.E. & North of Assessor's Tax Parcel No. 30052500200500; PA 06018.	Approved
Approve New Liquor License for Boondocker's Café (1008 Cedar).	Approved
Authorize Mayor to Sign Imaging & Preservation Services Agreement with State of Washington OSOS Contract No. 9CM3-689.	Approved
Authorize Mayor to Sign Well Monitoring Agreement Subject to Conditions with State Street Retail, LLC; PA 05038.	Approved
Review Bids	
Public Hearings	
Mattson Annexation; PA 05053	Approved
Current Business	
New Business	
Approve Professional Services Agreement for Design Services on Edward Springs 327 Reservoir Project; Gray and Osborne.	Approved
Approve Professional Services Agreement for West Marysville Sewer Pump Station Rehabilitation Project; Murray, Smith & Associates, Inc.	Approved
Approve Utility Variance Request for Water and Sewer; Tulalip Tribes.	Staff directed to modify existing Utility Variance
Approve Employee Classification Designations.	Approved
Approve Municipal Court Judge Contract Amendment.	Approved
Legal	
Ordinances and Resolutions	

March 27, 2006

Marysville City Council
7:00 p.m.

00101
City Hall

Approve An Ordinance of the City of Marysville, Washington Amending the Provisions of MMC 2.24.030; Changing the Qualifications for Marysville Municipal Judge; Changing the Position of Marysville Municipal Judge from an Appointed Position to an Elected Position; Setting Term and Commencing Date; Providing for Severability; and Establishing an Effective Date.	Approved Ord. No. 2621
Approve A Resolution of the City of Marysville Stating Its Intention to Annex Certain Unincorporated Area Known as the Mattson Annexation, into the City, and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.	Approved Res. No. 2174
Approve a Resolution of the City of Marysville Establishing April 24, 2006 As a Date Upon Which a Hearing Shall Be Held Before the Marysville City Council to Consider Vacation of a Portion of Unimproved Right-of-Way East of 83rd Avenue N.E. and North of Assessor's Tax Parcel No. 30052500200500.	Approved Res. No. 2175
Information Items	
Mayor's Business	
Staff Business	
Call on Councilmembers	
Adjournment	8:42 p.m.
Executive Session	8:49 p.m.
One Personnel Item – Authorize the Chief Administrative Officer to adjust the salary of the Finance Director up to an additional 2% over the authorized step increase to compensate for additional responsibilities assigned.	Approved Unanimously
Adjournment	9:05 p.m.

MARYSVILLE CITY COUNCIL MEETING

March 27, 2006

7:00 p.m.

Marysville City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the March 27, 2006 meeting of the Marysville City Council to order at 7:00 p.m. Pastor John Mason of Mountain View Presbyterian 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, Carmen Rasmussen, Jeff Seibert, John Soriano, Jeff Vaughan, Donna Wright and Mayor Pro Tem Jon Nehring

Staff: Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Sandy Langdon, Finance Director; Gloria Hirashima, Community Development Director; Paul Roberts, Public Works Director; Robert Carden, Police Chief; Jim Ballew, Parks and Recreation Director; Kevin Nielsen, City Engineer; Larry Larson, Public Works Superintendent, Terry Hawley, Public Works Operations Manager; and Laurie Hugdahl, Recording Secretary.

Mayor Kendall welcomed Boy Scout Troops 419 and 106 who were working on their Government Affairs merit badge.

COMMITTEE REPORTS

Councilmember Soriano stated that the **LEOFF 1 Board** reviewed and approved four claims.

Councilmember Soriano then reported on the **Public Safety Committee** meeting on March 22. Topics discussed included:

- Overtime has been high due to backfill, sick leave and vacation.
- Traffic Unit – will have four units soon
- Drug Task Force – looking for more funding
- Computer Forensics Specialist – working out well.
- DEM will facilitate a tabletop exercise for the City

Councilmember Seibert then reported on the March 15 meeting of the **Finance Committee**, which discussed the following:

- Surface water billing
- Presentation for public works meeting on April 15

- Archives – received grant to put documents onto microfiche
- Floater employee opening
- Audit now in progress
- Financial server/Outlook conversion
- Paperless agenda
- Working to make Public Safety system compatible with the County

PRESENTATIONS

A. Sexual Assault Awareness Month – April and A Day to End Sexual Violence – April 7, 2006.

B. Proclamation - Crazy Hair Day – April 1, 2006.

C. Employee Awards

Paul Roberts introduced and welcomed Terry Hawley, the new Public Works Operations Manager.

The following employees received service awards:

1. Cheryl Niclai, Business Office Supervisor, Public Works – 15 years.
2. Dennis Roodzant, Wastewater Maintenance Technician – 20 years.
3. Travis Pike, Maintenance Worker II, Parks – 5 years.
4. Janis Lamoureux, Communications Officer, Dispatch – 15 years.
5. Robb Lamoureux, Police Commander – 20 years.
6. Marla Ringen, Business Office Supervisor, Police – 20 years.

Mayor Kendall thanked all of the employees for their dedication.

D. “Healthy Communities Pilot Program” – Dr. Ward Hinds.

Dr. Hinds discussed the obesity epidemic and the impacts of its associated chronic health conditions in our country and specifically in Snohomish County. Eric Hatzenbeuler, Health Educator, formally invited Marysville to partner with the Health District in the Healthy Communities Project Initiative.

E. Overlay Program.

City Engineer Kevin Nielsen gave a PowerPoint presentation on the Pavement Management System. He reviewed:

- Purpose of pavement management
- Overview of past and present city limits/UGA
- Number of centerline miles in 1995: 84; In 2006: 151
- Rating 2000 Overall Condition Index (OCI)
- Projects planned for overlay
- Overlay lengths and costs

Public Works Superintendent Larry Larson discussed the in-house portion, the crack-sealing program and the overlay program for both 2005 and 2006.

Discussion:

- Councilmember Seibert asked if there was a sheet that listed all the streets, how they rate and what priority they are. Mr. Nielsen responded that they do, but noted that if there is a safety issue the street would move to the top of the list. Councilmember Seibert asked if that information was available on the website. Mr. Nielsen stated that it was not, but that they could probably put something together for the website. When the Pavement Management System is prepared in 2007, this could be part of the task.
- Councilmember Vaughan asked about the condition of the streets coming in from the County with the annexations. Mr. Nielsen explained that the new construction areas have streets in good working order while the older areas have a lower level rating.
- Councilmember Nehring asked about the 2007 study. Mr. Nielsen explained how this would be approached. Mayor Pro Tem Nehring asked how mitigation fees fit into this. Sandy Langdon explained that it is a combined effort to make the best use of the money.

F. SR 529 Bridge Project.

Kevin Nielsen said that the State of Washington is looking at redesign of this project. They are doing the geotech investigation and will be trying to secure the right of way by January 2007. The estimated completion date is 2011.

AUDIENCE PARTICIPATION

Dick Thompson, Marysville resident (no address given).

Mr. Thompson stated that he was interested in obtaining a permit to construct a cement wall so that kids could have a place to do their art (graffiti) instead of at the skate park. Mayor Kendall directed him to Parks and Recreation Director Jim Ballew.

APPROVAL OF MINUTES.

A. March 13, 2006 City Council Meeting.

Motion made by Councilmember Nehring; seconded by Councilmember Wright to approve the minutes as presented. **Motion** passed unanimously (7-0).

B. March 20, 2006 City Council Work Session.

Motion made by Councilmember Vaughan; seconded by Councilmember Rasmussen to approve the minutes as presented. **Motion** passed unanimously (7-0).

CONSENT AGENDA

- A. Approval of March 15, 2006 Claims in the Amount of \$1,463,309.39; Paid by Check No. 29217 through 29419 with Check No. 29157 and 29180 Void.**

- B. Approval of March 20, 2006 Payroll in the Amount of \$541,603.84; Paid by Check No. 15945 through 16008.
- C. Approval of Liquor License Renewals for Kuhnle's Tavern (204 State Avenue); Maxi's Restaurant (9611 State Avenue Suite C); 4th Street Market & Deli (1212 Fourth Street); 7-Eleven Store #2306-32834A (3609 88th Street NE); 7-Eleven Store #29536 (10013A Shoultes Road); Acapulco Mexican Restaurant (9611 State Avenue, Suite A); and LaHacienda #4 (9922 State Avenue).
- D. Approval of Lease Renewal Agreement and Contract for Deering Wildflower Acres Park and Jeffrey & Karen Pickard for Caretaking Services.
- E. Authorize Mayor to Sign Interagency Agreement with Snohomish County for the 2006 Overlay Program.
- F. Set a Public Hearing Date of April 24, 2006 to Consider Vacation of a Portion of Unimproved Right-of-Way of 83rd Avenue N.E. & North of Assessor's Tax Parcel No. 30052500200500; PA 06018.
- G. Approval of New Liquor License for Boondocker's Café (1008 Cedar).
- H. Authorize Mayor to Sign Imaging & Preservation Services Agreement with State of Washington OSOS Contract No. 9CM3-689.
- I. Authorize Mayor to Sign Well Monitoring Agreement Subject to Conditions with State Street Retail, LLC; PA 05038.

Motion made by Councilmember Soriano; seconded by Councilmember Nehring to approve Consent Agenda Items A-I. Motion passed unanimously (7-0).

REVIEW BIDS

None.

PUBLIC HEARINGS

- A. Mattson Annexation; PA 05033.

Mayor Kendall opened the public hearing at 8:05 p.m. and solicited public comment. Seeing none, he closed the hearing at 8:06 p.m.

CURRENT BUSINESS

None.

NEW BUSINESS**A. Professional Services Agreement for Design Services on Edward Springs 327 Reservoir Project; Gray and Osborne.**

Motion made by Councilmember Wright; seconded by Councilmember Rasmussen to approve the Professional Services Agreement with Gray and Osborne. **Motion** passed unanimously (7-0).

B. Professional Services Agreement for West Marysville Sewer Pump Station Rehabilitation Project; Murray, Smith & Associates, Inc.

Councilmember Seibert expressed concern about the language inserted in this contract in the second paragraph of Article I by the consultant. City Attorney Grant Weed stated that he did not feel it was cause for concern and recommended approving the contract as presented. Public Works Director Paul Roberts concurred. Councilmember Seibert had concerns about the precedent set by allowing consultants to add language.

Motion made by Councilmember Seibert; seconded by Councilmember Nehring to authorize the Mayor to sign the Professional Services Agreement with Murray, Smith & Associates, Inc., but with their approval of striking the language in the second paragraph of Article I of the contract. **Motion** passed unanimously (7-0).

C. Utility Variance Request for Water and Sewer; Tulalip Tribes.

Chief Administrative Officer Mary Swenson stated that the City had previously granted a utility variance to this same property. Paul Roberts added that staff will be providing a modification of the existing agreement for approval by Council.

Motion made by Councilmember Rasmussen; seconded by Councilmember Seibert to direct the Public works staff to develop a resolution regarding the Utility Variance Request from the Tulalip Tribes for Water and Sewer. **Motion** passed unanimously (7-0).

D. Employee Classification Designations.

Mary Swenson stated that there are three new positions being added to the budget and reclassification for three other positions. She also recommended that the Assistant City Attorney and the Assistant Public Works Director positions take effect January 1, 2006.

Motion made by Councilmember Wright; seconded by Councilmember Soriano to approve the salary range and job descriptions for the following positions: Assistant City Attorney, Assistant Public Works Director/City Engineer, Community Information Officer, Financial Analyst, Human Resources Manager, and Property/Evidence Specialist. **Motion** passed unanimously (7-0).

E. Municipal Court Judge Contract Amendment.

Mary Swenson explained that the City is working towards an elected judge position. Grant Weed added that the contract would commence on April 1 and continue through 2009. The

City would become eligible to be reimbursed for some of the salary. This would then establish the judge as an elected position in 2010.

- Councilmember Soriano asked if this was a population-driven decision. Mr. Weed responded that it afforded the judge a greater measure of autonomy and enables the citizens to decide who is running that branch of government. It is also mandatory once the judge is working more than 30 hours a week.
- Councilmember Vaughan asked if administration by the Executive Department would still be in effect. Mr. Weed affirmed that it would be.

Motion made by Councilmember Vaughan; seconded by Councilmember Nehring to approve the Municipal Court Judge Contract Amendment. **Motion** passed unanimously (7-0).

LEGAL

None.

ORDINANCES AND RESOLUTIONS

- A. An Ordinance of the City of Marysville, Washington Amending the Provisions of MMC 2.24.030; Changing the Qualifications for Marysville Municipal Judge; Changing the Position of Marysville Municipal Judge from an Appointed Position to an Elected Position; Setting Term and Commencing Date; Providing for Severability; and Establishing an Effective Date.**

Motion made by Councilmember Wright; seconded by Councilmember Rasmussen to approve Ordinance 2621. **Motion** passed unanimously (7-0).

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

Motion made by Councilmember Seibert; seconded by Councilmember Vaughan to approve Resolution No. 2174 regarding the Mattson annexation. **Motion** passed unanimously (7-0).

- C. A Resolution of the City of Marysville Establishing April 24, 2006 As a Date Upon Which a Hearing Shall Be Held Before the Marysville City Council to Consider Vacation of a Portion of Unimproved Right-of-Way East of 83rd Avenue N.E. and North of Assessor's Tax Parcel No. 30052500200500.**

Motion made by Councilmember Nehring; seconded by Councilmember Seibert to approve Resolution 2175. **Motion** passed unanimously (7-0).

INFORMATION ITEMS

A. Mayor's Business

Mayor Kendall thanked the staff for their assistance in the preparation for and participation in the staff retreat. He commented that the food from Applebee's was great. He reminded Council that April 1 would be Crazy Hair Day. He noted that he would be out of town next week and Mayor Pro Tem Nehring would be taking over.

B. Staff Business

Jim Ballew had no comments.

Paul Roberts had no further comments.

Gloria Hirashima had no further comments.

Grant Weed had one item for Executive Session.

Mary Swenson had no further comments.

Sandy Langdon had no further comments.

Chief Carden recognized Officer Coleman's graduation from Commercial Enforcement.

C. Call on Councilmembers

Carmen Rasmussen welcomed the Boy Scouts.

She stated that she was excited about the Healthy Communities Project.

She noted that the Health District gave an award to Sunny Teriyaki #11 in Marysville. She suggested that the Council also recognize them.

She asked Paul Roberts how one went about getting a speed bump installed in a road. He suggested having the citizen call either him or Kevin Nielsen.

Lee Phillips thanked Larry Larson, Paul Roberts and Kevin Nielsen for the Pavement Management System Update. He concurred with Councilmember Seibert's suggestion about making the information accessible to the public. He thanked staff for the retreat.

John Soriano thanked staff, the council and the Mayor for the retreat.

Jon Nehring echoed his gratitude.

Jeff Seibert thanked Kevin Nielsen, Paul Roberts and Larry Larson for their presentation. He also thanked staff for the retreat.

He suggested contacting the new owner of the lot at the end of Cedar about the City's intention to pave that street and to notify them of the restriction in cutting up the road for a period after paving.

Donna Wright echoed the thanks for the Pavement Management System presentation and the retreat.

Jeff Vaughan thanked the Boy Scouts for coming to the meeting. He asked Chief Carden's opinion about installing a wall for graffiti. Chief Carden replied that it depends on the community. Graffiti is normally intended to mark territory and an art wall would not mark territory. He noted that Jim Ballew would bring this up with the Park Board. Councilmember Seibert suggested giving the Park Board some data about how this has worked in other places. Chief Carden indicated that they would do that. Jim Ballew said he would also check to see how the graffiti wall in Redmond is working out.

ADJOURNMENT

Mayor Kendall recessed into Executive Session at 8:42 p.m.

EXECUTIVE SESSION

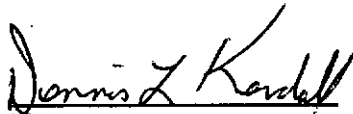
Council met in Executive Session at 8:49 p.m.; discussed one personnel item and reconvened into Regular Session at 9:04 p.m.

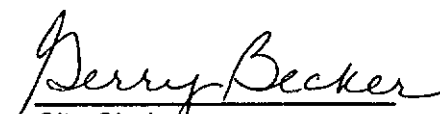
Councilmember Seibert moved to authorize the Chief Administrative Officer to adjust the salary of the Finance Director up to an additional 2% over the authorized step increase to compensate for additional responsibilities assigned. Councilmember Wright seconded the motion and the motion passed unanimously.

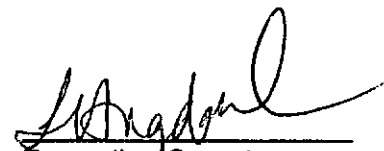
ADJOURNMENT

Seeing no further business, Mayor Kendall adjourned the meeting at 9:05 p.m.

Approved this 10th day of April 2006.


 Mayor
 Dennis Kendall


 City Clerk
 Gerry Becker


 Recording Secretary
 Laurie Hugdahl

MARYSVILLE CITY COUNCIL WORK SESSION

00110

April 3, 2006

7:00 p.m.

City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Pro Tem Jon Nehring called the April 3, 2006 work session of the Marysville City Council to order at 7:00 p.m. There was no invocation. Mayor Pro Tem Nehring led those present in the Pledge of Allegiance.

ROLL CALL

Finance Director Sandy Langdon gave the roll call. The following staff and councilmembers were in attendance.

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

Staff: Cheryl Beyer, City Attorney; Sandy Langdon, Finance Director; Gloria Hirashima, Community Development Director; Paul Roberts, Public Works Director; Robb Lamoureux, Police Commander; and Laurie Hugdahl, Recording Secretary.

Mayor Pro Tem Nehring noted that Councilmember Phillips had notified him he would not be attending due to a family emergency.

Motion made by Councilmember Nehring; seconded by Councilmember Vaughan to excuse the absence of Councilmember Phillips. **Motion** passed unanimously (6-0).

COMMITTEE REPORTS – None.

PRESENTATIONS – None.

DISCUSSION ITEMS - None

Other Items Scheduled for April 10, 2006 Meeting

Approval of Minutes.

- A. March 25, 2006 City Council Retreat.**
- B. March 27, 2006 City Council Meeting.**
- C. April 3, 2006 City Council Work Session.**

CONSENT AGENDA

- A. Approval of March 22, 2006 Claims.**
- B. Approval of March 29, 2006 Claims.**
- C. Approval of April 5, 2006 Claims.**
- D. Approval of April 5, 2006 Payroll.**
- E. Authorize Mayor to Sign Final Plat Mylar for Thoemke Station Subdivision.**

Director Hirashima stated that this was annexed to the city with the Thoemke annexation, but the City has to accept the right of way dedication.

Councilmember Seibert asked if it was built to county standards. Ms. Hirashima affirmed that it was, but noted that they had used fairly conventional standards.

- F. Affirm the Hearing Examiner's Decision to Approve the Rezone from CB (Community Business) to R-18 (Medium Density Multi-Family) and Amend the Official Zoning Map; White-Kyte; PA 06008.**

Director Hirashima stated that this is located at the very north part of the 116th Street Gateway Shopping Center. They are proposing to rezone the northern edge of the property from CB (Community Business) to R-18 (Medium Density Multi-family) in order to short subdivide the property into five single-family lots. She noted that this does match the surrounding neighborhoods.

- G. Authorize the Mayor to Sign Interlocal Agreement with Snohomish Regional Drug Task Force.**

Council had no comments or questions regarding this item.

REVIEW BIDS

- A. Fixed Network Automated Meter Reading System and Water Meter Equipment.**

Public Works Director Paul Roberts stated that they have received the bids and are in the process of evaluating them. If they make a decision in time, staff will get the information to Council by next week. If not, they will be asking to hold this over to the next cycle. Councilmember Seibert noted the importance of comparing the bids carefully because of differences in bid applications. Director Roberts concurred.

PUBLIC HEARINGS – None.

CURRENT BUSINESS – None.

NEW BUSINESS**A. Supplemental Agreement No. 1 with RH2 for Construction Management Services on the North 240 Zone Reservoir and Water Main project.**

Paul Roberts stated that RH2 Engineering is being recommended as the consultant for the construction management of the North 240 Zone Reservoir and the 67th Avenue Water Main.

LEGAL – None.

ORDINANCES AND RESOLUTIONS**A. An Ordinance of the City of Marysville Affirming the Decision of the Hearing Examiner and Rezoning a Parcel of Property Owned by KRG/WLM Marysville, LLC Amending the Official Zoning Map of the City.**

Council had no comments or questions regarding this item.

B. An Ordinance of the City of Marysville, Washington Amending MMC 2.80.040(2) relating to Acceptance of Things of Value by City Employees from Those Having Dealings with the City.

Councilmember Nehring asked what an "unknowing violation" was. City Attorney Cheryl Beyer explained that the purpose of this ordinance was to avoid any confusion in matters of employees receiving gifts or discounts from those that might have dealings with the City.

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

Mayor Pro Tem said he had nothing to report from Mayor Kendall. He thanked Councilmember Vaughan for the notification about the graffiti around town. Discussion followed about the graffiti incidents over the weekend.

- Commander Lamoureux stated that they had put some staff on overtime to keep a watch out and deal with this matter.
- Councilmember Seibert asked if the City notified utility providers if their property had been tagged. Commander Lamoureux replied that they would issue notification to the appropriate department or entity. He indicated that citizens could notify the police department if they noticed graffiti.
- Councilmember Wright commented that there is already a policy in the code. Other Councilmember's concurred, and noted the positive impact the policy has had in the past. Commander Lamoureux indicated it may be time to reinstitute that policy.
- Councilmember Vaughan suggested creating some public awareness about this, especially in the downtown area where there are not as many residents.

B. Staff Business

Gloria Hirashima mentioned the Developer Breakfast last week was very well-attended and staff was able to get good information distributed.

Paul Roberts distributed a summer lawn watering calendar. He announced that they are close to completing the new parking lot at City Hall.

C. Call on Councilmembers

Councilmember Seibert asked if the consultant had approved the contract where Council had removed the language the consultant wanted to add to the City's standard contract. Director Roberts indicated that he had not heard about that yet.

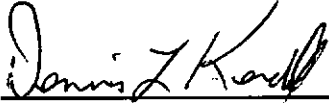
John Soriano thanked the officers who worked overtime on Saturday and Sunday.

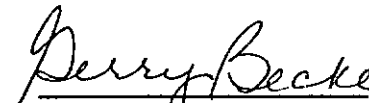
EXECUTIVE SESSION – None.

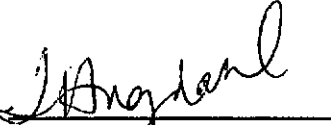
ADJOURNMENT

Seeing no further business, Mayor Pro Tem Nehring adjourned the meeting at 7:30 p.m.

Approved this 10th day of April, 2006.


 Mayor
 Dennis Kendall


 City Clerk
 Gerry Becker


 Recording Secretary
 Laurie Hugdahl