

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Approval of Minutes	
Approve November 13, 2007 City Council Meeting Minutes.	Approved
Approve November 19, 2007 Work Session Minutes.	Approved
Consent Agenda	
Approve November 7, 2007 Claims in the Amount of \$1,301,467.50; Paid by Check No.'s 43172 through 43322 with no Check No.'s Voided.	Approved
Approve November 14, 2007 Claims in the Amount of \$404,821.21; Paid by Check No.'s 43323 through 43456 with no Check No.'s Voided.	Approved
Approve November 20, 2007 Payroll in the Amount of \$646,504.77; Paid by Check No.'s 18817 through 18875.	Approved
Authorize the Mayor to Sign the Otak Supplemental Professional Services Agreement No. 2 to Provide Appraisal Services Regarding the 67 th Avenue NE, 100 th – 132 nd Street NE Watermain Extension/Road Rehabilitation Project.	Approved
Authorize the Mayor to Sign the Jail Services Interlocal Agreements with Sauk-Suiattle Tribe.	Approved
Authorize the Mayor to Sign the Jail Services Interlocal Agreements with Stillaguamish Tribe.	Approved
Review Bids	
Award the bid for the Edward Springs Well 1R project to Gary Harper Construction, Inc.	Approved
Public Hearings	
Current Business	
New Business	
Adopt Ordinance affirming the Planning Commission's recommendation and adopting the Marysville Capital Facilities Plan 2008-2014 by individual Ordinance, concurrently with the 2008 Budget.	Approved Ord. No. 2720.
Adopt an Ordinance (Option B) of the City of Marysville Levying Regular Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2008.	Approved Ord. No. 2721
Adopt an Ordinance of the City of Marysville Levying EMS Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2008.	Approve Ord. No. 2722
Adopt an Ordinance of the City of Marysville Adopting a Budget for the City of Marysville, Washington, for the Year 2008 and Setting Forth in Summary Form the Totals of Estimated Revenues and Appropriations for Each Separate Fund and the Aggregate Totals of All Such Funds Combined.	Approved Ord. No. 2723
Adopt a Resolution to Surplus and Authorizing the Sale or Disposal of Various Office Equipment.	Approved Res. No. 2227
Adopt an Ordinance of the City of Marysville Amending the City's Street Code Related to Frontage Improvements and Dedications and Amending Chapter 12.02A and Repealing Chapter 12.02 of the Marysville Municipal Code.	Approved Ord. No. 2724
Legal	
Approve Recovery Contract for Sewer; Meadows at Two Cedars.	Approved Recovery Contract No. 280
Approve Recovery Contract for Water; Meadows at Two Cedars.	Approved Recovery Contract No. 281

Mayor's Business	
Affirm Snohomish County Tomorrow Steering Committee Appointment; Mayor Dennis Kendall and Jon Nehring as Alternate.	Approved
Affirm Snohomish County Emergency Management Advisory Board Appointment; Mayor Dennis Kendall and Chief Rick Smith as Alternate.	Approved
Affirm Snohomish County Emergency Radio System (SERS) Board Appointment; Mayor Dennis Kendall and Chief Rick Smith as Alternate.	Approved
Affirm Snohomish Health District Board of Health Re-Appointment; Donna Wright.	Approved
Affirm Community Transit Board Appointment; Mayor Dennis Kendall.	Approved
Staff Business	
Call on Councilmembers	
Information Items	
Adjournment	8:36 p.m.

COUNCIL

Marysville

MINUTES

Regular Meeting

November 26, 2007

Call to Order / Invocation / Pledge of Allegiance

Mayor Dennis Kendall called the November 26, 2007 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Pastor Rick Terry of Marysville Free Methodist Church. 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: Councilmember Jon Nehring, Councilmember Lee Phillips, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

Absent: None

Also Present: Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, Public Works Director Paul Roberts, Commander Ralph Krusey, Senior Planner Chris Holland, Accounting Manager Denise Gritton, City Clerk Tracy Jeffries, and Recording Secretary Laurie Hugdahl

Committee Reports

None

Presentations

A. Service Awards. – None

Audience Participation

Jeri Short, 6917 40th Street, Marysville, had several questions:

- She said she also read the comments about the consultant in the paper and was glad to hear that something was going to be done about what they had said. She wondered what was being done.
- She referred to Mary Swenson's comment that a lot of money had been spent to prepare the land up north. She wanted to know how much money was spent, where the money was from and why the land needed to be prepared to begin with.
- She suggested that Audience Participation could be moved to the end of the meeting in order to give the public a chance to respond to what the Council had said and done that night.
- She asked if it was possible for the public to have more interaction with the Council during work sessions.
- She wanted to know if minutes were taken during Executive Session.
- She wanted to know if they just talked about the topics that are listed in the regular minutes or if other topics were discussed during Executive Sessions.
- She wondered if the City Council has other times that they discuss topics outside of the Council meetings.
- She asked Councilmember Vaughan if they can identify the gangs by their tags. She commented that her area has been hit very hard. She added that she noticed a new tag on Sunnyside.

Commander Krusey responded to the tag question. He said that they can be identified by the tag, but not all tags are gang related. One of the officers is the School Resource Officer is very helpful with this. On the Graffiti Task Force, they have been working to identify some of these tags. He offered to get with her later.

Councilmember Nehring thanked her for coming. He responded to her question about Audience Participation at the end of the meeting. He noted that most citizens would be upset by having to stay for the entire meeting. Having it at the beginning of the meeting is done as a convenience to the public. He added that on a public hearing night, the public is allowed to speak for each item.

Ms. Short stated that her frustration was that there was no opportunity for conversation with the Council. There was discussion about other types of opportunities for conversations with councilmembers.

Councilmember Seibert addressed improvements to land in the north end. He explained that the City invested in building a storm water pond and charged money for people that discharged into that. Initially city funds were used, but now that is being repaid by developers that are using it. Because the water table is so high up there it was very costly to develop the land. The land that UW was looking at would benefit from those improvements. There was discussion about how this was funded.

As far as public input later in the meeting, Councilmember Seibert said he did not have a problem with that. He noted that the workshops are a time for them to get understanding on topics. He felt that it was a benefit to have a week to get more information on the topics before having an opportunity to speak.

Mary Swenson added that the improvements were done to benefit the whole area, not just for the UW. Regarding the UW, she said they are still working with Strategies 360. She discussed actions they have taken and will continue to take. Ms. Short asked if they would be required to retract any of their comments. CAO Swenson stated that they would set the record straight, but she could not say how.

Councilmember Vaughan addressed her questions about graffiti. He discussed the database and its ability to store photographs of tags and link them to the location where they occurred. The Task Force needs to do some work to get pictures of the tags before they paint over them so they can get them into the database. Ms. Short expressed concern about it getting cleaned up too quickly without getting reported. Councilmember Vaughan concurred.

Councilmember Rasmussen stated that she saw the validity of having an opportunity for public comment at the end. She said she would be open to having a time at the end in addition to the time at the beginning.

City Attorney Grant Weed referred to the rules of procedure for the conduct of the meeting, which is adopted by resolution. This could be done, but it would require a change to the rules of procedure. With regard to public comment during work sessions, he discussed how the Council had decided that the work sessions should be a time for Council to get up to speed on issues and had opted not to take public comment at those meetings. Regarding Executive Sessions, he explained that what they can discuss in Executive Session is strictly prescribed under the Open Public Meetings Act. He discussed what kinds of topics are allowed. Minutes are not required to be taken and recordings are not required to be done. Under the Open Public Meetings Act, any three of the Councilmembers can meet at any time to discuss issues. If more than four are present, it constitutes an open meeting and it must be advertised to the press and the public.

Councilmember Seibert commented that the Council was very open to receiving phone calls, emails or other communications, unless it is a quasi-judicial matter. In those cases, it is not proper for councilmembers to have conversations outside of the meetings.

Approval of Minutes

1. Approval of November 13, 2007 City Council Meeting Minutes.
 - Councilmember Seibert referred to page 2 of 13. Under Jeri Short's comments, he noted that she had been referring to Native American graves, not burial sites on her property. This should be corrected to read:

"She emphasized that she was opposed to the road going through her property, taking one of her children's homes, ~~and forcing them to move their dead~~. **She stated you would never take a grave away from the Native American to build a road.**"

- Councilmember Wright noted that she would be abstaining since she was not at that meeting.
- It should be noted under Roll Call that Councilmember Nehring was present, but that he arrived at 7:33.

Motion made by Seibert, seconded by Councilmember Rasmussen, to approve the November 13 minutes as amended. **Motion** passed (6-0) with Councilmember Wright abstaining.

2. Approval of November 19, 2007 City Council Work Session Minutes.

Motion made by Councilmember Nehring, seconded by Councilmember Wright, to approve the November 19 minutes as presented. **Motion** passed unanimously (7-0).

Consent

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

3. Approval of November 7, 2007 Claims in the Amount of \$1,301,467.50; Paid by Check No.'s 43172 through 43322 with no Check No.'s Voided.
4. Approval of November 14, 2007 Claims in the Amount of \$404,821.21; Paid by Check No.'s 43323 through 43456 with no Check No.'s Voided.
5. Approval of November 20, 2007 Payroll in the Amount of \$646,504.77; Paid by Check No.'s 18817 through 18875. *
10. Authorize the Mayor to Sign the Otak Supplemental Professional Services Agreement No. 2 to Provide Appraisal Services Regarding the 67th Avenue NE, 100th – 132nd Street NE Watermain Extension/Road Rehabilitation Project.
22. Authorize the Mayor to Sign the Jail Services Interlocal Agreements with Sauk-Suiattle Tribe.
23. Authorize the Mayor to Sign the Jail Services Interlocal Agreements with Stillaguamish Tribe.

Motion passed unanimously (7-0).

Review Bids

6. Edward Springs Well 1R Project Awarded to Gary Harper Construction, Inc.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to authorize the Mayor to award the bid for the Edward Springs Well 1R project to Gary Harper Construction, Inc. in the amount of \$306,360.60 including Washington State Sales Tax, and approve a management reserve of \$15,000.00 for a total allocation of \$321,360.60. **Motion** passed unanimously (7-0).

Public Hearings

Current Business

New Business

12. An **Ordinance** of the City of Marysville adopting the Capital Facilities Plan 2008-2014.

Senior Planner Holland noted that some of the parks projects had been removed at the request of Council.

Councilmember Seibert asked Grant Weed if there was an emergency clause that could be utilized if immediate purchasing was deemed necessary. City Attorney Weed discussed the ways that this could be handled outside of the Capital Facilities process.

Motion made by Councilmember Seibert, seconded by Councilmember Nehring, to adopt Ordinance 2720, affirming the Planning Commission's recommendation and adopting the Marysville Capital Facilities Plan 2008-2014 by individual Ordinance, concurrently with the 2008 Budget. **Motion** passed unanimously (7-0).

7. An **Ordinance** of the City of Marysville Levying Regular Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2008.

Motion made by Councilmember Wright, seconded by Councilmember Rasmussen, to approve Ordinance 2721, Option A.

Councilmember Nehring said he appreciated all the comments from the Council on this matter. He discussed the multiple tax increases that this Council has supported thus far. He supported those generally because they are user fees. The council has also supported EMS levy and the I-NET fee. With regard to the property tax, he explained reasons that he and many others are opposed to this tax.

Councilmember Vaughan commented that they were told that the 1% would fund the community policing officer; however in the budget meeting the program they have going to help eradicate graffiti would not be funded in the 2008 budget. It had been suggested that if they take the 1% they could use that to fund the graffiti work. He was upset

because he felt that this had turned into a vote for or against community policing as opposed to a vote for or against property taxes. He stated that he has the utmost confidence and respect for the Mayor and the staff, but he is not happy with the way this has played out. His opinion is that policing is a core responsibility of the community and ought to be the first dollars spent and not the last dollars. He said they need to think about the message they are sending to people regarding raising property taxes. It is the principle that is involved here and it is how this Council will be judged in the future. He encouraged them to vote their conscience and to think about the message they are sending.

Councilmember Wright said that the issue of the Community Policing Officer was not the reason she was supporting this. It has been five years since there has been an increase in property taxes. They do not know what is ahead and she believes that the City needs to prepare and look ahead.

Councilmember Seibert concurred with Councilmembers Vaughan and Nehring. He stated that if community policing is a priority they should be able to find something that's not so much of a priority in the budget and take it out. He said that although he preferred not to, he would be willing to look at a line item budget in the future if it would help to prevent this type of issue in the future. He expressed his confidence in the Mayor, but discussed concerns related to staff spending money on items that are not high priority items at the expense of higher priority items. He noted that when he started on the Council they made a commitment to get away from property tax based revenue and it does not make sense to turn back. He discussed how the amount of property taxes goes up even if the levy value goes down. He said that many people that elected officials are disingenuous when they say that they don't want to raise taxes. The Council needs to keep going down the road that they have been and avoid raising property taxes.

Councilmember Rasmussen clarified that she did not see this vote as one for or against community policing and she did not believe that there has been any effort to portray it that way. This was already a priority for staff in the mid-year review. Regarding property taxes, she felt that it would be nice for the public to know exactly where their taxes were going. She emphasized that she did not want this to be a divisive issue.

Mary Swenson said she has been a proponent of the 1% all along. This is a funding option that most cities take and are allowed by law to take. She referred to some of the expenses in the budget that had been questioned by Council and noted that they are one-time expenses. When they look at ongoing expenses such as employees, they prefer to tie it to an ongoing revenue source. Staff's intent was not to make this into a divisive issue. Regarding the graffiti cleanup, there is funding in the budget for this already.

Councilmember Vaughan said that the right-of-way crew was the part that was tied to this. Ms. Swenson concurred.

Councilmember Seibert discussed inflation issues related to the property tax increases.

Upon a roll call vote, the **motion** to adopt Option A failed (4-3) with Councilmembers Wright, Soriano and Rasmussen voting for and Councilmembers Vaughan, Seibert, Nehring and Phillips voting against.

Motion made by Councilmember Seibert, seconded by Councilmember Vaughan, to adopt Ordinance 2721, Option B. Upon a roll call vote, the **motion** passed unanimously (7-0).

8. An **Ordinance** of the City of Marysville Levying EMS Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2008.

Sandy Langdon discussed this levy.

Motion made by Councilmember Soriano, seconded by Councilmember Wright, to approve Ordinance 2722. **Motion** passed unanimously (7-0).

9. An **Ordinance** of the City of Marysville Adopting a Budget for the City of Marysville, Washington, for the Year 2008 and Setting Forth in Summary Form the Totals of Estimated Revenues and Appropriations for Each Separate Fund and the Aggregate Totals of All Such Funds Combined.

Motion made by Councilmember Vaughan, seconded by Councilmember Nehring, to approve Ordinance 2723. **Motion** passed 6-1 with Councilmember Phillips voting against.

Mary Swenson clarified that the ordinance that they passed banks the 1%.

11. A **Resolution** to Surplus and Authorizing the Sale or Disposal of Various Office Equipment.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to approve Resolution 2227. **Motion** passed unanimously (7-0).

13. An **Ordinance** of the City of Marysville Amending the City's Street Code Related to Frontage Improvements and Dedications and Amending Chapter 12.02A and Repealing Chapter 12.02 of the Marysville Municipal Code.

Motion made by Councilmember Seibert, seconded by Councilmember Vaughan, to approve Ordinance 2724. **Motion** passed unanimously (7-0).

Legal

14. Recovery Contract for Sewer; Meadows at Two Cedars.

Motion made by Councilmember Rasmussen, seconded by Councilmember Nehring, to approve Recovery Contract for Sewer #280. **Motion** passed unanimously (7-0).

15. Recovery Contract for Water; Meadows at Two Cedars.

Motion made by Councilmember Nehring, seconded by Councilmember Soriano, to approve Recovery Contract for Water #281. **Motion** passed unanimously (7-0).

Mayor's Business

16. Snohomish County Tomorrow Steering Committee Appointment; Mayor Dennis Kendall and Jon Nehring as Alternate.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to confirm the appointments to the Snohomish County Tomorrow Steering Committee. **Motion** passed unanimously (7-0).

17. Snohomish County Emergency Management Advisory Board Appointment; Mayor Dennis Kendall and Chief Rick Smith as Alternate.

Motion made by Councilmember Nehring, seconded by Councilmember Soriano, to confirm the appointments to the Snohomish County Emergency Management Advisory Board. **Motion** passed unanimously (7-0).

18. Snohomish County Emergency Radio System (SERS) Board Appointment; Mayor Dennis Kendall and Chief Rick Smith as Alternate.

Motion made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve the appointments to Snohomish County Emergency Radio System (SERS) Board. **Motion** passed unanimously (7-0)

19. Snohomish Health District Board of Health Re-Appointment; Donna Wright.

Motion made by Councilmember Soriano, seconded by Councilmember Nehring, to reappoint Councilmember Wright to the Snohomish Health District Board of Health. **Motion** passed unanimously (7-0).

20. Community Transit Board Appointment; Mayor Dennis Kendall.

Motion made by Councilmember Seibert, seconded by Councilmember Wright, to approve the reappointment of Mayor Kendall to the Community Transit Board. **Motion** passed unanimously (7-0).

Mayor Kendall listed all the boards and committees which he is a chair or vice-chair and stated that he represents this city quite well. He thanked the Council for their involvement on the committees on which they serve.

Committee assignments need to be made next week. They will also be looking for a Mayor Pro Tem for the new year. Councilmember Nehring stated that he has loved the position of mayor pro tem, but he has served two terms and would be willing to relinquish the position if there is someone else that is interested.

December 10 will be the swearing in of the new councilmembers.

Staff Business

Denise Gritton – no comments

Paul Roberts:

- Staff is involved with weather-preparedness efforts. The new sander is ready to go.
- They are looking critically at resolving final issues on Grove Street.

Grant Weed

- He hopes everyone had a great Thanksgiving.
- There is no need for an executive session.

Mary Swenson:

- Thanks to Denise Gritton for all her work on the budget.
- She has started the process of the sergeant. And lieutenant interviews with the commanders and Chief Smith.
- Teamster negotiations started today. MPOA negotiations will begin next week.

Sandy – no comments

Ralph Krusey:

- He commented that last year at this time they were inundated with concerns about traffic in the north end. Because of work done by the city, they have not had complaints this year.

Call on Councilmembers

Jeff Vaughan - noted that today is Cyber Monday.

Donna Wright – no comments

Jeff Seibert:

- He noticed that there is a traffic warning on exits. He appreciates that warning ahead of time.
- Thanks to officers and staff for work done on traffic in the north end.
- Thanks to staff for work done on the budget.

Carmen Rasmussen:

- She went to Lakewood Crossing twice over the weekend. Both times she easily got in and out. Traffic was much better than last year.
- This week on Wednesday from 3:30-5 the Marysville Youth Action Network is meeting at the Ken Baxter Senior Center. This is a very uplifting meeting to attend. She will not be able to attend and would appreciate it if there was a representative from Council there.

Jeff Seibert:

- He also was at Lakewood Crossing twice this weekend. He suggested letting the Canadians that it's okay to make a free right-hand turn. There was discussion about some creative ways to do that.

Phillips – no comments

John Soriano:

- Traffic is moving very well at Lakewood Crossing.
- He complimented the dynamics of the Council, staff and the Mayor for how they work together.

Jon Nehring:

- Thanks to Sandy and the rest of staff for the budget.
- He asked about an agenda for the Public Safety meeting. Commander Krusey replied that it was cancelled until January.

Paul Roberts added that they have no plans for Public Works Committee for December.

Mayor Kendall added that Saturday night is Marysville for the Holidays.

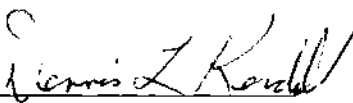
Information Items

21. Marysville Library Board Minutes; November 8, 2007.

Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 8:36 p.m.

Approved this 10th day of December, 2007.


 Mayor
 Dennis Kendall


 Asst. Adm. Svcs. Director
 Tracy Jeffries