

MARYSVILLE CITY COUNCIL MINUTES

JANUARY 6, 1992

7:05 p.m.

Council Chambers

Present: Rita Matheny, Past Mayor  
 Dave Weiser, Mayor  
Councilmembers:  
 Ken Baxter  
 Dave McGee  
 Donna Pedersen, Mayor Pro Tem  
 Donna Wright  
 John Myers  
 Mike Leighan  
 Otto Herman  
Administrative Staff:  
 John Garner, City Administrator  
 Grant Weed, City Attorney  
 Phil Dexter, City Clerk/Finance Director  
 Steve Wilson, Asst. Finance Director  
 Steve Bennett, City Planner  
 Dave Zabell, Public Works Director  
 Bob Dyer, Police Chief  
 Roger Kelley, Community Information Officer  
 Jim Ballew, Parks & Recreation Supervisor  
 Bob Kissinger, Utilities Supt.  
 Wanda Iverson, Recording Secretary

CORRECTED: SEE 1/13/92  
MINUTESCALL TO ORDER:

Mayor Matheny called the meeting to order at 7:05 p.m. and led the flag salute. She then turned the gavel over to Dave Weiser.

OATH OF OFFICE:

Judge Allendoerfer administered the Oath of Office to Mayor Weiser. Mayor Weiser then present Past Mayor Matheny with the old gavel.

Judge Allendoerfer then administered the Oath of Office to Councilmembers Wright, Leighan and Herman. Mayor Weiser thanked all the families, friends and citizens who attended this special meeting tonight.

ROLL CALL:

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

CURRENT BUSINESS:**1. Selection of Councilmember to Fill Vacant Seat.**

Mayor Weiser explained that Councilmembers must vote by open ballot as per state law and that three persons had indicated an interest in the position by sending in letters. No one further (from the audience) indicated an interest in the position at this time and no one further was recommended by City Council at this time. Mayor Weiser asked the three people (in alphabetical order) to make their presentations, to be no more than 5 minutes. It was noted that their letters of interest are in the Council packets. He named the three people interested: Steve Fogg, John Myers and Mel Schank.

Steve Fogg of 6805 71st St. NE, Marysville, addressed Council and explained he is a results oriented person, presently is employed with Buse Timber and his concerns are to do with traffic, growth and getting the most for our tax dollar.

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John Myers, 7113 61st Dr. NE, Marysville, addressed Council and explained he has been regularly attending City Council meetings and workshops. He stated he is employed at Boeing and has a strong interest in utilities, increased growth and safety issues. He pointed out that he has the support of the citizens, has no special interest, is well aware of the time commitment in being on the Council and feels informed and ready to fill the City Council position.

Mel Schank addressed Council, explaining he was a Councilmember from 1986-1989 and very much wishes to be on the Council again. He stated he has been a resident of Marysville since 1963, is active in the community, has managed several businesses and feels there are some importance decisions to be made for our community.

Councilor Pedersen asked two questions for each of the candidates to answer: How much time per week they could spend on City Council business and how they have prepared themselves for this position in the last six months.

Steve Fogg explained he does work full time and his present employer would be his primary obligation, with his hours being from 7-3:30, however arrangements could be made for daytime meetings.

John Myers said he feels he can spend the number of hours required and as far as being prepared, he has been coming to the meetings for the last 6 months and has talked with City employees, for example. He added that it's also possible for him to get time off occasionally during the day and he gets off work about 2:30 every day normally.

Mel Schank noted that he is semi-retired and his time is his own so he has all the time needed for day time meetings. Also, he feels qualified/prepared as he is a former Councilmember.

Councilor Herman said he felt this a tough decision but after reviewing the three candidates, would nominate John Myers for the Council position.

Councilor Baxter nominated Mel Schank because of the void and need for attendance at daytime meetings.

Councilor McGee commented that he felt all three candidates well qualified.

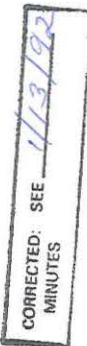
Mayor Weiser noted that the person chosen needs to be confirmed within 30 days and asked for a show of hands for those in favor of John Myers. Councilors Herman, Leighan, Pedersen and McGee voted in favor of John Myers. Councilor Baxter voted for Mel Schank.

Judge Allendoefer then administered the Oath of Office to John Myers.

## 2. Selection of Mayor Pro Tem.

Mayor Weiser explained this is a two year term and asked for nominations. Councilor McGee nominated Councilor Pedersen and Councilor Wright seconded the nomination. There were no further nominations and Councilor Baxter moved nominations be closed. Councilor Pedersen was declared the new Mayor Pro Tem.

BREAK: 7:30 to 7:40 p.m.



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MINUTES OF PREVIOUS MEETING:

Councilor Wright noted on page 2 of the 12/9/91 minutes that the "Sex" sign was on 80th not 88th St. and that the sign is now gone.

Councilor Herman noted that on page 3, the montage is now in the foyer not the "voyer".

Councilor McGee moved and Councilor Baxter seconded to approve the minutes of the 12/9/91 meeting as corrected. Passed unanimously.

STAFF BUSINESS:

City Administrator Garner explained that as per federal legislation under the American Disabilities Act, an appointment for a staff person to be a coordinator is required and a recommendation will be made to Council soon regarding that.

He reported that the interviewing process is being held for 8 candidates tomorrow for a secretarial position and staff's recommendation will be made to the Mayor as soon as that process is completed.

The position of Associate Planner has been advertised, to be closed 1/17/92.

Fire Dept. Dispatch transition went smoothly effective midnight 12/31/91, he reported.

On Thursday, the Utilities Dept. is sponsoring a safety class.

Public Works Director Zabell reported the State Avenue sewer reconstruction was started today, Grove St. project is expected to be finished this week, a presentation will be made at the 1/13 City Council meeting regarding the Everett-Marysville pipeline and a presentation will be made at the 1/27 City Council meeting regarding the Waste Water Treatment Facility.

MAYOR'S BUSINESS:

**1. Confirmation of Appointments to Various Boards and Commissions**

Community Access Channel: Mayor Weiser asked for reappointment of Fred Ingram. Councilor Baxter moved and Councilor Wright seconded to affirm this reappointment. Passed unanimously.

Mayor Weiser appointed Councilor Leighan as City Council Rep. to the Community Access Channel Committee. Councilor Wright moved and Councilor McGee seconded to affirm the Mayor's appointment. Passed unanimously. Mayor Weiser noted there is one more vacancy left on that committee.

Planning Commission Appointment: Mayor Weiser said he wished to appoint Rod Reed, to whom he is related, but Rod is in the process of getting his law degree and would make a good Planning Commissioner. Councilor Pedersen moved and Councilor Baxter seconded to affirm the Mayor's appointment to the Planning Commission. Passed unanimously.

Mayor Weiser noted there is another vacancy coming up on the Planning Commission and Councilor Pedersen suggested this might be a position Mr. Fogg would be interested in. Mayor Weiser stated the current makeup of the Planning Commission is 4 members who live within City limits and 3 who live outside City limits.



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Golf Board: Mayor Weiser stated there are three vacancies on the Golf Board but that he has no one in mind at the present time. He asked for names to be submitted by Council.

Park Board: Mayor Weiser said he wished to appoint Rita Matheny to fill Chuck Reagan's old position. Councilor Pedersen moved and Councilor Baxter seconded to affirm the Mayor's appointment of Rita Matheny. Passed unanimously.

City Council Representative to the Library Board: Mayor Weiser said he wished to appoint Councilor Myers however he understood there to be a time conflict, which would have to be worked out first.

Snohomish County Tomorrow: Mayor Weiser appointed Councilor Wright to be alternate to Mayor Weiser.

Joint Marysville Fire Board: Mayor Weiser appointed Councilor McGee to replace Councilor Weiser. He added that the city attorney is currently working on a new ordinance regarding the makeup of this board.

City Council Representative on Stillaguamish Senior Center Board: Mayor Weiser appointed Councilor Herman who accepted the appointment.

CALL ON COUNCILMEMBERS:

Councilor McGee asked about Gloria Hirashima's hours and City Planner Bennett said she has one meeting left, this Thursday, to give a staff report. (Hearing Examiner meeting.)

Councilor Baxter asked about the 88th St. Interchange dollar amount being budgeted and paid out by the City.

Public Works Director Zabell said \$50,000 was budgeted last year for engineering and environmental review and another \$50,000 has been budgeted this year. It is for State Avenue to I-5, about 300', and there are going to be improvements made to the signal, he added.

Councilor Pedersen asked for an update on the post office outside boxes and Public Works Director Zabell stated the concrete work is complete and has been done to the post office's satisfaction. The boxes are to be installed soon.

Councilor Pedersen asked about the possibility of a signal light at 528 & 67th and Public Works Director Zabell reported he has asked for a proposal from the consulting firm, which will be presented to the Council soon.

Councilor Wright stated she will be attending the upcoming AWC meeting. She asked about the 3-way stop at 48th & 100th.

Public Works Director Zabell explained the Traffic Advisory Committee will be reporting on this and technically, 48th & 100th is in the county. Mayor Weiser commented on the problems at the intersection and the reason for the 3-way stop.

Councilor Wright reported on a Homeport meeting she recently attended and she noted they are moving along, with the commissary, etc. being located in Marysville West. She noted they are interested in working with the City and possibly making a presentation to City Council. She also recently attended a meeting of the Alliance for Homelessness.

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Councilor Leighan asked about the possibility of weather adversely affecting the Everett pipeline and/or Waste Water Treatment Facility projects.

Public Works Director Zabell said no, actually the projects are ahead of schedule and they tied into the north end of the Marysville water system today.

Councilor Leighan noted he has seen a lot of new real estate signs going up on utility poles recently.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Sandra Crider, 9815 48th Dr. NE, addressed the Council regarding a previous complaint she had filed about the intersection at 48th & 100th. She stated she went to the county who said it was in the City of Marysville's jurisdiction and she said she would like to be on record with regard to the extreme danger at that corner, what with lack of sight distance, etc. She said she believe there was a lawsuit because of the people being asked to cut down the bushes but it is dangerous and she felt it should be decided soon whose jurisdiction it is--the City's or the County's.

Bud Darling, 1916 Grove St., addressed the Council regarding all day parking on 5th between Columbia & State. He asked if it was possible to reinstitute 2 hour parking there to prevent people from parking there all day.

Mayor Weiser noted there may be some correlation between this problem and the recent restriction of 2 hour parking signs placed on the south side of 6th by the park. The consensus was to have a draft ordinance drawn up for next Council meeting.

Don Boone, 7404 66th St. NE, addressed Council regarding the Marysville Golf Center which is now closed but the neighbors have noticed former employees still using the golf center during the day occasionally and hitting balls. He added that they would also like to see something done about the nets which are a real eyesore.

City Attorney Weed stated he has had a couple calls from City staff regarding these issues and had requested that staff follow up. He said his opinion is that the court order does extend to activities Mr. Boone has mentioned, eg. hitting golf balls even though the center is closed and the City can go back to Superior Court for further enforcement.

Mr. Boone asked if Mr. Weed knew of Marysville Golf Center's intentions and City Attorney Weed said he did not know what they intended to do.

CONSENT AGENDA:

1. Payroll Checks in the amount of \$463,025.35.
2. Claim Checks in the amount of \$981,346.63.
3. Acceptance of Second Street Improvements Project.

After questions and explanations of vouchers #4378, 4411, with explanations to be in the Friday briefing for #4417, 4438 and Centennial expenses, Councilor Baxter moved to approve Consent Agenda Items 1, 2 & 3. Councilor McGee seconded and the motion passed unanimously.

REVIEW BIDS:

**1. Highway 9 and Kellogg Marsh Water Tank Recoating.**

Public Works Director explained that 7 bids were opened 12/11/91 with the low bid coming from Thomas Steenmeyer Co. Inc. in the amount of \$43,883. He said staff has had satisfactory dealings with this firm in the past and recommends they be awarded the bid, with the project to be completed in the spring.

Councilor Baxter asked if relettering is included in the price and Public Works Director Zabell said it is.

Councilor Baxter then moved and Councilor Pedersen seconded to award the bid to Thomas Steenmeyer Co. Inc., for recoating and relettering of the Highway 9 and Kellogg Marsh Water Tank at a price of \$43,883 plus sales tax. Passed unanimously.

CURRENT BUSINESS:

**1. Faith Lutheran Church Utility Bill Adjustment.**

Councilor Pedersen disclosed she had a call from the church but only to do with the process.

City Administrator Garner referred to the letter in the packets from Carolyn Sanden to Bob Olsen and noted that Mr. Olsen is in the audience.

Robert Olsen, Arlington, addressed Council and stated the parsonage was billed for over 1 million gallons in August at a charge of \$885. He said he talked with Gary Olsen in the Water Dept. concerning the possibility of a leak and also spoke with Steve Wilson who said the cause might be when the meter was changed. Mr. Olsen reviewed the bills he had received from the City and showed how the usage seemed to vary considerably over the last year. He also reviewed the amounts of the billings for two month periods over the last year:

12/90	- \$23.60
2/91	- \$18.50
4/91	- \$18.50
6/91	- \$18.50
8/91	- \$885.00
10/91	- \$32.45

Mr. Olsen said he believed the new meter was installed around 7/1/91 and the gallon usage as of the end of October was up to 35,000 for a two month period, but then it came back down to 17,000 gallons the next billing period. He said he believed the crack in the pipe was fixed in July or August, 1991.

Councilor Baxter asked about the fluctuation in the reservoir making a difference and whether this is a visually read meter. Public Works Director Zabell said this is a visually read meter.

Councilor Pedersen said she would recommend reducing the billings down to something equal to what they have been paying before the \$885 billing.

There was discussion about meter accuracy and inaccuracy, the fact that their meter seems to have been recording a lower amount of usage originally than it should have been, the possibility of a bad meter as well as a leaking line and possibly a leaking fixture, also.

Mr. Olsen noted that after the line was repaired, their usage was

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about 17,000 for two months and there was more discussion about this probably being about right for a family of 4. Councilor Baxter said he suspects there is more than one problem here and the bill should probably be averaged.

Councilor Herman questioned whether it is up to Council to decide on a method of determination for billing or to come up with an actual dollar amount for the church to pay and City Attorney Weed said the City Council should set a dollar amount.

Mayor Weiser noted that in talking with the Water Dept., it was determined that the actual cost of the 1,020,000 gallons was only about \$40.00, but that doesn't take into consideration the operation costs of the system.

Councilor Pedersen said she thought it should depend on who caused the problem and whether it was the City's liability. If there is any liability on the part of the City, she said she would suggest averaging their bill out.

Councilor Baxter estimated that 17,000 gallons for two months would work out to about a charge of \$32.45 and Councilor Leighan asked if this would be based on the new rates.

There was more discussion and then Councilor Baxter moved to bill them based on \$32.45 for a two month period, averaging the usage to 17,000 gallons every two months, beginning back in April, 1991 through to December, 1991. Councilor Herman seconded the motion and further discussion followed about the cause of the leak and noting that with the church having already been paying \$18.50 each billing period, they will only owe a total additional of about \$47 through to 12/31/91, based on the \$32.45 billing proposed in the motion. The motion passed unanimously.

## **2. Utility Variance Extension, Smokey Point Church of Christ.**

Public Works Director Zabell explained that the six months previously granted was not long enough to install the infrastructure and get permits through the county so the church is requesting a further six month extension, or more, if possible. Public Works Director Zabell stated the reason the 6 month limit is in the code (enacted 10 years ago) was to prevent speculation and hoarding and he stated staff recommends an extension of 6 mos. with a longer extension at the discretion of Council.

Larry Haverstock, Stanwood, addressed Council and stated that the church submitted their plans immediately after the City's approval 7/22/91 and they now have septic approval but it will be July or August before they will have building permits from the county, he has been told. He stated they would need an extension until August at least, he believed.

City Attorney Weed said he didn't see any problem and the process of paperwork at the county level is causing a hardship to the applicant, he agreed.

Public Works Director Zabell added that 6 month extension limitations actually only relate to single parcels and this could be extended for 12 months, similar to a plat.

Councilor Pedersen moved to extend the utility variance for 12 mos. and Councilor McGee seconded the motion. Passed unanimously.

NEW BUSINESS:

**1. Narcotics Enforcement Team Contract.**

Marysville Police Chief Dyer addressed Council and briefly explained the proposal to combine the county's resources for a NET team. He explained that Officer Swearingen no longer serves on the Regional Drug Task Force but NET is similar to that entity-- it's just a larger task force under one command and reduces duplication of effort, provides more resources of manpower and equipment and the cities of Snohomish, Marysville and Everett would be involved.

Snohomish County Sheriff Jim Scharf, 7726 77th Pl. NE, addressed Council and noted that drug enforcement has turned into an international problem. He explained how the drugs can come out of Mexico, for example, up north, through Stevens Pass, the coastal waters, Eastern Washington, etc. and the NET team would have at their disposal manpower from the Snohomish County Sheriff's office, Everett P.D., South County (Mountlake Terrace, Lynnwood, Edmonds), Snohomish County Regional Task Force, with full time drug units from Marysville, Snohomish and Monroe. Right now, he explained there is very poor communication and they are proposing the NET team be housed in common housing (in Everett, probably) with regional cooperation, working towards a common goal--to clean up the surrounding communities with joint arrests, getting the drugs off the streets, working together. He stressed that this all has to be done now and the proposal would allow a sharing of resources and tax dollars to benefit everybody countywide.

Mayor Weiser asked about funding and Sheriff Scharf stated each entity would fund their own officer but they hope to use joint seizures on a coordinated basis down the road. He pointed out that the system sometimes ties up that money for awhile before it can be used.

Councilor McGee asked about staffing and Sheriff Scharf said there would be three new officers plus the Sheriff's Office providing a sergeant, five investigators and some support staff. There would also be at least one federal investigator, he said.

Councilor Myers asked when the effective date would be for this team to begin work together and Sheriff Scharf said they are in the process of getting more grants processed at this time and hope to have the team up and running in the very near future (as soon as possible).

Councilor Herman noted that funding is always difficult but was reassured with his understanding that the Sheriff's Office would fund the team for 1992. He asked if there was any way of funding beyond 1992 or in the event of a shortfall from seized assets.

Sheriff Scharf pointed out they have a track record already for seized assets and turned over a case to the feds 4 years ago from which they expect to be receiving money soon. He mentioned the drug buy funds and said each area would use their own drug buy fund. He added that Mukilteo may add an officer also, with a half time person from Stanwood and Arlington, as well. He then introduced Commander Bill Carpin.

Commander Carpin noted that he has lived in this area for 17 years and has been looking forward to getting this program together now for five years. He pointed out that there is a safety issue involved in that narcotics work can't be done alone, so the NET team provides the manpower as well as financial resources. He



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cited a case where they had 6 Hispanic illegal aliens selling narcotics at \$700 to \$800 per oz. recently vs. \$3500 per oz. 20 years ago, so that means to him there's more availability, he said. He said they are getting more and more agencies cooperating, communicating, information flowing because of coordination efforts and he cited another example of how that works between agencies.

Councilor Leighan asked about liquidating seized assets and Commander Carpin admitted they have not totally overcome that problem as yet. For example, they have nine pieces of real property and are still waiting for it to be processed through the courts, he said. He noted they have seized numerous vehicles, etc. and have been able to keep the local city contributions down because of additional resources through the seized assets, eg.

Chief Dyer summarized that he would encourage City Council to support this as well as the regional drug task force; that signing these contracts would be a very wise move.

Councilor Baxter asked if this would mean an additional officer and Chief Dyer said no, it's the same person who has been working narcotics and that person would stay in Marysville.

Bud Darling addressed Council again and said he lived across the street from a drug house at one time and if it hadn't been for the sheriff's office in cooperation with the City, it would still be going because drug dealers are very street wise and hard to pin down and they sold drugs to the grade school kids.

Councilor Baxter moved to authorize the Mayor to sign the contract with the Narcotics Enforcement Team and Councilor Pedersen seconded the motion. Passed unanimously.

## **2. Snohomish County Regional Narcotics Task Force Agreement.**

Councilor Baxter then moved to authorize the Mayor to sign the interlocal agreement with the Snohomish County Regional Narcotics Task Force. Councilor Pedersen seconded and the motion passed unanimously.

## **3. Hearing Examiner Decision - Smith, Duryee & Darling Rezone to R-9600 and Variance from Street Design.**

Councilor Pedersen disclosed that she and her husband have a rental house in the vicinity but there were no objections and/or challenges.

City Planner Bennett explained the hearing examiner is recommending approval of the rezone and variance from street design (which involves road grades), with 12 conditions. He specifically read conditions 6 & 11 and stated staff recommends City Council affirm the hearing examiner's decision.

Public Works Director Zabell clarified that adjacent property owners are to be allowed to review the drainage plans but it is felt by staff that the onus should be on the developer to distribute the plans to the adjacent property owners, rather than having City staff distribute the plans. He recommended this as an added condition.

Councilor McGee moved and Councilor Wright seconded to affirm the hearing examiner's decision, including the additional condition recommended by Public Works Director Zabell. Passed unanimously.

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**4. Hearing Examiner Decision - Rezone and Binding Site Plan,  
 1008 Cedar Avenue, Dennis Edwards.**

City Planner Bennett explained the hearing examiner is recommending denial of the request, however an appeal was received 12/17/91 from William Roberts Land Surveying. Staff recommends that if the hearing examiner's recommendation is affirmed and a new public hearing is set, that a new site plan should be reviewed.

There was discussion about the hearing examiner process vs. the Planning Commission process, parameters and authority of the two bodies, scope of responsibility, noting that the request was for high density and rather than recommend a lower density, the request for high density was simply denied by the hearing examiner, which would be the same authority as the Planning Commission had prior to the hearing examiner process taking effect.

Mayor Weiser stated that since the request has been appealed, he would entertain remarks from Bill Roberts, who wished to speak.

Bill Roberts, 4129 76th St. NE, addressed Council and explained the hearing examiner's hands are basically tied with the present Comp Plan but there have been significant changes in the area, which he believes have enough merit and would justify the City Council holding a public hearing. He said he felt there have been enough changes since 1978 to support the high density request.

Councilor Baxter moved to set a public hearing for 1/27/92 and Councilor Wright seconded the motion. Passed unanimously.

**5. Utility Variance, 1507 NE 172nd St., Arlington, Myron Gemmer.**

Public Works Director Zabell explained this is in the Lakewood area, outside RUSA however within the Critical Water Service Area.

Myron Gemmer, 1507 NE 172nd St., addressed Council, stating he has been on City of Marysville water since 1965. He said he started in 8/87 with a building project with two present fire hydrants near the site. At least one additional fire hydrant is required for flow and pressure purposes in the event of a fire, with a 6" line to be installed on his side of 172nd, sprinkling the building and rebuilding the burned building, he said, all of which he is willing to do.

Public Works Director Zabell pointed out there would be no additional water usage at this time, this is only in case of a fire emergency, when they would need the additional flow and pressure from the hydrant.

Councilor Herman said the need seems to be apparent, but he asked about precedent setting and Public Works Director Zabell pointed out this is within the Critical Water Study boundary, which will be made official within "60 days" he's been told and would be for emergency use only.

Councilor Baxter moved for approval of the variance, with Councilor Myers seconding the motion. Findings of fact were cited as follows:

- present customer of City water
- 6" water main will not constitute additional gallonage use
- within Critical Water Study boundaries.

The motion passed unanimously.

**6. Authorization to Cash Employee Checks.**

Finance Director Dexter explained this would enable the City to cash checks as a service to employees as per legislation now allowing cities to do this. He said prior to this, the state had this authority but cities have not and 1991 legislation has corrected this to allow cities to do this now through a local ordinance. He added that the statute allows \$200 but the proposed ordinance allows only up to \$50 with additional internal restrictions, for example, no payroll checks to be cashed because of the large amount of cash required and the need to keep enough cash for customer needs. He said he foresees no problems if this ordinance is approved and usually the only employees that would use this service would be City Hall staff, three or four times a month.

Councilor Pedersen asked why payroll and expense checks are referred to in the proposed ordinance if they are not allowed and Finance Director Dexter said that's directly from the state statute.

Councilor Pedersen questioned the need for the City to be in the banking business and Finance Director Dexter explained most City employees "bank" with the credit union in Everett and there is no bank in Marysville where employees can cash a personal check.

Councilor Pedersen said she has spoken with a couple banks who have said they would cash City employee personal checks and she said she would be interested in other comments but she didn't think the City should be in the banking business.

Councilor Baxter said he tended to agree and if an employee needs cash on a regular basis, they should have an account set up for that particular purpose and not use the City services.

Councilor Pedersen asked if there would be any additional bonding or insurance requirements and Finance Director Dexter said no, that there's no liability or risk involved.

Mayor Weiser asked how long it has been since the City did cash personal or payroll checks and Finance Director Dexter said it was 8-10 yrs. ago, at which time it was brought to their attention that they were not supposed to be doing this at that time.

Councilor Herman questioned whether not cashing checks has created a significant inconvenience and Finance Director Dexter said very rarely.

Councilor Wright asked if the auditor had made any recommendation and Finance Director Dexter said no, they were just pointing out the fact that cities are allowed to do this now.

Councilor McGee moved to deny approval of the ordinance authorizing the City to cash employee checks. Councilor Baxter seconded and the motion passed with Councilor Leighan opposed.

**7. Selection of Representative to Community Transit Meeting to Review Board Composition and Select Board Members.**

Mayor Weiser noted that Councilor Herman had expressed an interest in attending this meeting.

Councilor Pedersen moved and Councilor McGee seconded to select Councilor Herman as the City Council Representative to go to the Community Transit Meeting. Passed unanimously.

ORDINANCES & RESOLUTIONS:

**1. An Ordinance Annexing Certain Territory Owned by the City to the City of Marysville.**

City Attorney Weed explained this is to annex the Lk. Goodwin Well property to enable the City to have more direct control over the process of erecting a 150' tower for a police antenna and permitting control by the City of Marysville. He explained that the

Councilor Baxter left Council Chambers at 9:53 p.m.

City is allowed to annex property they own without going through the public hearing process.

Mayor Weiser pointed out that the City is trying to make an effort to annex all city owned properties.

Councilor Wright moved to approve/adopt Ordinance 1872. Councilor Leighan seconded and the motion passed.

Councilor Baxter returned to Council Chambers at 9:55 p.m.

**2. Resolution Waiving the Public Bidding Requirements for Radio Receiving Equipment for the City's Police Department.**

Sgt. Dennis Petersen explained this is for the antenna, tower and radio equipment and he said he believed the City Council has already been polled and was in favor earlier.

Councilor Pedersen moved and Councilor McGee seconded to approve/adopt Resolution #1517. Passed unanimously.

LEGAL MATTERS:

**1. Approval of City Administrator Contract - John Garner.**

City Attorney Weed explained this is an interim contract with two changes: Compensation is not as per budget but \$4,000 per mo. instead and John Garner has elected to have the City provided car and in the event the car is unavailable then he would be reimbursed for use of his personal vehicle.

Councilor Baxter moved to approve the contract with changes for the Interim City Administrator. Councilor Pedersen seconded and the motion passed unanimously.

ADJOURNED INTO EXECUTIVE SESSION: 10:00 p.m.

- 1. Real Estate.
- 2. Pending Litigation.

RECONVENED & ADJOURNED: Approx. 10:30 p.m.

Accepted this 13 day of January, 1992.

David Weiser  
MAYOR

Phillip E. Dexter  
CITY CLERK

Wanda R. Iverson  
RECORDING SECRETARY

CORRECTED: SEE 113192 MINUTES