

MARYSVILLE CITY COUNCIL MINUTESCORRECTED: SEE 7/22/91
MINUTES

JULY 8, 1991

7:00 p.m.

Council Chambers

Present: Rita Matheny, Mayor
Councilmembers:
 Ken Baxter, Mayor Pro Tem (7:04 p.m.)
 Dave McGee
 Dave Weiser
 Donna Pedersen
 Donna Wright
 Lee Cundiff
 Bob Lashua
Administrative Staff:
 Carolyn Sanden, City Administrator
 Mary Swenson, Asst. to the City Administrator
 Gloria Hirashima, City Planner
 Grant Weed, City Attorney
 Steve Wilson, Asst. Finance Director
 Roger Kelley, Community Information Officer
 Maude Barrett & Pat Olsen, Centennial Coordinators
 Dave Zabell, Public Works Director
 Jim Ballew, Parks & Recreation Supervisor
 Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Matheny called the meeting to order at 7:00 p.m. and led the flag salute.

ROLL CALL:

Asst. Finance Director/City Clerk Wilson called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETINGS:

Councilor Lashua had a question regarding the Centex donation mentioned in the 7/1/91 minutes and Parks & Recreation Supt. Ballew stated the plat has not been recorded as yet but as soon as it is, the donation will be made to the City.

Councilor Lashua moved and Councilor McGee seconded to approve the 7/1/91 minutes as written. Passed unanimously.

STAFF BUSINESS:

Public Works Director Zabell reported on low water pressure in Sunnyside which drug siltation into the lines over the weekend. He said the problem has been corrected for the time being.

MAYOR'S BUSINESS:

Mayor Matheny announced the upcoming Cities & Towns meeting, Thursday, 7/25/91 with the topic of Growth Management.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

David Faulkner, 8018 51st NE, addressed Council, stating there is a water problem in his neighborhood also, not just in Sunnyside. He said this has been going on for 5 years and asked if the City is still going to sell water to new developments.

Public Works Director Zabell noted there have only been about 50 new water connections in the last year or so with the sewer moratorium on. He said the Everett pipeline project has been going on for 3 years.

Mr. Faulkner said he realizes the City needs the pipeline but said

he feels the City shouldn't be selling a product they don't have. He said the City should wait until the pipeline comes in. He added that he is not upset with the raising of the rates but pointed out that if you pay for something and then can't get it, that's not right. He said they have mud in the water in their neighborhood and have had many problems over the years with the fire hydrants, etc. He said his opinion is that the City should wait until the pipeline comes in before selling any more water.

Public Works Director Zabell said it sounds like a water quality problem that Mr. Faulkner was experiencing as a result of the "draw down". Several comments ensued regarding the problem, draw downs, bad water, etc.

Bud Darling, 1916 Grove St., addressed Council. He passed around a letter regarding preliminary plat processing. He stated he has property over on Sunnyside which has been caught in the middle with the City and the PUD. He noted it consists of 16 view lots and he just wants the right to a hearing so the processing of the plat can proceed. He said he realizes the lots can't be improved yet, that this is a disputed area between the City and PUD (it's in the Griffore Annexation), but they cannot process the paperwork nor be approved for sewer because it has PUD water and they would just like a hearing date before Council.

City Attorney Weed said he had spoken with Mr. Darling's attorney on this and that they are prohibited from hooking up with City sewer at this time. He said there are basically two alternatives: an amendment to the ordinance restricting them from hooking up to City sewer or an application for a variance. He said he had not felt it appropriate for staff to make a policy decision on this and that is why Mr. Darling was advised to come before Council.

Mr. Darling stated they have filed an application for variance, along with Belmark Industries and they are just trying to go forward with the paperwork but with the DOH water moratorium in Sunnyside and other technicalities, these things are complicating the matter.

There was discussion about upcoming PUD meetings, the possibility of a public hearing, RUSA meetings, direction for City Council, Mr. Darling saying he had heard that PUD and the City could get a hearing as early as September or October. He reiterated that he just wants to go forward with the paperwork, as other plats are being allowed to do.

Councilor Baxter asked about an ordinance amendment and City Attorney Weed stated the ordinance applies whether you are in or out of the City and it was passed in 1985-86 to ensure that the Sunnyside investment would be captured. He cautioned about other plats having similar requests as Mr. Darling's.

Councilor Baxter said he was thinking in terms of specifically amending the ordinance to apply to the Griffore Annexation.

City Attorney Weed said if this is a unique situation, Council may want to consider an amendment including the unique conditions in the amendment.

Councilor Baxter said he would like to see the ordinance amended if it doesn't create another problem and City Attorney Weed said there would need to be a clear understanding that water or sewer is not guaranteed to the applicant. He added that staff feels uncomfortable with the dispute and allowing a developer to process paperwork with the water problem at this time.

MARYSVILLE CITY COUNCIL MINUTES
JULY 8, 1991
Page 3

Mr. Darling noted they have City and PUD water both on the property. He said they and Belmark understand the water and sewer problem and know there's no guarantee, but they want to go through with the paperwork.

Councilor Baxter said the City would be proceeding/continuing with PUD negotiations regardless of what happens with Bud Darling and City Attorney Weed agreed, but noted there are several issues involved here.

Councilor Weiser asked if there is anything legally wrong with Mr. Darling going ahead with processing of the plat and City Attorney Weed said no, but he would like to see an agreement regarding no guarantee and something similar to the dry sewer wording could be worked out to apply to any plats such as this and how many others there are might be a consideration of City Council, also, he said.

Councilor Baxter requested something be written up by the City Attorney for next meeting and Councilor Weiser said he would like that also.

City Attorney Weed said there needs to be a clear understanding that if PUD becomes the water purveyor out there and if Bud comes to the City for sewer, the policy needs to be settled as to whether we are going to restrict sewer to those on Marysville water only, he said.

Mr. Darling admitted that any developer is taking a risk with any property and this is a risk he is willing to take. He said he would be back at the 7/22/91 meeting.

CALL ON COUNCILMEMBERS:

Councilor McGee said he would not be in attendance at the 7/22 City Council meeting.

Councilor Weiser asked when the next RUSA meeting is scheduled and Public Works Director Zabell tried to set one up on the spot, trying to coordinate Councilors Weiser, Baxter and Pedersen's schedules as well as his own.

Councilor Weiser asked about having Larry Wade, Jones & Stokes, Brown & Caldwell and John Glynn give updates to City Council, perhaps the first week of August.

Public Works Director Zabell agreed this was a good idea and said the wetlands study results should be in by the end of July.

City Administrator Sanden said she would give John Glynn a call.

Councilor Baxter said that regarding the water rates, the increase is probably at least 3 years late. He also pointed out that his water is also dirty. He proceeded to explain the problems with the Sunnyside Well and the Highway 9 Well and how they have to be shut down because of poor water quality. He also explained that the City had no way of knowing this was going to happen (shut down the wells) and so are having to buy as much water as possible from PUD. He said it's very difficult on these hot days to keep enough water in the lines and this is something that's been happening for some time; the City is not really adding to the problem. He pointed out that Marysville should have had the Everett pipeline in by now but had a delay with having to write an EIS, but the pipeline and water problems should be solved within a year.

Councilor Pedersen stated she will be attending the Cities & Towns

MARYSVILLE CITY COUNCIL MINUTES
 JULY 8, 1991
 Page 4

meeting 7/25 and Councilor Wright said she would be also.
 Councilor Wright commented on the 7/4/91 celebration at MPHS.

Councilor Lashua asked about the digging on 6th St. and Councilor Weiser said they are putting in the Drivers License office parking lot as required with a half street improvement.

Councilor Pedersen asked about the Park & Ride lot that was to go by the Village and Public Works Director Zabell stated the City, CT, WSDOT and the Village have been meeting regularly and it is coming along well. He said improvements to the lot should be starting soon.

Councilor McGee asked about Friday briefings being moved to Thursdays and Councilor Pedersen asked about packets being available on Thursdays now.

City Administrator Sanden said that could be tried to see how it goes.

PRESENTATION:

1. Centennial Report.

Centennial Coordinator Maude Barrett reported on the first half of the year and handed out booklets summarizing all the events that have occurred from January through June, 1991. She noted they borrowed the theme "Awareness, Advocacy and Action" and she outlined the various activities that fulfilled that goal. She reviewed the chronological list of events so far:

Share and Tells, Centennial Booths, Centennial poster, Centennial banners, Valentine Ball, Quilt Class and squares, Production of TV commercial, parades, dinners, Centennial Birthday Cake and Party at the Park & Mall March 17th, Melodrama, Press Conference, Fire Bell Dedication Ceremony, Centennial publications, Artist's Show, Women's Show, Children's Week, 10K Centennial Run, Anthology Program, Strawberry Festival Entertainment, Marysville Stamp Cancellations, School Tours, etc.

Centennial Coordinator Pat Olsen then talked about the upcoming events, July through December in the handout "Still to Come":

Saw Mill Days, America's Funniest People Participation, Centennial Quilt Presentation, Volunteer Meetings, Home Grown Downtown Merchants event, Volksmarch, Centennial Book, Comeford Book Drive, Story Telling Week, Lumberjacks and Weddingbelle's Musical, Pumpkin Galorium, Choir Festival, Beards and Bonnets contest, Merryville for the Holidays participation, Volunteer Ball.

She noted that at least 350 volunteers have been involved in Centennial activities and without them, the events would not be as successful as they have been. She also noted that the Centennial Book to be published is planned to have about 200 pages and will truly be a unique and valuable publication.

CONSENT AGENDA:

1. 6/30/91 Payroll Checks in the amount of \$449,034.81.
2. 7/8/91 Claims Checks in the amount of \$128,580.77.

After a minimum of questions regarding the vouchers, Councilor McGee moved and Councilor Wright seconded to approve Consent

MARYSVILLE CITY COUNCIL MINUTES
JULY 8, 1991
Page 5

Agenda Items 1 & 2. Passed unanimously.

CURRENT BUSINESS:

1. Purchasing Agent.

Asst. to the City Administrator Swenson stated they did an analysis for the position and the advantages of having a City purchasing agent would be the control and cost savings. Pay grade would be Grade 8 (about \$23,000) plus benefits, with a start up cost for equipment of about \$8,000, she said. She noted that it would be possible to tie in with the Eden computer system for a purchasing agent, which is the software company presently being used. She said Mukilteo has the Eden software, has had a purchasing agent for about 3 years and it has been working out well for them. She said that in talking with other cities, she heard many advantages of having a purchasing agent, including the coordination of purchases (less duplication), better review, standardization, control and she noted that the auditors really like this method, but there is a transition. She did point out that in doing this analysis, she wanted it to be made clear that this is not a reflection on staff, that staff has been doing a very good job in purchasing. Staff also feels there may be other positions that are more important and with the budget being tight this year, it is very difficult to satisfy all staffing needs, she said. At the present time, there are no funds to hire anyone for the purchasing agent position, she pointed out.

Councilor McGee asked how she would envision the working relationship with other departments and Ms. Swenson said the purchasing agent would have to be a good salesperson, work well with vendors and other City people, attend purchasing seminars and conferences. She said other cities have said they could help with training but at the present time, another consideration is the lack of storage space at City Hall and this would curb buying in bulk, somewhat. The purchasing agent would need to work with that restriction, she noted.

Councilor Cundiff asked about the savings experienced in other cities and Ms. Swenson said yes, coordination of purchases does produce savings, although no specific figure could be pinpointed.

Councilor Pedersen asked about the computers being networked in together throughout the City departments and Ms. Swenson said they are not at present, however, Eden software could be tied in with Accounts Payable and the Finance Dept. She noted there has been resistance from department heads because they see other positions that are needed such as a Code Enforcement Officer, who might be a more important position to fill at this point than purchasing agent.

Councilor Cundiff noted that one of the considerations was that the cost of the purchasing agent should be offset by cost savings and Ms. Swenson said she thought there would be substantial savings but it's very difficult to analyze at this point and come up with an exact figure of cost savings. She added that every city that changed over to a purchasing agent had a difficult transition. She said she had not called the Marysville School District yet about their new purchasing agent.

Councilor Pedersen said she didn't have a problem with waiting for the 1992 budget for a purchasing agent.

Councilor Weiser said he was told you need a purchasing agent when you figure you can save three times their salary, i.e. \$90,000 in

MARYSVILLE CITY COUNCIL MINUTES
 JULY 8, 1991
 Page 6

this case and he said he didn't know if that was possible at this point for the City.

CORRECTED: SEE 7/22/91
 MINUTES

Councilor Pedersen said she was not sure how much her company is saving but that she knows there's a tremendous savings with coordination of the computers, eg.

Councilor Weiser said he agreed that was an area of high savings and Councilor McGee said he thought the control issue very important.

Councilor Lashua said he felt there was too much duplication right now in auto parts, for example.

Councilor Pedersen said she is sure there are a lot of office products that can be purchased at less than at present and Ms. Swenson said the City is using the particular office product company that Councilor Pedersen had previously recommended, now.

City Administrator Sanden gave a brief update for a temporary position with a 7/26/91 closure date. Public Works Director Zabell gave an update on personnel search for his department and it was explained that personnel for the Planning Dept. and Utilities Dept. would come out of the General Fund.

NEW BUSINESS:

1. Full Time Temporary Employee/Court.

Judge Jay Wisman explained that one of his clerks is going on a maternity leave of absence from 9/9/91 through 11/25/91 and they need a full time person by August 1st for 4-5 weeks of training, if possible. He referred to the alternatives outlined in the packets and eliminated #1 - Express Temporary Services - as being too costly. He recommended #2 - \$6.50 per hour, with some assistance from the City. He stated Mrs. Jensen has found several budget items that could be cut back and contribute toward this, about \$3200 from equipment, jurors/interpreter's fees and insurance, he said. He said they would like to transfer \$3200 to the salary budget and have the City help out with \$2500, which would total about \$5700, good for about 4 months at \$6.50 per hour.

Councilor McGee asked about benefits and City Administrator Sanden said she believed the City pays for the employee not the dependents but she would double check on that, for a non-union employee. She commended the Court for their innovative efforts in working out the funding for this position.

Councilor Pedersen asked if this person could be used for computer input for the collection agency process that was discussed at last Council meeting.

Judge Wisman said he didn't believe that process could begin until 1/1/92 and he proceeded to explain that the statute that allows collection of outstanding fines had some flaws and there are still some things that need to be cleared up. Also, garnishment for payment of infractions is not a clear cut issue and Al Gordon & Assoc. would be taking risks there, he said. He added that there are a lot of legal questions as well as the effectiveness issue that are still having to be worked out with Al Gordon & Assoc. and he admitted it would take a fair amount of clerical time because infractions prior to the last year are going to have to be done by hand. He said he would be contacting Al Gordon & Assoc. soon about this and he confirmed that the process can be done by hand

MARYSVILLE CITY COUNCIL MINUTES
JULY 8, 1991
Page 7

vs. computer as earlier thought. He said it is his understanding that the Treasurer's Office, the Assessor and Auditor's Office has been using a collection agency.

Councilor Weiser asked what budget the City would get the \$2500 from and City Administrator Sanden said although this is the first situation where the City is not having to fund the full 100%, she still encourages departments to plan for more part time employees.

Councilor Baxter moved to approve the budget amendment for \$2500, Councilor Pedersen seconded and the motion passed unanimously.

2. Food Bank Request for Funding.

JoAnn Mulligan, Marysville Food Bank Board Chairman, addressed Council, stating the Food Bank is requesting assistance with paying of their PUD bill. She noted they have been at their present location of 514 State since 1986 and are actually running out of space there. She reviewed some of the figures and statistics of the Food Bank, noting that they served 469 households in January of 1989, 562 in January 1990, 642 in January 1991 and over 700 in April 1991. She explained about the system they use and said they are basically supported by 12 local churches and pay \$550 per month for rent of 1200 sq. ft. The PUD bill runs about \$150 every 2 months.

Councilor Wright asked if they are eligible for a reduced rate from PUD and Mrs. Mulligan said there is no reduced rate for non-profit organizations.

Councilor Baxter asked about their method of controlling "double dippers" and Mrs. Mulligan said they only serve people in Marysville, Lakewood, some from Getchell Hill. People are only to go to their own food banks and their zip codes are checked so as to eliminate "double dipping" into other food banks.

Councilor Cundiff recommended that this be included in the 1992 budget and Councilor Weiser agreed, stating there should be some consideration for the Food Bank, YMCA, Stillaguamish Sr. Center and Visitor Information Center.

Mayor Matheny said should would like the Visitor Information Center money to go to the Food Bank but Asst. Finance Director Wilson stated that money is restricted by the hotel/motel tax and can only go to the Visitor Information Center.

Mayor Matheny said she would try and help get funds tomorrow on her own from sources that she knew about.

3. Utility Variance, Smokey Point Church of Christ.

Planning Director Hirashima stated this is a request for a hardship variance and she gave the location, noting it is outside Marysville's RUSA boundary. She gave a little history of the application, stating the City of Arlington has responded that it has no jurisdictional control over the system, has no current plans for assuming control and has no objection to the City of Marysville allowing the connection to the Marysville water system.

Larry Haverstock of the Church, addressed Council, stating it is within the "Petunia District" and he gave more history, dating back to 1983. At that time, they asked for assurance of water from Marysville and both the City and County gave them permits however they let the permits lapse. In 1/89 they resubmitted their application for water and never heard back from the City,

MARYSVILLE CITY COUNCIL MINUTES

JULY 8, 1991

Page 8

he said. He then quoted from the 4/24/91 City Council minutes, noting they were to go to the City of Arlington, who sent the Church back to Marysville. In 3/91 their tax exempt status was revoked by the state because of having no water or sewer and they sought legal counsel to help clear the matter up, he said. They are claiming hardship status exists and also note a severe problem in communications/paperwork with the two cities. He stressed that he is not blaming the City, that these things happen, but they just want to get the matter cleared up fairly. He noted they have been meeting for the last 12 years in the Stillaguamish Sr. Center and are already using that water line and just want to move in across the street.

City Attorney Weed noted the application sets forth 4 findings and if met, it would be appropriate to grant the variance.

Councilor Lashua moved and Councilor Cundiff seconded to grant the variance as per findings. Passed unanimously.

City Attorney Weed said he would prepare a resolution for next Council meeting.

4. Utility Variance, J & D Builders, Inc.

Planning Director Hirashima explained the property is outside RUSA but the applicant is claiming a hardship because of the necessity of drilling the wells to a depth of 100+ feet and a high iron content in the water. She referred to a letter from Hardt Engineering in the packets.

Councilor Weiser asked if the property is within the current Urban Area Growth Boundary and Planning Director Hirashima said no, but this is one of the areas that will be looked at.

Councilor Cundiff asked about a letter from the Health District regarding the water quality and Planning Director Hirashima stated the water is not contaminated, it just has a high iron content.

Councilor Baxter asked about the surrounding property.

Hank Robinett addressed Council and stated they started the plat last fall and in their adjoining property to the west, they have 2 homes on 67th which have 100' wells. He said the water is adequate and safe but with the location, they feel it should be part of the City of Marysville. He said hopefully by fall it will be within the Urban Area Growth Boundary. He noted they had an engineer look at the present system and have plenty of supply but if they knew there was more supply (by being hooked into the Marysville system), they could plan accordingly. He said they have no Class A land and overall, City water would be of benefit to the future of the development.

Councilor Lashua asked how far they were from the City main and Mr. Robinett explained it comes in west of 100th and would go 160' north, for a total of about 2000' from the City line.

Councilor Lashua asked if hydrants would be required and Public Works Director Zabell said yes, along the fire line but no over-sizing would probably be required of the water line.

Councilor Weiser asked about the Urban Growth Area Boundary vs. annexation no protest agreement and if these were in conflict.

City Attorney Weed said what the City Council does now is not going to nullify any future action because it would take precedence to do that.

JULY 8, 1991

Page 8

MARYSVILLE CITY COUNCIL MINUTES
 JULY 8, 1991
 Page 9

Public Works Director Zabell commented that availability of connections needs to be considered and the 30" pipeline would not be available until the end of the year.

Mr. Robinett said they are willing to wait until then and he said they know they have the pressure through the engineering report.

There was further discussion about the Urban Growth Area Boundary, this area being taken another look at by the Planning Commission, soil conditions, etc. in that area.

Councilor Wright moved and Councilor Pedersen seconded to approve the request with findings of fact: depth of wells greater than average, water quality poor, subject to newly worded no protest agreement and an agreement by the applicant to wait until the 30" pipeline/water is available.

City Administrator Sanden commented on the Critical Water Study meetings and how this situation was discussed with regard to property outside of RUSA.

Councilor Weiser noted that's not been finalized and the property is outside of RUSA.

There was further discussion about the Urban Growth Boundary, need for this boundary to be changed, Critical Water Study Committee encouraging water hookups vs. a throw-away water system, county trying to protect the aquifer, consistency with health hazards and granting of variances.

The motion passed with Councilor Cundiff opposing because of the fact the water has not been declared a health hazard.

5. Closure of 3rd Street.

Councilor Baxter moved and Councilor McGee seconded to approve this annual request from the Downtown Merchants. Passed unanimously.

ORDINANCES & RESOLUTIONS: None.

LEGAL MATTERS: None.

ADJOURNMENT INTO EXECUTIVE SESSION: 9:27 p.m.

1. Property Acquisition.

RECONVENE AND ADJOURN: Approx. 9:55 p.m.

Accepted this 22nd day of July, 1991.

Rita Mathew
 MAYOR

Mary B. Swenson
 CITY CLERK

Wanda K. Swenson
 RECORDING SECRETARY