

Call to Order/Pledge of Allegiance/Roll Call	7:01 p.m.
Approval of Minutes	
Approve October 19, 2009 City Council Work Session Minutes.	Approved
Approve October 26, 2009 City Council Meeting.	Approved
Consent Agenda	
Approve the October 21, 2009 Claims in the Amount of \$577,343.34; Paid by Check No.'s 58755 through 58902 with Check No. 31501, 36569, 42072, 44239 and 53274 Voided.	Approved
Approve October 28, 2009 Claims in the Amount of \$1,009,012.10 Paid by Check No.'s 58903 through 59034 with Check No.'s 24294, 25096, 25224, 26023, 26352, 26353, 26512, 26555, 26913, 27833, 27853, 27858, 28451, 28806, 29016, 29371, 29656, 29845, 29871, 30145, 30155, 30379, 30723, 30945, 31000, 31431, 31647, 32162, 32177, 32239, 32475, 32549, 32857, 32871, 32938, 33000, 33009, 33131, 33307, 33388, 33432, 33474, 33493, 33498, 33505, 33509, 33522, 33527, 33528, 33536, 33567, 33573, 33588, 33589, 33752, 33761, 34081, 34091, 34299, 34522, 34858, 34875, 34923, 35204, 35328, 35331, 35501, 35714, 35845, 35936, 35998, 36334, 36380, 36790, 36791, 37106, 37119, 37596, 37808, 37989, 38359, 38482, 38801, 38894, 39060, 39103, 39214, 39300, 39312, 39688, 40183, 40754, 40781, 41010, 41186, 41347, 42103, 42115, 42981, 43637, 43643, 43855, 44164, 45988, 46471, 46673, 47460, 54891, 58338, and 58843 Voided.	Approved
Approval of November 5, 2009 Payroll in the Amount of \$1,283,564.55; Paid by Check No. 22006 through 22057.	Approved
Review Bids	
Authorize the Mayor to Award 47 th Avenue NE Improvements Project to Faber Brothers Construction in the Amount of \$523,145.02 Including Washington State Sales Tax and Approve a Management Reserve of \$80,000 for a Total Allocation of \$603,145.02.	Approved
New Business	
Authorize the Mayor to sign the Interlocal Cooperative Agreement with Northwest Minichain between the City of Marysville and Whatcom County.	Approved
Authorize the Mayor to sign the Provider Agreement for Electronic Home Monitoring with BRK Management Services.	Approved
Authorize the Mayor to sign the Nonexclusive Communication Site Sublease with King County.	Approved
Authorize the Mayor to sign Amendment No. 1 with Snohomish County the Interlocal Agreement for Furnishing Equipment Maintenance / Repair Service.	Approved
Adopt an Ordinance of the City of Marysville Approving Transfer of Control of the Franchisee (Verizon Northwest Inc.) from Verizon Communications Inc. to Frontier Communications Corporation with Conditions and Establishing an Effective Date.	Approved Ord. No. 2791
Adopt an Ordinance of the City of Marysville, Washington, Annexing the Area Known as the "Central Marysville Annexation" into the City by the Interlocal Agreement Method of Annexation Set Forth in RCW 35A.14.460; Providing for the Assumption of Indebtedness and Zoning Regulation, Providing for Notice of the Annexation to be Published, and Providing for the Effective Date of the Annexation.	Approved Ord. No. 2792
Adopt an Ordinance of the City of Marysville, Washington, Amending Marysville Municipal Code Section 16.04.050 Related to Building Permit Plan Review Fees.	Approved Ord. No. 2793

Authorize the Mayor to sign the Letter of Understanding between Snohomish County Fire District #12 and the City of Marysville.	Approved
Legal	
Mayor's Business	
Staff Business	
Call on Councilmembers	
Adjournment	8:21 p.m.
Executive Session	8:30 p.m.
Real Estate – two items pursuant to RCW 42.30.110(1)(b)	
Adjournment	8:55 p.m.

COUNCIL



MINUTES

Regular Meeting
November 9, 2009

Call to Order / Pledge of Allegiance

Mayor Kendall called the November 9, 2009 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Pastor John Mason from the Mt. View Presbyterian Church. Mayor Kendall led those present in the Pledge of Allegiance.

Roll Call

Chief Administrator 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, Councilmember Lee Phillips

Also Present: Chief Administrator Mary Swenson, Community Development Director Gloria Hirashima, Finance Director Sandy Langdon, Public Works Director Kevin Nielsen, City Attorney Grant Weed, Parks and Recreation Director Jim Ballew, Police Chief Rick Smith, Community Information Officer Doug Buell, and City Clerk Tracy Jeffries

Committee Reports - none

Presentations

A. Wellness Walktober Report.

Brooke Heichel reported on behalf of the Wellness Committee. She stated that with the support of the committee this year they have reached 15 members and have earned the Well City Award. As part of that award they are required to keep the committee members involved with the Council and management. She reported that the recent Walktober campaign was a month-long walking and tracking program. Each recipient that signed up for the program received a pedometer and a flashing light so they could

walk and be safe in the dark. 99 people signed up for this campaign; this represents approximately 40% of the total city employees. Mayor Kendall commended the Wellness Committee on their work and for the Well City Award which they received.

B. Employee of the Month.

Mayor Kendall presented Dave Doop with the Employee of the Month for the month of November.

Audience Participation - none

Approval of Minutes

1. Approval of October 19, 2009 City Council Work Session Minutes.

Motion made by Councilmember Nehring, seconded by Councilmember Seibert, to approve the October 19, 2009 minutes as presented. **Motion** passed unanimously (7-0).

2. Approval of October 26, 2009 City Council Meeting.

Councilmember Nehring stated he would be abstaining as he was not present for the meeting.

Motion made by Councilmember Wright, seconded by Councilmember Rasmussen, to approve the October 26, 2009 minutes as presented. **Motion** passed unanimously (6-0) with Councilmember Nehring abstaining.

Consent

3. Approval of the October 21, 2009 Claims in the Amount of \$577,343.34; Paid by Check No.'s 58755 through 58902 with Check No. 31501, 36569, 42072, 44239 and 53274 Voided.
4. Approval of October 28, 2009 Claims in the Amount of \$1,009,012.10 Paid by Check No.'s 58903 through 59034 with Check No.'s 24294, 25096, 25224, 26023, 26352, 26353, 26512, 26555, 26913, 27833, 27853, 27858, 28451, 28806, 29016, 29371, 29656, 29845, 29871, 30145, 30155, 30379, 30723, 30945, 31000, 31431, 31647, 32162, 32177, 32239, 32475, 32549, 32857, 32871, 32938, 33000, 33009, 33131, 33307, 33388, 33432, 33474, 33493, 33498, 33505, 33509, 33522, 33527, 33528, 33536, 33567, 33573, 33588, 33589, 33752, 33761, 34081, 34091, 34299, 34522, 34858, 34875, 34923, 35204, 35328, 35331, 35501, 35714, 35845, 35936, 35998, 36334, 36380, 36790, 36791, 37106, 37119, 37596, 37808, 37989, 38359, 38482, 38801, 38894, 39060, 39103, 39214, 39300, 39312, 39688, 40183, 40754, 40781, 41010,

41186, 41347, 42103, 42115, 42981, 43637, 43643, 43855, 44164, 45988, 46471, 46673, 47460, 54891, 58338, and 58843 Voided.

5. Approval of November 5, 2009 Payroll in the Amount of \$1,283,564.55; Paid by Check No. 22006 through 22057.

Motion made by Councilmember Soriano, seconded by Councilmember Wright to approve Consent Agenda items 3, 4, and 5. **Motion** passed unanimously (7-0).

Review Bids

6. Award 47th Avenue NE Improvements Project to Faber Brothers Construction in the Amount of \$523,145.02 Including Washington State Sales Tax and Approve a Management Reserve of \$80,000 for a Total Allocation of \$603,145.02.

Kevin Nielsen stated that they received 25 bids on this project. The engineer's estimate was over \$700,000. All of the funding is grant money from Safe Sidewalks to School and TIB.

Councilmember Rasmussen commended Director Nielsen and his staff for aggressively pursuing grants and other ways to fund the necessary projects in the city.

Motion made by Councilmember Rasmussen, seconded by Councilmember Seibert, to authorize the Mayor to Award 47th Avenue NE Improvements Project to Faber Brothers Construction in the Amount of \$523,145.02 Including Washington State Sales Tax and Approve a Management Reserve of \$80,000 for a Total Allocation of \$603,145.02. **Motion** passed unanimously (7-0).

New Business

7. Interlocal Cooperative Agreement with Northwest Minichain between the City of Marysville and Whatcom County.

Chief Smith explained that this is a recurring agreement with a small increase.

Motion made by Councilmember Soriano, seconded by Councilmember Seibert, to authorize the Mayor to sign the Interlocal Cooperative Agreement with Northwest Minichain between the City of Marysville and Whatcom County. **Motion** passed unanimously (7-0).

8. Provider Agreement for Electronic Home Monitoring with BRK Management Services.

Chief Smith stated that this agreement allows for the city not to have to pay when the device is not being utilized.

Councilmember Rasmussen asked how much the participants in the home monitoring program pay. Chief Smith thought that it was \$25 a day.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to authorize the Mayor to sign the Provider Agreement for Electronic Home Monitoring with BRK Management Services. **Motion** passed unanimously (7-0).

9. Nonexclusive Communication Site Sublease with King County.

Motion made by Councilmember Nehring, seconded by Councilmember Phillips, to authorize the Mayor to sign the Nonexclusive Communication Site Sublease with King County. **Motion** passed unanimously (7-0).

10. Amendment No. 1 to Interlocal Agreement for Furnishing Equipment Maintenance / Repair Service.

Kevin Nielsen stated that this is the first amendment for the agreement regarding radio repairs for the police department. Staff has also added all of the equipment within public works in case we want to use their services related to vehicle maintenance at a later date.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to authorize the Mayor to sign Amendment No. 1 with Snohomish County the Interlocal Agreement for Furnishing Equipment Maintenance / Repair Service. **Motion** passed unanimously (7-0).

11. An Ordinance of the City of Marysville Approving Transfer of Control of the Franchisee (Verizon Northwest Inc.) from Verizon Communications Inc. to Frontier Communications Corporation with Conditions and Establishing an Effective Date.

Doug Buell explained that on May 13 Verizon announced plans to divest its local wire line communication system to Frontier Communications. The transaction includes Verizon's residential and small business telephone lines, internet service, long distance voice accounts and their fiber to the premises assets. He reviewed the history of this transaction to date and the cost to the City. He noted that the amount of reimbursement to the consortium was increased to \$75,000 so it looks like all costs will be covered. He discussed a press release by the WUTC (Utilities and Transportation Commission) saying that they objected to the sale of Verizon's wire line telephone business to Frontier. He mentioned that Snohomish County Council adopted this this morning. So far 7 of 18 communities in Snohomish County have adopted it.

Gregg Sayre, Associate General Counsel for Frontier Communications – Eastern Region, outlined what the transaction is about and made a commitment to provide excellent service.

City Attorney Grant Weed reviewed one reference that will be added to the code.

Councilmember Vaughan asked about any differences for the customer. Mr. Sayre said they expect it to look as much as possible as it does today.

Motion made by Councilmember Vaughan, seconded by Councilmember Wright, to approve Ordinance No. 2791. **Motion** passed unanimously (7-0).

12. An Ordinance of the City of Marysville, Washington, Annexing the Area Known as the "Central Marysville Annexation" into the City by the Interlocal Agreement Method of Annexation Set Forth in RCW 35A.14.460; Providing for the Assumption of Indebtedness and Zoning Regulation, Providing for Notice of the Annexation to be Published, and Providing for the Effective Date of the Annexation.

Gloria Hirashima reviewed the background on this annexation.

Grant Weed explained that if Council adopts this ordinance tonight there will be some follow-up actions related to the annexation. He reviewed other actions that would need to be taken.

Mary Swenson noted that the effective date was chosen in order to make sure they were definitely within the 2009 timeframe. They also felt it was better to do this on December 30 rather than New Years Eve.

Councilmember Seibert asked if the agreement on 88th Street had come back from the County. Mayor Kendall replied that it has and it has been recorded.

Motion made by Councilmember Seibert, seconded by Councilmember Nehring, to approve Ordinance No. 2792. **Motion** passed 6-1 with Councilmember Phillips voting against.

Mayor Kendall congratulated everyone for the results of all their hard work.

13. An Ordinance of the City of Marysville, Washington, Amending Marysville Municipal Code Section 16.04.050 Related to Building Permit Plan Review Fees.

Gloria Hirashima stated that the Council had asked for a review of the building plan review "basic" programs and current city policy. The city building official John Dorcas completed a survey of jurisdictions on this matter. The results are in Council's packet. The majority of those surveyed are not employing a basic program. After reviewing the

actual time and cost for reviewing an established plan, staff felt it was appropriate to have a reduction on fees for a basic plan review. Staff is recommending that the city establish a basic program whereby the plan review fee is charged out at 35% of the building permit fee. Normally the plan review fee is 65%.

The Council consented to allow public comment from Mike Pattison.

Mike Pattison, 2524 96th St SE Everett WA 98208, expressed appreciation for this ordinance. He stated that is this type of action that will help to stabilize and invigorate the housing market.

Jeff Seibert asked about options that could be employed with the basic plan. Director Hirashima said they would approve a set of options at the initial plan review and would follow-up throughout the process.

Motion made by Councilmember Rasmussen, seconded by Councilmember Phillips, to approve Ordinance No. 2793. **Motion** passed unanimously (7-0).

18. Letter of Understanding between Snohomish County Fire District #12 and the City of Marysville.

Grant Weed discussed the requirement to consider the impacts, if any, to the fire service. A dialogue has occurred between the City and Fire District #12 and Chief Corn. Impacts of the Central Marysville Annexation have been considered and there is not a need for a separate Interlocal agreement with the Fire District.

Motion made by Councilmember Seibert, seconded by Councilmember Soriano, to authorize the Mayor to sign the Letter of Understanding between Snohomish County Fire District #12 and the City of Marysville. **Motion** passed unanimously (7-0).

Mayor's Business

- ◆ He attended a ribbon-cutting on Smokey Point Blvd. He noted that it looks beautiful.
- ◆ On Saturday he joined the Parks Department, many members of the Parks Board, several councilmembers and staff to cut the ribbon for North Point Park.
- ◆ He also went around town to all of the grocery stores for the all city food drive. This year they collected 6,485 lbs. of food, over \$1,000 in cash, and at least \$245 worth of gift cards.
- ◆ City Hall will be closed on Wednesday for Veterans Day.
- ◆ The Governor will be in Arlington for the final funding for the sewer plan in Arlington on November 12. Mayor Kendall will there representing the public works trust fund who loaned them \$30-40 million.

- ◆ On November 13 is the dedication for 172nd Street at the Medallion Hotel at 11 a.m.
- ◆ Next week will be the public hearing on the budget.

Staff Business

Jim Ballew:

- ◆ Thanks to all who showed up for the park's dedication.
- ◆ The Art and Nature event at the Senior Center was very successful.
- ◆ Parks is starting to decorate for the holidays.
- ◆ Recent flooding resulted in two Humpies in Jennings Pond.

Rick Smith:

- ◆ He attended the funeral of Officer Tim Brenton who was a member of the Marysville community. The police department provided security for the family along with several other departments. Anyone who wishes to help out the family can contribute to a fund at the Bank of America.
- ◆ They are working on a countywide pursuit MOU to deal with communications for multi-agency pursuits.

Kevin Nielsen:

- ◆ He signed a Community Block Grant for Cedar & 10th for sidewalks and bulbouts.
- ◆ Lakewood area channelization worked much better this weekend. He commended John Tatum for handling this so quickly and satisfactorily. Councilmember Vaughan also thanked him for handling the traffic concerns in that area. He asked if they had information about the volumes over the weekend compared with Halloween weekend. Kevin Nielsen indicated that the volumes looked about the same as the Halloween weekend.
- ◆ They have not had any flooding issues with the recent rains and have been running the sweepers to clear the drains prior to storms.
- ◆ They started renovations at the golf course today.

Doug Buell has been working on Winter 2009-2010 Activities Guide and the Marysville Messenger. Let him know if you hear of anything that should be included in either of those.

Sandy Langdon had no comments.

Gloria Hirashima had no comments.

Grant Weed stated that there was a need for an executive session expected to last 15 minutes to discuss two items concerning real estate with no action expected.

Mary Swenson thanked Director Kevin Nielsen, Chief Smith and John Tatum for their work on the Lakewood Area traffic solution. She especially commended John Tatum's coordination of this.

Call on Councilmembers

Jeff Vaughan had no comments.

Donna Wright stated that she will be out of town on business from next Thursday through late on Monday, November 16 so she will miss the budget meeting. She requested a special meeting to finalize the budget when she can be here to participate. Councilmember Rasmussen and Nehring expressed support for scheduling a special meeting so that all of them could participate. Mary Swenson explained that the real issue is that they need to take action on the property tax item before November 30. The other tax items could wait until December. Councilmember Vaughan commented that he has had to miss some meetings with important votes because he had to be out of town on business. Councilmember Rasmussen suggested conducting the whole meeting, and then recessing and waiting for Councilmember Wright to arrive so she could participate that night without scheduling a special meeting. There was consensus to hold the meeting on the 16th and wait for Councilmember Wright to arrive before voting on the budget issues.

Carmen Rasmussen:

- ◆ She thanked Public Works for the traffic fix at Lakewood.
- ◆ She asked about having an update of the map of utility shutoffs and foreclosures when it is convenient.
- ◆ She suggested having a Welcome to Marysville party on December 30.

Lee Phillips:

- ◆ He expressed appreciation for the changes up in the Lakewood Shopping Center where traffic is much better.
- ◆ The 136th/152nd change is much smoother also although the southbound speed limit signage could use some clarification.

John Soriano congratulated David Doop and the tremendous help he is to the City.

Jon Nehring:

- ◆ He echoed praise of the quick traffic fix up in the Costco area.
- ◆ He recognized the Eagle Scout who was involved in the project at the North Point park dedication.
- ◆ He commended the police who participated in the procession through the city for fallen Officer Tim Brenton.

Jeff Seibert:

- ◆ He was shocked last weekend up at Costco when the roads were completely clear.
- ◆ He is very pleased to have 136th to 152nd on State Avenue completed.
- ◆ The park walk at North Point was very nice. He thanked the Eagle Scout for the work he did on that.

Recess

Mayor Kendall recessed the meeting at 8:21 p.m. for a short break before reconvening into Executive Session expected to last 15 minutes to discuss two items concerning real estate with no action expected.

Executive session started at 8:30 p.m. Executive session extended to 8:55 p.m.

Executive Session

- A. Litigation
- B. Personnel
- C. Real Estate – two items pursuant to RCW 42.30.110(1)(b)

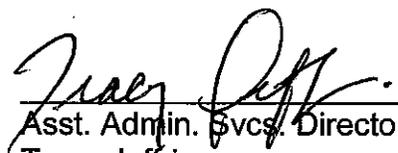
Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 8:55 p.m.

Approved this 14th day of December, 2009.



Mayor
Dennis Kendall



Asst. Admin. Svcs. Director
Tracy Jeffries