

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
Approve absence of Jon Nehring.	Approved
<b>Approval of Minutes</b>	
Approve May 12, 2008 City Council Meeting Minutes.	Approved
Approve May 19, 2008 City Council Work Session Minutes.	Approved
<b>Presentations</b>	
Employee Service Awards	Presented
<b>Consent Agenda</b>	
Approve May 14, 2008 Claims in the Amount of \$435,971.70; Paid by Check No.'s 46340 through 47500 with Check No.'s 45684, 46430 & 46765 Voided.	Approved
Approve May 21, 2008 Claims in the Amount of \$635,272.90; Paid by Check no.'s 47501 through 47657 with Check No.'s 47256 & 47363 Voided.	Approved
Approval of May 20, 2008 Payroll in the Amount of \$701,642.87; Paid by Check No.'s 19588 through 19674.	Approved
Authorize the Mayor to Sign the Amendment No. 1 to the Janitorial Services Contract Between the City of Marysville and Advantage Building Services in the Amount of \$918.96 for a Total Amended Contract Price of \$90,048.12.	Approved
Authorize the Mayor to Sign the One Year Professional Services Agreement with AmTest Laboratories, Inc. for Water Quality Testing, with an Added One Year Option for Renewal.	Approved
Authorize the Mayor to Sign the Youth Athletic Fund Grant Agreement with the Recreation and Conservation Office (RCO) Youth Athletic Fund Grant Account.	Approved
Approve the Strawberry Festival 2008 Master Permit Renewal.	Approved
Authorize the Mayor to Sign the Washington State Department of Transportation Developer/Local Agency Agreement for Improvements to SR531/27th Avenue NE with White Leasure for the Lakewood Pointe Development.	Approved
Approve a Planning Manager Position, Land Use Job Description and Placement on the Management Classification Grid at Range M-8.	Approved
Authorize the Mayor to Sign the Affidavit Amending a Contract with Tyler Technologies Removing the PostalSoft Module from the City's Support Contract.	Approved
<b>Review Bids</b>	
Award Jennings Park Parking Lot Overlay Project to Northwest Asphalt, Inc. in the Amount of \$41,919.00 Dollars.	Approved
<b>Public Hearings</b>	
<b>New Business</b>	
Approve Independent Contractor and Lease Agreement with Jack and Malinda Perkins of Marysville for the Caretaker Position at Jennings Memorial Park.	Approved
Approve Independent Contractor and Lease Agreement with Matt and	Approved

Sabra Edgerton of Marysville for the Caretaker Position at Strawberry Fields Park.	
Adopt an Ordinance of the City of Marysville, Washington Amending Portions of Chapter 9.20 Fireworks of the Marysville Municipal Code Relating to RCW Updates, Penalties; and Providing for Severability.	Approved Ord. No. 2737
<b>Legal</b>	
<b>Mayor's Business</b>	
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Adjournment</b>	8:23 p.m.

# COUNCIL



# MINUTES

**Regular Meeting**  
May 27, 2008

## **Call to Order / Invocation / Pledge of Allegiance**

Mayor Dennis Kendall called the May 27, 2008 regular meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Pastor Steve Schertzinger from New Hope Community 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 Lee Phillips, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

**Absent:** Councilmember Jon Nehring

**Also Present:** Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, Police Chief Rick Smith, Community Development Director Gloria Hirashima, City Engineer John Cowling, Parks and Recreation Director Jim Ballew, Commander Ralph Krusey, Community Information Officer Doug Buell, Public Works Operations Manager Terry Hawley, City Clerk Tracy Jeffries, and Recording Secretary Laurie Hugdahl

It was noted that Councilmember Nehring was out of town on business.

**Motion** made by Councilmember Seibert, seconded by Councilmember Wright, to excuse Councilmember Nehring from the meeting. **Motion** passed unanimously (6-0).

## **Committee Reports**

Councilmember Carmen Rasmussen reported on the Marysville Parks and Recreation Board meeting on May 14. The following topics were discussed at the meeting:

- Marysville Dog Owners Group (M-DOG) gave a presentation on their non-profit organization. They will be using Poochapalooza event on July 12 as a fundraiser for their organization.
- Staff presented a design of an off-leash dog park for Strawberry Fields. Councilmember Rasmussen distributed a copy of the design for the Council to see. Staff has recommended that it be a temporary facility so that it can be removed and relocated if necessary. The Parks and Recreation Board unanimously voted to recommend to the City Council to accept that site as an off-leash dog park.
- The graffiti presentation that has been given to the middle schools was given to the board. She noted that there has actually been a dramatic drop in graffiti incidents in the City. She commended Councilmember Vaughan, Jim Ballew and the police department for the excellent work they have done and the apparent success they have had as a result of their presentations.
- Totem Middle School has indicated an interest in housing an after school athletic program like the one at Marysville Middle School. Staff gave a presentation about what would be required for this to happen. It would require a budget amendment for this year and a commitment for 2009. This appears to be a valuable program and will be researched further.
- There was a delay in hanging baskets due to weather conditions.
- 5/17 was Community Pride Day. Haggen's has offered to donate their excess plants to the City.
- Movies and Music in the Park brochures have been prepared.
- Volunteers are needed for the all-comers track meet in July.

Councilmember Jeff Seibert reported on the May 14 Snohomish County Solid Waste Advisory Committee meeting. The following topics were covered at the meeting:

- Updates from staff and SWAC members.
- Scale software fit test was completed and will be installed in June or July.
- Canola drying system at Cathcart will be started soon. They will be doing a per ton charge to cover costs.
- The tonnage of solid waste is down about 7%.
- There was a discussion of the cost of service study. This will be going to the County Council for June's budget proposal. There was a motion by the SWAC Committee to recommend that the County Council support and approve it.
- 5-year goals for the committee.
- Discussion of what services other cities and towns provide.
- Discussion and report on annual cleanup efforts.

## **Presentations**

### **A. Employee Service Awards.**

The following employees received service awards:

1. Jacki Goldman, Administrative Secretary, 20 Years.
2. Kenneth (Ken) Tyacke, Heavy Equipment Operator, 20 Years.
3. Richard (Dick) Higbee, Solid Waste Collector, 20 Years.

## Audience Participation

Pauline Miller, Willow Run, 4900 80th Street NE, Marysville, WA, expressed concern about the lack of sidewalks on 80th St, especially for the elderly and those in wheelchairs. She requested sidewalks or some sort of protection for pedestrians.

Community Development Director Hirashima gave an update on this situation. She noted that staff had gone out to Willow Run to meet with residents there last week. City Engineer John Cowling said he and John Tatum met with the group residents to hear their concerns. One of the issues they brought up was storm drainage. He noted that this is already in the process of being addressed by the City. There will be an overlay on 80th this year and the City will see what can be done during that process with regard to adding a shoulder on that street.

Councilmember Seibert recalled from previous discussions that there was an issue with the right-of-way on this road. He noted *that Jeff Massie was working on a grant for sidewalks on State Avenue. Councilmember Seibert recommended also seeking a grant for the 80<sup>th</sup> Street Sidewalk.*

## Approval of Minutes

3. Approval of May 12, 2008 City Council Meeting Minutes.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve the May 12, 2008 City Council Meeting minutes as presented. **Motion** passed unanimously (6-0).

4. Approval of May 19, 2008 City Council Work Session Minutes.

Councilmember Rasmussen referred to the last page. She noted that *Mayor Kendall* should be replaced with *Mayor Pro Tem Seibert* on last page, under Adjournment, since Mayor Kendall was not at that meeting.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Wright, to approve the May 19, 2008 Work Session minutes as corrected. **Motion** passed unanimously (6-0).

## Consent Agenda

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

5. Approval of May 14, 2008 Claims in the Amount of \$435,971.70; Paid by Check No.'s 46340 through 47500 with Check No.'s 45684, 46430 & 46765 Voided.

6. Approval of May 21, 2008 Claims in the Amount of \$635,272.90; Paid by Check no.'s 47501 through 47657 with Check No.'s 47256 & 47363 Voided.
7. Approval of May 20, 2008 Payroll in the Amount of \$701,642.87; Paid by Check No.'s 19588 through 19674.
9. Authorize the Mayor to Sign the Amendment No. 1 to the Janitorial Services Contract Between the City of Marysville and Advantage Building Services in the Amount of \$918.96 for a Total Amended Contract Price of \$90,048.12.
10. Authorize the Mayor to Sign the One Year Professional Services Agreement with AmTest Laboratories, Inc. for Water Quality Testing, with an Added One Year Option for Renewal.
11. Authorize the Mayor to Sign the Youth Athletic Fund Grant Agreement with the Recreation and Conservation Office (RCO) Youth Athletic Fund Grant Account.
12. Approval of the Strawberry Festival 2008 Master Permit Renewal.
13. Authorize the Mayor to Sign the Washington State Department of Transportation Developer/Local Agency Agreement for Improvements to SR531/27th Avenue NE with White Leasure for the Lakewood Pointe Development.
14. Approval of a Planning Manager Position, Land Use Job Description and Placement on the Management Classification Grid at Range M-8.
15. Authorize the Mayor to Sign the Affidavit Amending a Contract with Tyler Technologies Removing the PostalSoft Module from the City's Support Contract.

**Motion** passed unanimously (6-0) to approve Consent Agenda items 5, 6, 7, and 9-15.

#### **Review Bids**

8. Award Jennings Park Parking Lot Overlay Project to Northwest Asphalt, Inc. in the Amount of \$41,919.00 Dollars.

Councilmember Soriano asked about the limits for work done on the small works roster. City Engineer John Cowling replied that a city of our size can go up to \$50,000 worth of work if it is multi-skilled project or \$30,000 if it is a single-skilled project. Councilmember Soriano asked if that would disqualify some of the bids that were over the \$50,000 mark. City Attorney Grant Weed explained that if the engineer's estimate was over \$50,000 they would not begin with the small works roster process. In this case, the engineer's estimate was below that. He explained that there were certain scenarios where it would be allowable to award a bid in excess of the engineer's estimate.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Soriano, to approve the bid for the Jennings Park Lot Overlay project to Northwest Asphalt Inc. in

the amount of \$41,919 including Washington State Sales Tax and approve a management reserve of \$4,000 for a total allocation of \$45,919. **Motion** passed unanimously (6-0).

### **Public Hearings**

None.

### **New Business**

16. Independent Contractor and Lease Agreement with Jack and Malinda Perkins of Marysville for the Caretaker Position at Jennings Memorial Park.

**Motion** made by Councilmember Soriano, seconded by Councilmember Seibert, to authorize the Mayor to sign the Independent Contractor and Lease Agreement with Jack and Malinda Perkins of Marysville for the Caretaker position at Jennings Memorial Park. **Motion** passed unanimously (6-0).

17. Independent Contractor and Lease Agreement with Matt and Sabra Edgerton of Marysville for the Caretaker Position at Strawberry Fields Park.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to authorize the Mayor to sign the Independent Contractor and Lease Agreement with Matt and Sabra Edgerton of Marysville for the Caretaker position at Strawberry Fields Park. **Motion** passed unanimously (6-0).

18. An Ordinance of the City of Marysville, Washington Amending Portions of Chapter 9.20 Fireworks of the Marysville Municipal Code Relating to RCW Updates, Penalties; and Providing for Severability.

Doug Buell reviewed the flyer that they are anticipating distributing to the public. He also displayed the posters that they hang at fireworks stands. He explained that they could also do a press release and put information on the news channel and the website.

City Attorney Grant Weed discussed the revisions that have been made to this ordinance. Misdemeanor and gross misdemeanor penalties have been increased to the maximum of state statutes. A new subsection of the code allows the police department to cite a civil infraction of up to \$500. Chief Smith stressed that their biggest concern is the safety of the residents. This addresses everything that needs to be addressed and gives his officers the tools they need.

Councilmember Rasmussen thanked Doug Buell for making the flyer and noted that "gross demeanor" should be corrected to "gross misdemeanor".

**Motion** made by Councilmember Seibert, seconded by Councilmember Phillips, to adopt Ordinance 2737. **Motion** passed unanimously (6-0).

## **Legal**

None.

## **Mayor's Business**

Mayor Kendall requested three voting delegates for the AWC conference. Councilmembers Soriano, Phillips, and Rasmussen volunteered.

He had great time at the mall conference in Las Vegas.

The new school on 27th is being dedicated on Saturday morning at 11:00 a.m.

## **Staff Business**

Doug Buell had no comments.

John Cowling gave updates on construction projects. 51st Avenue is under construction. There are no poles at 528 and 47th because of issues with obtaining steel.

Chief Smith thanked Grant Weed and his office for helping with the fireworks ordinance and thanks to Doug Buell for his work on the flyer.

He reported on the Washington Association of Sheriffs and Police Chiefs (WASPC) conference he attended last week. At the conference he heard lots of people talking about positive things that are going on in Marysville.

### **Jim Ballew:**

- He announced that the LDS church will working on the phased renovation of Asbury Field.
- The first bus trip to the Mariners game is tonight.
- Get Moving is next weekend at the high school.
- Hanging baskets will be ready this week.
- This is the last week of soccer program. Nearly 900 kids were involved this year. He commended the work of Dave Hall.
- There has been a 50% reduction in graffiti recently. He was invited back to the middle school next week for their field day to reiterate what he had discussed.
- More copies of the Movies and Music guide are available if any local businesses want them.

### **Gloria Hirashima:**

- The Qwuloolt meetings are continuing. Cheryl Dungan attends the monthly meetings. They are currently reviewing the modeling. Senator Cantwell is sending one of her staff members up to the site to review the project.
- WSDOT is continuing to move forward with SR 529 route projects. The City is working with them on the wetland impacts created by the bridge project on Ebey slough. The City's Shoreline Master Program puts emphasis on mitigating

wetland impacts within the slough area so staff is meeting with them to see if there is a potential to improve the shoreline of our site.

- Code Enforcement/Nuisance Code draft should be ready by July.
- Transportation Plan Update is underway. The Planning Commission has had one meeting on this and will have another on June 10. The city is seeking input regarding non-motorized improvements.
- Whiskey Ridge design guidelines will be going through the Planning Commission next month. Staff is continuing to work very closely with WSDOT on SR 92 improvements.

Sandy Langdon reported that there will be a second domain name beginning on Monday. (Marysville.wa.gov will be the new domain name)

Mary Swenson:

- She remarked that there are a lot of people using the bike lane on Grove Street. She commended the Council for getting that moving.
- She liked the Movies and Music brochures. The small size makes it especially handy.
- She discussed the large amount of development that is now occurring in Marysville.
- She noted that the conference center in Tulalip will be bigger than Lynnwood or Everett. This will make it appealing to groups that can not even consider the other two venues.
- She welcomed John Cowling to the meeting. She applauded the work he has been doing.

Grant Weed discussed the nuisance code. The revised code should address the issues that have become concerns. He stated that no executive session would be needed.

### **Call on Councilmembers**

Jeff Vaughan:

- He asked the Mayor if he had received any information about the post office issue. Mayor Kendall had not. CAO Swenson indicated she would follow up with this.
- Councilmember Vaughan brought up the issues of "bikini" espresso stands that have become popular in other cities. Grant Weed explained that there are limits to how clothing and attire can be regulated. Vaughan suggested looking at issues related to L&I safety.

Donna Wright:

- She confirmed that there will be a public safety committee meeting tomorrow. She noted that it was not on the calendar.
- She attended the memorial service at the Naval Station Everett and thought it was very nice.
- She was impressed with the open house at 156<sup>th</sup> also.

John Soriano commented that the open house for the 156th Street overpass was well attended. There seems to be a lot of enthusiasm.

Lee Phillips thanked Jim Ballew for the brochures. He asked about the retreat dates. Mary Swenson indicated dates would be coming soon.

Carmen Rasmussen:

- She suggested having everyone submit their schedule conflicts to one central place to assist in finding a retreat date that will work.
- She attended the end of year assembly for the School of the Entrepreneur. She was impressed with what the students are accomplishing.
- With the high price of gas now, she is very pleased that she has the opportunity to stay in town to eat, shop, etc.

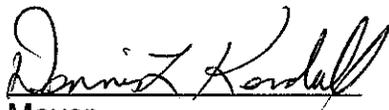
Jeff Seibert:

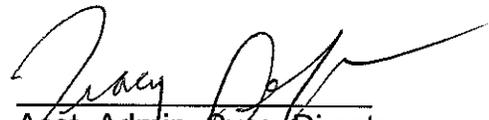
- He asked if the power poles on 80th are in the right of way. John Cowling indicated that is what they are looking at.
- Councilmember Seibert noted that there used to be a bus stop on 80th. He suggested looking at bringing that back. Mayor Kendall indicated he would look into that.
- He thanked Chief Smith for the response to the email regarding graffiti.
- The open house for the overcrossing was very good. He noted that WSDOT is going to bid for the final phase of 172nd street in the next month and are anticipating completion by the fall of 2010. The design there makes the best use of right-of-way.
- He asked about the date for the public works meeting. John Cowling indicated he would look into that and get back to Council.
- He recognized Donna Wright for her part in the improvements on Grove Street.
- He thanked Doug Buell for the flyer.
- He asked if they should RSVP for the Policemen's Award Dinner. Police Chief Smith indicated that they should email Mary Swenson.

## Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 8:23 p.m.

Approved this 9<sup>th</sup> day of June, 2008.

  
Mayor  
Dennis Kendall

  
Asst. Admin. Svcs. Director  
Tracy Jeffries