

## MARYSVILLE CITY COUNCIL WORK SESSION

September 4, 2007

7:00 p.m.

City Hall

**CALL TO ORDER / PLEDGE OF ALLEGIANCE**

Mayor Dennis Kendall called the September 4, 2007 work session of the Marysville City Council to order at 7:03 p.m. He led those present in the Pledge of Allegiance.

**Present:** Mayor Dennis Kendall, Councilmember Jon Nehring, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember Jeff Vaughan and Councilmember Donna Wright

**Absent:** Councilmember Lee Phillips, Councilmember John Soriano

**Also Present:** Parks and Recreation Director Jim Ballew, Community Development Director Gloria Hirashima, City Clerk Tracy Jeffries, Finance Director Sandy Langdon, Public Works Director Paul Roberts and Chief of Police Rick Smith

**Motion** made by Councilmember Seibert, seconded by Councilmember Wright to excuse Councilmembers Soriano and Phillips. **Motion** passed unanimously (5-0).

**Committee Reports**

Councilmember Vaughan discussed the second meeting of the County Task Force on Graffiti meeting he attended on Wednesday, August 29. The Executive Office is kicking off a campaign against graffiti on October 6. They would like to bring volunteers into Everett on October 6, show them how to clean up graffiti and then send them out to some key areas in the county to do some clean up. They hope that this will start a grassroots effort such as occurred in other communities. Councilmember Vaughan said they are looking to Marysville for our experience in dealing with graffiti since the City has a good reputation. He said he was able to share with them some of the things Marysville has learned since they are just beginning to deal with this problem. The county is hoping for more joint efforts with all the communities in the county. Councilmember Vaughan recommended that Marysville support the county event in Everett.

Councilmember Rasmussen asked if volunteers who were trained to clean up graffiti would be sent back to their own communities to do their volunteer work. Councilmember Vaughan said they had not identified any areas yet, but they would likely be near the Everett metro area.

Councilmember Wright asked if Everett citizens would be participating as well. Councilmember Vaughan replied that there were representatives from the City of Everett there and he thought that they are looking at a location in the City of Everett for this event. He noted that if this works well, Marysville may want to sponsor a similar even in Marysville.

### **Presentations**

None.

### **Audience Participation**

None.

### **Approval of Minutes**

1. Approval of July 23, 2007 City Work Shop Minutes.
2. Approval of September 4, 2007 City Council Work Session Minutes.

### **Consent**

3. Approval of July 27, 2007 Claims in the Amount of \$477,382.63; Paid by Check No.'s 40802 through 40925 with check No.'s 30697 and 40661 voided.
4. Approval of August 1, 2007 Claims in the Amount of \$907,319.73; Paid by Check No.'s 40926 through 41077 with Check No.'s 40852 and 40890 voided.
5. Approval of August 8, 2007 Claims in the Amount of \$959,063.14; Paid by Check No.'s 41078 through 41278 with Check No.'s 28362, 38067, and 41025 voided.
6. Approval of August 15, 2007 Claims in the Amount of \$600,616.40; Paid by Check No.'s 41279 through 41430 with Check No.'s 38772 and 40926 voided.
7. Approval of the August 3, 2007 Payroll in the Amount of \$1,080,372.12; Paid by Check No.'s 18286 through 18376 with Check No. 18366 voided.
8. Approval of the August 20, 2007 Payroll in the Amount of \$680,587.27; Paid by Check No.'s 18377 through 18459.
24. Approve the Recommendation to Award Funding of the Hotel/Motel Tax Grant Project.

Mayor Kendall referred to the recommendations from the Hotel/Motel Committee as contained in Council's packet. Finance Director Sandy Langdon said that the committee was able to fund all submittals this year.

Councilmember Nehring asked about the Council's role in this. Finance Director Sandy Langdon said that if the Council recommends any changes, the committee needs to be given 45 days before it comes back for approval.

Councilmember Nehring asked what their reason was for getting involved with Merryssville for the Holidays. Mayor Kendall explained that they want to support Merryssville for the Holidays but they need some help. Director Langdon added that each of these requests required 25% support from matching. Most of these are well beyond the 25% contribution.

Councilmember Rasmussen asked about the difference between the total amount to be collected and rewarded (\$12,000) and awarded (\$24,000). Director Langdon explained that they go by what was collected in the previous year so these are monies that were collected in 2006. There were additional funds that were collected this year.

Councilmember Seibert asked if the Chamber applied for anything this year. Ms. Langdon replied that they did not although they were sent an application.

### **Review Bids**

None.

### **Public Hearings**

None.

### **Current Business**

12. Snohomish County PUD No. 1 Road Improvement Distribution Easement for the SR 528, 47th Avenue NE to 67<sup>th</sup> Avenue NE Project.

This item was pulled from the agenda

13. Professional Services Supplemental Agreement # 3 for Perteet Engineering for the SR 528, 47<sup>th</sup> Avenue NE to 67<sup>th</sup> Avenue NE Road Improvement Project.

Public Works Director Paul Roberts noted that this is the third supplemental for this work. They are preparing to go to bid in October for this project. This is a limited construction management role for Perteet to help the City do the final preparation of drawings and work so it can get out to bid.

15. Acceptance of the Stillaguamish Water Treatment Plant Project 45-day Lien Filing Period.

Public Works Director Roberts stated that the project was substantially completed in December 2006, but there have been a number of items that needed to be taken care of through the closeout and punch-list process. He said that there will be some issues with working through some of those final closeout items, but this allows the City to complete the contract, close it out and move forward.

City Attorney Grant Weed added that there are potential contract claims here. His office has been working in conjunction with the Public Works department with the contractor. The 45-day lien filing period for project closeout starts the clock ticking for filing of any potential claims and reconciliation of those claims.

23. The Ridge at Rock Creek Phase 1-Final Plat Mylar.

Community Development Director Hirashima gave some background on this matter. This is a final plat which received approval in Snohomish County for 166 lots on 44.5 acres. The plans were approved in Snohomish County and the plat has since been annexed to the City of Marysville. The City of Marysville did the utilities inspection for water and sewer. The County staff did the bulk of the final plat inspection which included grading, roads, storm water and detention facilities. Community Development was alerted to an issue today with the neighboring property owner who may be attending the final plat Council meeting to raise objections about the final plat. They have alerted the applicant to that as well. She said they were aware of some ongoing issues regarding the final plat last year and they thought those issues had since been resolved. A new issue related to an alleged boundary discrepancy has also been raised. They are investigating this further. They have had signoffs from Snohomish County and they have made the City aware of some issues that are being raised by the neighboring property owner relating to their signoff. They feel that the plat meets all the conditions of approval and are recommending acceptance of the final plat. City staff has gone through all the conditions and with the county signoffs believe they have met the conditions of final plat approval.

Councilmember Seibert pointed out an error on the location noted on the agenda bill. He asked about the road connection to the portion on the east side. Director Hirashima explained that it would connect through 87<sup>th</sup> Avenue NE, which is part of Wal-Mart's development. There is an agreement between Wal-Mart and Harbor Homes that they will be responsible for constructing the road to the plat boundary. Councilmember Seibert then asked about access to the north. Director Hirashima said that 87<sup>th</sup> Avenue will continue on through the neighboring property owner's property at some point in the future, but until he proposes a development, that right-of-way would not be dedicated or constructed. 87<sup>th</sup> Avenue continues on through Berry Woods and then continues on north to almost 84<sup>th</sup> Street NE. Councilmember Seibert that this would provide access to Wal-Mart for people who did not want to go on Highway 9 or 64th. He cautioned staff not to allow lots to take access off this road because this would result in issues later. He noted that the Transportation Plan also discusses not having residential roads going into commercial developments. Director Hirashima commented that the development to the north has some direct access because that was a county approval and the City was

not able to voluntarily to pull direct access off of 87<sup>th</sup> Avenue. She added that although any plats approved in the City won't have direct access as you go further north, the county-approved plats have direct access. She said that they have had them do some traffic-calming measures and noted that Wal-Mart will also have access to 528. She said they don't anticipate that people will use this as a shortcut because it would probably take longer. Councilmember Seibert asked if there could be a provision for dead-ending the street once that northern connection is made. Director Hirashima commented that since this is a public road, the City has the ability to close it off if it's not working.

25. Annual Support Agreement and License Agreement for Munis Software.

Sandy Langdon explained that this is the annual renewal and there is a slight increase this year. It supports the software itself, its upgrades and its continual support when there are problems or questions.

### **New Business**

9. A **Resolution** of the City of Marysville to Accept Property Donation from WCD Development, Inc.

Parks and Recreation Director Jim Ballew said that this property is located on 75<sup>th</sup>. It is approximately 1/3 acre with paved trails. Several other parcels in that corridor are being negotiated and two are remaining within the corridor between 75<sup>th</sup> and 64<sup>th</sup>. He noted that WCD has donated the parcel to the City for this purpose.

Councilmember Jeff Seibert asked if there was a density bonus associated with this or they were just giving it to the City. Director Ballew said they were just giving it to the City. It was developed when Bay View Ridge was developed initially and there is no history in terms of a benefit for WCD. This was just an access point to get into the second division.

11. Award Janitorial Contract to Advantage Building Services under Contract No. 18989.

Mayor Kendall explained that this is a state contract and is quite lengthy. City Attorney Grant Weed and Fleet and Facility Manager Mike Shepard have gone over this in great detail. Paul Roberts added that they would be saving a fair amount of money over the previous contract and they would be getting better service as well. Grant Weed commented that he has been working with Mike Shepard to fine tune this agreement to suit the needs of the City. Councilmember Seibert asked that any changes be delineated for the benefit of the Council. Mr. Weed agreed. Councilmember Rasmussen noted that the contract date states that it is effective August 1, 2007. Mr. Weed said that in order to have continuity with the termination of the prior provider there needed to be a start date of August 1. They are already doing the work, but without a contract.

14. Professional Services Agreement with Blue Marble Environmental, LLC to aid in the design and implementation of the Commercial Food Waste Composting Program.

Public Works Director Paul Roberts reminded Council that they received a grant in February for this program (\$30,000 from DOE). There is a \$10,000 match required from the City.

City Attorney Weed noted that page 5 of the agreement was missing, but it will be included in the packet for next week. It is the standard agreement that is used.

16. Acceptance of the Jennings Park Plaza/Sidewalk Installation Project 45-day Lien Filing Period.

Parks and Recreation Director Ballew announced that they are done with the Jennings Park project. The rotary benches that were donated have arrived and are stunning. Staff is anxious to put those out. Mayor Kendall commented that it looks great now and will look even better next year because the plants will be in. Director Ballew noted that they have ordered some plaques to acknowledge the donations. They would like to present a luncheon for the Rotarians on a Wednesday afternoon at the park and invite Belmark and the Edge Concrete crew. A date has not yet been determined.

21. Recovery Contract (Sewer) for Powell-Smokey Point, LLC.

Gloria Hirashima explained that this is a Recovery Contract for a second sewer main on 164<sup>th</sup> Street NE. The recoverable amount is \$86,314.70. Mayor Kendall noted that this is the lot that is just to the south of Costco.

22. An **Ordinance** of the City of Marysville Annexing Certain Unincorporated Area Known as the Lakewood South Annexation Area into the City of Marysville and Prezoning Said Properties Consistent with the City's Comprehensive Land Use Plan Designations.

Director Hirashima commented that this is one of the final pieces of the Urban Growth Area Annexation Plan. In terms of the prioritized annexation, this is the final of the initial priority annexations. The last ones would be the area currently being studied for the large annexation and Lakewood High School. This is recommended to be effective October 1, 2007.

## Legal

18. Contract for Marysville Municipal Court Commissioner.

Grant Weed said that by law the court commissioner is appointed by the judge, but the City pays the bill. This is the agreement with the court commissioner for that and is modeled after the agreement the City has with the judge. The compensation provisions

are similar to what the City would pay for judge pro-tem services, which are currently being paid. This commissioner will enable the City to conduct court simultaneously in both of the courtrooms and deal with some of the extraordinary court calendars that the City is not encountering and expects to encounter down the road. There is a provision for review of the compensation in July of 2008. The individual that the judge has appointed for this position is Lorrie Towers and she is comfortable with this agreement.

### **Mayor's Business**

19. Marysville Planning Commission Board Re-appointment; Stephen Leifer.

Mayor Kendall said that Mr. Leifer has been filling an unexpired term and wishes to return.

20. Marysville Salary Commission Board Appointment, Kamille Norton

Mayor Kendall explained that Jim Lonneker served two terms and was not eligible for reappointment. Ms. Norton has expressed interest in serving and was recommended after interviews.

Other items from the Mayor:

- Six of the nine spots for the college are in Marysville. Staff will be meeting this week to start putting information together. They have met with real estate professionals once and expect them to be contacting the City in the near future for additional information.
- Unfortunately, Welco is closing their doors. They are unsure if they will reopen, but they have placed all of their employees in other jobs if they wanted. They were good citizens who raised a lot of money and food for the food bank over the holidays and they will be missed. Mayor Kendall noted that they were also the two-time defending golf champions from the Marysville Strawberry Festival. He will be meeting with the owner to see what their plans are.
- This coming weekend is Harley-Davidson's first anniversary.
- The Safe Kids and Touch-A-Truck will be held on Saturday. Blow the horns from 10 to noon.
- Mayor Kendall said he was invited to do a brief presentation for the opening of the International School of Communications at the high school. There are 300 students in this new program. Part of the program is the TV station that the City supports.
- Mary Swenson was not here tonight because she is celebrating a special birthday. She will also be celebrating 30 years with the City this month.

### **Staff Business**

10. After-school Activities Grant Program from Tulalip Tribes.

Grant Weed said that about a week ago the Federal District Court decided a case that's been commonly referred to the "Culverts" case. This was a case by the Tulalip Tribes against the State of Washington and has to do with further interpretation of the Bolt decision. The essence of the court's decision was that the Treaty of Point Elliott in the late 1800's includes implied obligations of the State to maintain free passage through culverts for fish. The decision went in the Tribes' favor. His understanding is that the State and the Tribes are in the process of discussing settlement of the case. He explained that this could have ramification for other levels of local government such as counties and cities. Paul Roberts and his department are reviewing the decision in the case and assessing the City's own situation.

Paul Roberts:

- He thanked the Mayor for mentioning Touch-A-Truck.
- With regard to the culverts case they will be taking an assessment of the different fish passages or barriers in the City.
- He was pleased to report that the drop lane on SR 531 has been striped. Traffic counts on Saturday from 1-2 p.m. showed a Level of Service C at that peak point. This will be monitored further, but appears to have the desired effect.

Chief Smith:

- The Tulalip Tribes gave the police department \$75,000 for tribal impact. This is significant and is up from last year. The department is very excited about this. He thanked the Mayor, Mary Swenson and the Council for their efforts on this.
- The Administrative Division Manager has been hired and is doing a very good job. One of the things he has already done is to use special software to create crime analysis reports. This has been useful for some recent robberies in the north end at espresso stands. The crime analysis software has resulted in several persons of interest who will be followed up with. He predicted that the perpetrator would be caught soon.
- Sergeant testing will be held tomorrow. This has not been done in several years. There are 17 officers testing for sergeant within the enforcement end and 4 officers in the custody end. This is very significant.
- He is going to Idaho this week and will be participating in a panel interview with the Northwestern University for the School of Police Staff and Command. He is going because Marysville's own Sgt. Darin Rasmussen is graduating this Thursday. Sgt. Rasmussen has done an outstanding job there and Police Chief has heard very positive comments on his energy, enthusiasm, willingness to get the work done and the quality of his work.

Gloria Hirashima:

- She gave an update on the downtown plan. Makers has been selected and staff is very excited about the opportunities and vision for the future of the downtown area.

- They are trying to get Kwuloolt tribal staff to come to the next Planning Commission meeting for an update. That project is moving forward and will have a big impact on the shoreline and the trail plans.
- She gave an update on the PUD pole. They installed mounts and brackets for the signs on the poles. This will greatly improve the initial impact of the pole.
- Holiday Inn opened last month. Michael's is opening this week. International House of Pancakes has submitted application for a permit. PetSmart, Jamba Juice, Desert Sun, Starbucks, Sleep Country and an ice cream establishment are under construction.
- Staff is continuing to see permit and applications coming in, especially the commercial industrial type. Infill projects and apartments are also common.

Jim Ballew:

- They received a grant award from the Tulalips for \$5,000 to be dedicated toward the after-school program and transportation efforts to move kids from Totem Middle to the Middle School instead of opening two sites. He thanked Councilmember Carmen Rasmussen for attending the ceremony on their behalf. He thanked the Tulalips for their generosity.
- He encouraged Council to read the monthly report which shows that August was very busy.
- He commended the maintenance crew for their hard work during the construction season as well as keeping up with regular responsibilities.
- They are interviewing soon for two new groundskeeper positions and also for the recreation coordinator position.
- He met with the Everett Elks. They are submitting a national grant to renovate Hickock Park play equipment. They meet in Everett, but realized that most of their membership lived in Marysville so they are making efforts to be recognized in their own community.
- Parks Department is submitting two grants to the IEC – one for noxious weed control and one for the drainage project at Strawberry Fields. Parks also hopes to put in a substantial grant application next year for help with the trail.

Sandy Langdon:

- There was a clean audit for 2006. She thanked the staff and especially Denise Gritton for getting that completed.
- She asked to move the Finance Committee meeting from September 19 to September 26.

### **Call on Councilmembers**

Councilmember Vaughan commented on the improved traffic situation at Lakewood Crossing.

Councilmember Nehring said it was good to see everyone again.

Councilmember Wright concurred.

Councilmember Rasmussen:

- She asked if the downtown plan would be incorporating citizen involvement and input. She knows of a citizen who is really excited to be involved in that process. She requested that Council be informed of when the meetings would be held so they could pass that information on.
- She applauded the drop lane and the difference this has made.
- She commended the Tribes and their donation to the after-school activity program. She is sorry to hear that Kayla is not going to be with the City anymore.
- She proposed giving a group endorsement to the RTID rather than doing it individually. Mayor Kendall offered to arrange a presentation at the next work shop.
- She requested more information from Director Ballew on the Urban Trail Fund that Representative McCoy is proposing.

Jeff Seibert:

- He welcomed everyone back.
- He commented that the bridge had been repainted. Unfortunately graffiti has returned to areas not over the freeway. He requested that WSDOT have someone available for the next couple months to repaint this as quickly as possible.
- Councilmember Vaughan pointed out that there is more graffiti on Marysville's side. He noted that there is not a fence on the Marysville side and there is on the Tulalip side.
- He commented that getting on the freeway coming out of Lakewood is a lot easier than trying to get onto Smokey Point Boulevard.
- He suggested an official letter of thanks to Tribes for their donations.
- He was pleased to see the downtown development on B Street. Also, it's good to see that there are actual building condos and not just air condos in Marysville and they are getting a good price.
- The article in the paper discussed how much interest the Centennial Trail generates. This speaks to what the City is trying to do with some of the other trails.
- He requested that information regarding a resolution between Snohomish and King County as far as the Sounder agreement for rail services be included in the RTID presentation. He thought that voters would be concerned about that issue.
- He had someone in a wheelchair ask why there are not sidewalks along 80<sup>th</sup> street. Mayor Kendall said it was coming as the blacktop is completed.

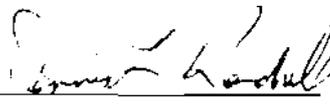
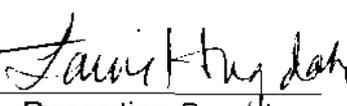
There was discussion about the change of the calendar being sent as an email instead of as part of the packet.

## **Information Items**

**Adjournment**

Seeing no further business, Mayor Kendall adjourned the meeting at 8:26 p.m.

Approved this 10 day of September, 2007.

		
Mayor Dennis Kendall	Asst. Admin. Svcs. Director Tracy Jeffries	Recording Secretary Laurie Hugdahl