

## MARYSVILLE CITY COUNCIL MEETING

June 25, 2007

7:00 p.m.

City Hall

**CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE**

Mayor Dennis Kendall called the June 25, 2007 meeting of the Marysville City Council to order at 7:00 p.m. The invocation was given by Kathy Johnson of the Wiccan Coven. Mayor Kendall led those present in the Pledge of Allegiance.

**ROLL CALL**

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

**Mayor:** Dennis Kendall

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

**Staff:** Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Sandy Langdon, Finance Director; Paul Roberts, Public Works Director; Gloria Hirashima, Community Development Director; Rick Smith, Chief of Police; Doug Buell, Community Information Officer; Jim Ballew, Parks and Recreation Director; Jeff Massie, Assistant City Engineer; Terry Hawley, Public Works Operation Manager; Pat Gruenhagen, Project Manager, Jeff Laycock, Engineer, John Tatum, Traffic Engineer, and Laurie Hugdahl, Recording Secretary.

Councilmember Soriano indicated that Councilmember Phillips had called to inform him that he would not be able to attend the meeting.

**Motion** made by Councilmember Soriano, seconded by Councilmember Seibert, to excuse the absence of Councilmember Phillips. **Motion** passed unanimously (6-0).

**COMMITTEE REPORTS**

Councilmember Jeff Seibert reported on the June 20 Finance Committee meeting. Topics discussed included:

- City Clerk staffing – very busy with passports
- Records inventory proceeding well
- Audit is ongoing through July 13
- Mid-year budget update and golf course update coming in July

- Utility Billing – Credit card issues being worked out
- Tech Update – Hardware ready for conversion, scheduled for 3<sup>rd</sup> week in July

## **PRESENTATIONS**

Public Works Director Paul Roberts presented Employee Service Awards to the following employees:

1. Mark Cardon, Sr. Equipment Mechanic – 5 years
2. Randy Schoolcraft, Maintenance Worker II, Utility Operations – 5 years
3. Jim Hayes, Maintenance Worker II, Streets – 15 years

### **A. Graffiti Prevention**

Parks and Recreation Director Jim Ballew introduced Megan Crimshaw and Kyle Boteen, recent graduates of Marysville Pilchuck High School. The students presented the 3-minute video that they created in hopes of preventing graffiti in the community.

Director Ballew applauded the team for their excellent work. Mayor Kendall commended them. Mayor Pro Tem Nehring said it was great to see the peer group getting involved. It was very powerful. He asked if this would be shown on TV. Director Ballew explained that it would be used in the schools, but he pointed out that it would need introduction and follow-up to have the proper perspective. Chief Smith concurred. He commended the team for their creative work and the great message. He commented that they hope to take it into schools in the fall as part of their prevention and education efforts.

## **AUDIENCE PARTICIPATION**

Laura Carver, 4827 – 67<sup>th</sup> Street NE, A201, Marysville, WA 98270 addressed noise and safety concerns related to the Marysville Strawberry Festival Carnival which was located just across from her residence. She distributed photos of the carnival to the Council and noted that this has been a problem for the past few years. This year they stayed open until 11 on Thursday and were noisy until midnight. The weekends typically are acceptable to Ms. Carver, but Sunday nights have been the worst with calls put in to the police for the past three years. This year she complained that they were noisily disassembling the carnival until 4 a.m. Ms. Carver was upset that when she called Funtasia directly her concerns were taken lightly. She expressed concern over safety of property during the event since after 9 or 10 p.m. it is generally teens and adults, many of whom are loud, rowdy and unpleasant. She acknowledged that there was an increased police presence there this year which helped keep the noise level of the crowd down.

Mayor Kendall assured her that they would get the information back to the Strawberry Festival Committee and that it would be discussed during their upcoming annual critique of the festival. He thanked her for bringing it to their attention.

## APPROVAL OF MINUTES

### 1. Approval of June 11, 2007 City Council Meeting Minutes.

Councilmember Donna Wright had the following addition to her comment under Call on Councilmembers: *"Donna Wright congratulated Mayor Kendall and councilmembers who were up for election for not drawing opponents in the coming election."*

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to approve the minutes as corrected. Motion passed unanimously (6-0).

### 2. Approval of June 18, 2007 City Council Work Session Minutes.

Councilmember Rasmussen had the following corrections:

- Page 2, under item 8 regarding Jail Services with Okanogan County – Councilmember Rasmussen's concern was not if there would be medical personnel on staff, but if the City would need to pay for the on-site medical care that they would receive over and above the services from outside medical care.
- Page 2, item 10, Jennings Memorial Sidewalk/Plaza Project - Paul Roberts' name should be replaced with **Jim Ballew**.
- Page 3, Staff Business – The letter to the Council was to the **County Council**.

Councilmember Jeff Seibert commented that he preferred the minutes be a little more descriptive and conversational.

Councilmember Jeff Vaughan referred to his comments on page 4. This should read: *"Hazardous chemicals (~~two unmarked barrels~~) were taken care of by police and fire department without incident."*

Councilmember Jon Nehring referred to the last sentence under his comments on page 4. He explained that he did not want it to appear that a fist fight was taken lightly by the City and suggested that the sentence be replaced with: ***"Chief Rick Smith stated that there were no weapons involved, but they did take care of a fist fight."***

Councilmember Wright referred to her comments under Call on Councilmembers on page 5, bullet one. She clarified that she had asked if grandstands would be feasible for the Strawberry Festival Parade.

Councilmember Jeff Seibert referred to his comments on page 4. The third bullet under *Concerns* should state that, ***“He noticed two RV’s parked in the City driveway and wondered who they belonged to.”***

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to approve the June 18 Work Session minutes as amended. Motion passed unanimously (6-0).

### **CONSENT AGENDA**

**Motion** made by Councilmember Soriano, seconded by Councilmember Nehring to approve the following Consent Agenda items 3-9:

3. **Approval of June 13, 2007 Claims in the amount of \$2,769,922.00 paid by Check No.’s 39701 through 39901 with Check No. 17428 voided.**
4. **Approval of June 20, 2007 Claims in the amount of \$413,309.90 paid by Check No.’s 39902 through 40097.**
5. **Approval of June 5, 2007 Payroll in the Amount of \$1,097,910.98; Paid by Check No. 17946 through 18033.**
6. **Approval of Special Events Application for Marysville Downtown Merchants Association for Homegrown 2007 on August 10 and August 11 to include Street Closure of 3rd Street between State Avenue and Alder Avenue as well as the Alley between 3rd Street and 4th Street, as Requested by Applicant.**
7. **Authorize Mayor to Sign Interlocal Agreement with Snohomish Regional Drug Task Force.**
8. **Authorize Mayor to Sign Contract for Jail Services with Okanogan County.**
9. **Authorize Mayor to Sign Service Agreement with M3 Technology Group.**

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

### **REVIEW BIDS**

10. **Jennings Memorial Park Sidewalk/Plaza Project.**

Parks and Recreation Director Jim Ballew referred to the diagram in Council's packet. He explained that approval of the recommended action would allow them to fund Phase 1 which is specialized and colorized concrete. This would also allow for the donations from Belmark and the Rotary Club to be housed and completed. Phase 2 would be postponed until the end of the year (through reserves) or maybe next year (through our Curb, Gutter, and Sidewalk contract).

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Wright, to authorize the Mayor to award the bid for the Jennings Memorial Park Sidewalk/Plaza Project to Edge Concrete Construction of Woodinville, WA in the amount of \$68,625.00 plus Washington State Sales Tax and approve a project budget increase of \$8,458.13 from the Growth Management Fund 310 Reserves and dedication of the fund balance from the Irrigation Project in the amount of \$2,000 for a total allocation of \$74,458.13. **Motion** passed unanimously (6-0).

**11. Recommendation to reject all bids for SR528 (47th Avenue NE to 67th Avenue NE) Road Improvements.**

Public Works Director Paul Roberts explained that their recommendation is to reject all bids for this project and come back to this matter later this year when the bid climate may be more favorable and closer to the engineer's estimate.

Councilmember Nehring commented that there have been several bids lately with few bidders or no bids. He wondered if this was an unusually difficult summer. Director Roberts explained that spring and summer are always higher demand, but this year the number of road contracts and construction projects in the region plus the high cost of materials are both driving these bid prices much higher. Councilmember Nehring wondered if they would be seeing a large upward adjustment on the cost of all the projects because of gas prices. Mr. Roberts said he was not expecting a dramatic reduction in energy, materials or labor costs. Chief Administrative Officer Swenson added that with the legislature's recent actions there has been a lot of work created out there. She noted that it would be important to re-bid before the RTID goes to a vote.

Councilmember Rasmussen commented that this is a very important project. She expressed concern that there might not be any bidders or the bids might be higher when they re-bid. Director Roberts agreed that there is a risk in waiting, but he thinks that the climate will be better in late summer or early fall. Ms. Swenson concurred that this is a critical project and needs to be done.

**Motion** made by Councilmember Nehring, seconded by Councilmember Seibert, to reject all bids for the SR528 (47<sup>th</sup> Avenue NE to 67<sup>th</sup> Avenue NE) Road Improvement Project. **Motion** passed unanimously (6-0).

**12. Solid Waste Container Purchase – Year 2007.**

Public Works Operations Manager Terry Hawley explained that the only received one bid, but they were pleasantly pleased with the bid.

**Motion** made by Councilmember Wright, seconded by Councilmember Soriano, to approve the request to purchase Solid Waste Containers from Capital Industries Inc. in the amount of \$61,027.56. **Motion** passed unanimously (6-0).

## **PUBLIC HEARING**

### **13. 6-Year Transportation Improvement Plan Update.**

Assistant City Engineer gave a PowerPoint presentation of the information contained in Council's packets regarding the projects on the 6-year TIP. He recognized and introduced the members of the transportation group who continually work on this issue: Pat Gruenhagen, Jeff Laycock, Tom King and John Tatum.

*Mayor Kendall opened the hearing at 8:22 p.m. and solicited public comment.*

Shelley Thomas, 3626 87<sup>th</sup> Avenue NE, stated that she is opposed to item 15 being on the TIP since it was remanded to the Planning Commission and has not been finalized yet. A letter to this effect was read into the record.

Darlene Salo, 3620 87<sup>th</sup> Avenue NE, concurred with Ms. Thomas's comments. She stated that she was opposed to items 13 and 15 on the TIP and recommended that this be delayed until the Planning Commission approves the final connection.

Councilmember Nehring asked staff if this had to be adopted by July 1. Gloria Hirashima affirmed that this was the state deadline.

Councilmember Rasmussen asked about the area that was remanded to the Planning Commission. Ms. Hirashima replied that the area from 87<sup>th</sup> Avenue to SR9 was approved. The rest of it was left in, but the alignment was subject to the remand.

Public Works Director Paul Roberts emphasized that the action of approving the 6-year TIP does not approve the specific projects. It identifies a type of project, but the specifics of any of these projects are not incorporated within the TIP. It simply allows the City to go forward to seek funding and to continue to work on the projects.

*Seeing no further public testimony, the public hearing was closed at 8:30 p.m.*

Councilmember Donna Wright agreed that they are approving the concepts in some of the areas, not the specifics. Mr. Roberts concurred. He pointed out that approving

the 6-year TIP would not preclude the Planning Commission from offering a different approach.

Councilmember Seibert clarified that in approving a TIP project, the design does not have to be done; we are just approving an area where we want to do improvements on. Mr. Roberts concurred. He noted that it has to be in the TIP in order to compete for funds to actually do the projects.

Councilmember Seibert expressed concern about the leg on 51<sup>st</sup> from 84<sup>th</sup> to 80<sup>th</sup>. He questioned the adequacy of 80<sup>th</sup> Street to support traffic if the City were to annex that area. Jeff Massie indicated that they could add improvements to pedestrian facilities and road improvements to bring 80<sup>th</sup> to a modern, urban standard.

### **CURRENT BUSINESS**

None.

### **NEW BUSINESS**

#### **14. Quit Claim Deed – Drainage District #5.**

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert, to authorize the Mayor to sign the quit claim deed prepared by Snohomish County.

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

### **LEGAL**

None.

### **ORDINANCES AND RESOLUTIONS**

#### **15. A Resolution of the City of Marysville Adopting a Six-Year Transportation Improvement Program (2008-2013).**

**Motion** made by Councilmember Nehring, seconded by Councilmember Wright to approve adoption of Resolution 2217. **Motion** passed unanimously (6-0).

### **MAYOR'S BUSINESS**

- Mayor Kendall congratulated Councilmember Seibert who drove the racecar for the Mayors' Cup and came in 2<sup>nd</sup> place.
- He enjoyed the parade and salmon ceremony at the tribal center.
- Julie Wilkerson, Director of Community Trade and Economic Development, will be spending the day with City of Marysville folks. Councilmember

Vaughan will be joining them to tour the City and discuss our goals for the next couple years.

## **STAFF BUSINESS**

Paul Roberts responded to Councilmember Soriano's question about a warranty on the camera equipment by stating that there is a warranty as part of the specifications for the equipment.

Gloria Hirashima stated Carol Mulligan and Belinda Beardsley would be coming to a future meeting to give an update on the Master License service that the City has been participating in since February. There are a few glitches, but the number of business licenses has almost doubled. Councilmember Vaughan noted that after he had used the service his state license listed the City of Marysville on it. He wondered if the City would be sending out a business license certificate as well. Director Hirashima replied that they would not; it would just be reflected on the state certificate.

Grant Weed said he attended a mandatory conference with the Washington City Insurance Authority. It was a very good conference; topics discussed included storm water, liability, land use and public records.

He noted the need for a 15-minute Executive Session to discuss three matters of pending litigation.

Mary Swenson gave a brief update on Lillie Lein's condition.

Sandy Langdon reminded councilmembers to turn in timesheets before Friday.

Chief Smith said his department is gearing up for the 4<sup>th</sup> of July. They plan to work proactively with the fire department to send extra patrols out prior to, on, and after the 4<sup>th</sup>.

## **CALL ON COUNCILMEMBERS**

Councilmember Vaughan thanked staff for the TIP presentation and all the work that went into it.

Councilmember Wright wondered if a weekend business in the K-Mart parking lot had a business license.

She brought up an issue with left turns out of businesses on 88<sup>th</sup> Street, west of State. Cars exiting are trying to turn left across two lanes of traffic.

Councilmember Seibert thanked the transportation group for the work they do on the TIP. He wondered if there wasn't a condition on the 88<sup>th</sup> Street exit relating to issues



like that brought up by Councilmember Wright. Gloria Hirashima indicated that she would check.  
He thanked Mayor Kendall for inviting him to drive in the Mayors' Race. He enjoyed it.

Carmen Rasmussen also thanked the transportation group. She welcomed the new employees in that department.

She expressed appreciation for the graffiti video. She thinks it will help to make youth aware that the community belongs to all of us.

She is enjoying participating in the kickball league as part of the Healthy Communities program. She commended the parks department for creating that opportunity.

John Soriano thanked the engineering staff for all their efforts with transportation issues and the TIP.

He expressed appreciation to Jim Ballew and Jeff Vaughan for keeping young people involved in graffiti prevention efforts.

Jon Nehring thanked the traffic team.

He said that it's great to see high school students so involved in the community as we have seen lately with the graffiti video and the gateway signs.

He commented that the pre-4<sup>th</sup> of July fireworks are often more troublesome than those on the 4<sup>th</sup> and suggested increased patrols for beginning several days and up to a week prior.

## **INFORMATION ITEMS**

**16. Marysville Library Board Minutes; May 10, 2007.**

## **ADJOURNMENT**

Mayor Kendall recessed at 8:53 into Executive Session, which was scheduled to begin at 9:00 and last until 9:15 p.m. for the purposes of discussing three pending litigation items.

## **EXECUTIVE SESSION**

**A. Litigation – Three items**

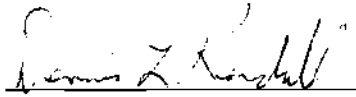
**B. Personnel**

**C. Real Estate**

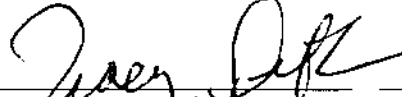
## **ADJOURNMENT**

Seeing no further business, Mayor Kendall adjourned the meeting at \_\_\_\_ p.m.

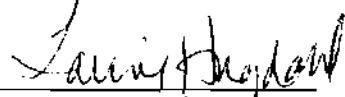
Approved this 14 day of August, 2007.



Mayor  
Dennis Kendall



Asst. Admin. Svcs. Director  
Tracy Jeffries



Recording Secretary  
Laurie Higdahl