

COUNCIL



MINUTES

Work Session
November 3, 2008

Call to Order / Invocation / Pledge of Allegiance

Mayor Dennis Kendall called the November 3, 2008 Work Session of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. 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 Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

Absent: Councilmember Lee Phillips

Also Present: Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, Police Chief Rick Smith, Community Development Director Gloria Hirashima, Public Works Director Kevin Nielsen, City Attorney Grant Weed, City Clerk Tracy Jeffries, and Recording Secretary Laurie Hugdahl

Motion made by Councilmember Soriano, seconded by Councilmember Vaughan, to excuse Councilmember Phillips who was ill. **Motion** passed unanimously (6-0).

Committee Reports

None.

Presentations

None.

Discussion Items

Approval of Minutes

1. Approval of October 27, 2008 City Council Meeting Minutes.
2. Approval of November 3, 2008 City Council Work Session Minutes.
3. Approval of October 21, 2008 City Council Budget Workshop Minutes.

Consent

4. Approval of October 22, 2008 Claims in the Amount of \$1,179,635.18; Paid by Check No.'s 50938 through 51120 with Check No.'s 16374, 17079, 17664, 18497, 18534, 18568, 18754, 19310, 19363, 19419, 19474, 19622, 19628, 20173, 20479, 20550, 20667, 21317, 21682, 21774, 21869, 21996, 22076, 22643, 23513 and 23538 Voided.
5. Approval of October 29, 2008 Claims.
6. Approval of November 5, 2008 Claims
7. Approval of November 5, 2008 Payroll.

Review Bids

8. Award Bid for the Edward Springs Booster Pump Station Piping Modifications Project to Archer Construction in the Amount of \$67,714.85 Including Washington State Sales Tax, and Approve a Management Reserve of \$3,400 for a Total Allocation of \$71,114.85.

Public Works Director Kevin Nielsen explained that the Council had already approved the pump. This project will provide the piping to connect it to the reservoir.

9. Award the SR 9 Reservoir Demolition Project.

The bids from 12 bidders were opened on Thursday. Public Works Director Kevin Nielsen stated that it looks like they will be awarding to the third low bidder, since bidders numbers one and two were non-responsive. More information will be in the packet for next week. Director Nielsen discussed the construction they will be doing on this property.

Councilmember Soriano commented on the low bids and asked if the bidders foresee reclamation on the metal. Kevin explained that these are just really competitive times.

Public Hearings

10. 2009 Preliminary Budget. (Public Hearing will be held November 10, 2008)

New Business

11. Terminate the Facility HVAC Maintenance Services Contract with the W.A. Botting Company.

Staff recommended terminating the agreement with W.A. Botting Company due to the fact that they are not responsive and are not performing some of their duties. The City will rebidding this contract.

12. Interlocal Data Sharing Agreement between the State of Washington Department of Licensing and the City of Marysville.

There were no comments or questions regarding this item.

Legal

Mayor's Business

- There will be a ribbon cutting on Saturday at the Grease Monkey.
- The following weekend there will be an official ribbon-cutting for IHOP.
- He reminded everyone about the gang awareness meetings on Thursday and Friday.
- Walkability audit was held last week.

Staff Business

Kevin Nielsen:

- Staff did a preliminary draw-up of a roundabout at 88th and State, as suggested by Dan Burden, to see if it might work. They will continue to look into this option.
- The walkability workshop was really interesting and inspiring. He discussed numerous design and engineering concepts associated with this.

Chief Smith:

- He is going to IACP conference in San Diego this week. He discussed some of the topics to be addressed at the conference.
- ProAct team has made several arrests on warrants and more taggers. They are also continuing to work on commercial burglaries.
- SnoPac is looking at several different systems that involve CAD. He is seeing a movement of SnoPac and SnoCom working together and credits Mayor Kendall's influence for this happening.

Sandy Langdon had no comments.

Gloria Hirashima echoed that the walkability training with Dan Burden was really inspiring. She really wants him to come back and do some targeted assistance on some

of the plans and projects that the city has adopted. Mr. Burden has very valuable insight and experience.

Grant Weed discussed an existing state statute that allows for civil remedy of gang-related activity under certain circumstances. Councilmember Seibert added that you always have the right to pursue civil action, but this allows you to recover attorney fees and allows for a judge to order an additional penalty up to \$1,000. Grant Weed concurred.

Grant Weed stated the need for a 15-minute Executive Session for an update on one pending litigation item and one potential litigation item. Action will be taken on one item following the Executive Session.

Mary Swenson:

- She was not able to attend the walkability session since she was attending to business regarding the university.
- Gang awareness training signups are going well.
- She informed the Council that former Councilmember Shirley Bartholomew passed away this weekend.

Call on Councilmembers

Carmen Rasmussen:

- She attended the walkability training and found Dan Burden's vision for the city very fascinating and encouraging. She discussed some of the concepts that she learned at the training.
- The attendance for Movies in the Park was 1,700 over the summer.
- The dog park will be opening on November 15 at 9 a.m.

There was significant discussion about roundabouts in the city, especially at 88th and State Avenue.

Jeff Vaughan reported that there was a meeting last week with Snohomish County Deputy Prosecutor Tobin Darrow and members of the graffiti task force. There was significant discussion about prosecution of juveniles who were taggers. One item stressed by the Prosecutor was that good information about the costs to fix the damage and linking up multiple incidents is very important in getting a prosecution. Marysville is already doing those things. It was noted that there are also different philosophies in how seriously the judges take this.

Carmen Rasmussen added that the system for juveniles is intended to provide correction and divert them out of the system. For kids from stable homes this is generally enough, but there are a significant number of kids whose family members are also in jail or in trouble and who do not take this seriously. There was discussion about what can be done to help with these kids.

Jon Nehring commented that Mr. Darrow did not seem to make the connection between graffiti and gangs. Councilmember Rasmussen stated that from their perspective malicious mischief is malicious mischief. She feels he views this as an entry-level crime and a countywide problem.

City Attorney Weed commented that it is incumbent on the police to work with the prosecutor's office to show them the evidence that justifies the higher-level charge. Chief Smith concurred and explained how they are attempting to do this.

Jeff Vaughan remarked on the importance of family in the community. He wondered what they could do to strengthen families in the community since one of the functions of gangs is to serve as a counterfeit of the family. He encouraged everyone to come to the gang awareness training on Thursday and Friday.

Donna Wright:

- She attended one day of the walkability training and found it very interesting. She is looking forward to seeing what staff comes back with.
- She will be out of town next Monday for the Congress of Cities and will need an excused absence.

Jon Nehring:

- Congratulations to Marysville Pilchuck High School.
- He commented on what he has noticed with problems with the youth at Totem Middle School. He discussed the importance of sports programs and other activities to keep kids involved in positive activities.

John Soriano:

- He was sorry to have missed the meeting with Tobin Darrow. He agreed with the importance of keeping the family together.
- He expressed regret on the passing of Shirley Bartholomew.

Jeff Seibert asked if Director Nielsen had a chance to make contact with Beatrice Howell. Director Nielsen affirmed that they did and commented on the issue.

Adjournment

Mayor Kendall recessed at 8:18 p.m. for 15 minutes before reconvening into Executive Session. The Executive Session was expected to last 15 minutes.

Executive Session

- A. Litigation - one pending item and one potential item
- B. Personnel
- C. Real Estate

Motion made by Councilmember Seibert and seconded by Councilmember Nehring to extend the Executive Session by 10 minutes. **Motion** was passed unanimously (6-0).

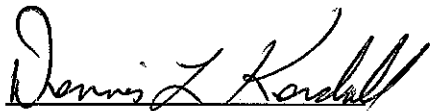
Mayor Kendall called the meeting back to order at 8:48 p.m.

Motion made by Councilmember Wright and seconded by Councilmember Seibert to authorize the Mayor to execute a Change Order with Granite NW, Inc. in the amount of \$342,517.00 with a stipulated project completion date of two months earlier and as discussed in Executive Session. **Motion** was passed unanimously (6-0).

Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 8:51 p.m.

Approved this 10th day of November, 2008.



Mayor
Dennis Kendall



Asst. Admin. Svcs. Director
Tracy Jeffries