

**MINUTES RECAP
MARYSVILLE CITY COUNCIL - REGULAR MEETING
DECEMBER 11, 2000**

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CALL TO ORDER/FLAG SALUTE	7:00 p.m.
ROLL CALL	All present.
MINUTES OF PREVIOUS MEETING 1. City Council Workshop, November 9, 2000 2. City Council Special Meeting, November 28, 2000 3. City Council Meeting, December 4, 2000 4. City Council Special Meeting, December 6, 2000	Approved as corrected. Approved as corrected. Approved as corrected. Approved as presented.
AUDIENCE PARTICIPATION None.	
PRESENTATIONS/PETITIONS/COMMUNICATIONS 1. Marysville Coalition Drug Poster Winner Presentations	
CONSENT AGENDA 1. Approve December 11, 2000 claims in the amount of \$1,129,331.96 paid by check nos. 55727 through 55888. 2. Approve final plat, Whiskey Ridge Estates, Division II; PA 9809049. 3. Approve SR528 (55 th Drive to 83d Avenue NE) road improvement project; Change Order No. 15. 4. Approve Fee Waiver Request from Marysville School District. 5. Authorize Mayor to sign Interlocal Agreement with Snohomish County Parks and Recreation for improvement funding to Harborview Park. 6. Authorize Mayor to sign City Attorney Retainer Agreement, Calendar Year 2001. 7. Authorize Mayor to sign Marysville Municipal Court Judge Agreement for Calendar Year 2001.	Approved Approved. Approved. Approved. Approved. Approved. Approved.
ACTION ITEMS	
REVIEW BIDS None.	
PUBLIC HEARING None.	
CURRENT BUSINESS 1. Utility Billing - Delinquent Process.	Approved maintaining current process
NEW BUSINESS 1. Reconsideration of two utility variances denied at December 4 meeting Utility Variance Extension subject to conditions for Pacific Rim Development; 3318 71 st Avenue NE, Marysville, UV 99-12. Utility Variance subject to conditions for Pacific Rim Development & Construction, 6811 Sunnyside Boulevard, Marysville, UV 2000-23. 2. Professional Services Agreement, Water and Sewer Rate Study, Economic and Engineering Services, Inc. 3. Professional Services Agreement, wetland delineation work, Adolfson Associates, Inc. 4. I-5 ramps evening closures	Approved. Approved. Approved. Approved. Approved. Approved.
LEGAL MATTERS None.	

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ORDINANCES AND RESOLUTIONS	
1. An Ordinance of the City of Marysville amending Ordinance No. 2333 and 12.04.065 of the Marysville Municipal Code relating to the street name of "State Avenue."	Approved Ordinance 2349.
2. An Ordinance of the City of Marysville creating a Disability Board for LEOFF I members with jurisdiction over police officers and firefighters of the City of Marysville pursuant to RCW 41.26.110.	Approved Ordinance 2350.
3. An Ordinance of the City of Marysville granting a non-exclusive franchise to Black Rock Cable, Inc., to construct, install and operate an open video system consisting of lines, wires, coaxial cable and appurtenances for originating, receiving, distributing and supplying cable service along, across and upon the public's streets, ways, alleys and places within the City of Marysville.	Approved Ordinance 2351.
4. A Resolution of the City of Marysville amending Resolution No. 1987 granting a utility variance for Dujardin Development Company for property located at 108 th Street NE and 67 th Avenue NE, Marysville, Washington.	Approved Resolution 2016.
5. A Resolution of the City of Marysville stating its intention to annex certain unincorporated area, known as Cedars on 60 th into the city and transmitting the matter to the Snohomish County Boundary Review Board for approval.	Approved Resolution 2017.
CURRENT BUSINESS (Continued)	
1. Executive Department reorganization and management salary study	
ADJOURN INTO EXECUTIVE SESSION	11:15 p.m.
RECONVENE REGULAR SESSION	
1. Ordinance 2352.	Approved Ordinance 2352.
ADJOURN	11:30 p.m.

**MINUTES
MARYSVILLE CITY COUNCIL - REGULAR MEETING
DECEMBER 11, 2000**

CALL TO ORDER/FLAG SALUTE

The regular meeting was convened by Mayor Weiser at 7:00 p.m. in the Council Chambers, and the assemblage joined in the flag salute. A voice roll call was conducted. Attendance was as follows:

<p>Councilmembers Present: Dave Weiser, Mayor Mike Leighan, Mayor Pro Tem Shirley Bartholomew Jim Brennick NormaJean Dierck Mike Leighan Donna Pedersen Suzanne Smith John Soriano</p>	<p>Administrative Staff present: Mary Swenson, Asst. to City Administrator/City Clerk Robert Carden, Chief of Police Gloria Hirashima, City Planner Grant Weed, City Attorney Ken Winckler, Public Works Director</p>
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MOTION FOR RECONSIDERATION

MOTION by Pedersen, second by Leighan, to reconsider the following items from the December 4 council meeting under Current Business:

- 1) Approval of Utility Variance Extension subject to conditions for Pacific Rim Development; 3318 71st Avenue N.E., Marysville; UV 99-12; and
- 2) Utility variance subject to conditions for Pacific Rim Development & Construction, 6811 Sunnyside Boulevard, Marysville; UV 2000-23.

Smith, Brennick and Dierck voted nay; all others voted aye; motion carried (4-3).

MINUTES OF PREVIOUS MEETING

1. City Council Workshop, November 9, 2000.
Councilmembers noted the following corrections:
 - Page 2, under "Executive," add: "Councilmember Dierck commented that council should discuss whether the Mayor's position should be full time or part time with an option of looking at pay changes."
 - Page 3, add to Brennick's comments: "He noted that after the second year the Department would not be purchasing motorcycles."
 - Page 4, add to Dierck's comments: "Councilmember Dierck asked Mayor Weiser about the full cost of Strawberry Fields at completion; his reply was 'possibly \$6 Million'."

MOTION by Dierck, second by Brennick, to approve the minutes of the November 9 workshop meeting as corrected. Motion carried (7-0).

2. City Council Special Meeting, November 28, 2000.
Councilmembers noted the following corrections:
 - Page 1, last paragraph, change "He added that ..." to "She added that..."
 - Page 2, 6th paragraph, change "Rotary would participate..." to "Rotary may participate...."

MOTION by Dierck, second by Pedersen, to approve the minutes of the November 28 special meeting. Motion carried (7-0).

3. City Council Regular Meeting, December 4, 2000.
Councilmembers noted the following corrections:

- Page 9, last paragraph, revise last sentence to read "There would be an extra burden on the Sanitation Department and the Police Department and an expense to the city of bringing the park in."
- Page 12. Vote on the last motion was : Dierck voted nay; all others voted aye; motion carried (5-1).
- Page 8, add after the 7th paragraph: Councilmember Soriano asked Mr. Taylor if technical and design-related questions had been directed to staff and the consultants; he answered in the affirmative."
- Page 8, 5th paragraph, after "they were looking at adding lake Stevens and Arlington" "He was not aware of any plans to add Lakewood, Lake Goodwin and that area."

MOTION by Dierck, second by Brennick, to approve the minutes of the December 4 regular council meeting as corrected. Pedersen abstained due to her absence from that meeting; motion carried (6-0-1).

4. City Council Special Meeting, December 6, 2000.

MOTION by Dierck, second by Brennick, to approve the minutes of the December 6 special meeting as presented. Motion carried (7-0).

AUDIENCE PARTICIPATION

None.

PRESENTATIONS/PETITIONS/COMMUNICATIONS

1. Marysville Coalition Drug Poster Winner presentations

Kathy Schindler, the Housing Authority representative to the coalition, advised that Alexandria Dixon could not attend this evening. Ms. Schindler showed council her winning design for the Secondary level. The winner of the elementary level, Arnold Cheer, presented his poster "Smoke Fish Not Drugs" to Mayor Weiser. The Mayor thanked the participants and thanked the parents for encouraging children to participate in the contest.

CONSENT AGENDA

1. Approve December 11, 2000 claims in the amount of \$1,129,331.96 paid by check nos. 55727 through 55888.
2. Approve final plat, Whiskey Ridge Estates, Division II; PA 9809049.
3. Approve SR528 (55th Drive to 83d Avenue NE) road improvement project; Change Order No. 15.
4. Approve Fee Waiver Request from Marysville School District.
5. Authorize Mayor to sign Interlocal Agreement with Snohomish County Parks and Recreation for improvement funding to Harborview Park.
6. Authorize Mayor to sign City Attorney Retainer Agreement, Calendar Year 2001.
7. Authorize Mayor to sign Marysville Municipal Court Judge Agreement for Calendar Year 2001.

MOTION by Bartholomew, second by Pedersen, to approve items 1 through 7. Motion carried (7-0) on items 1, 3, 4, 5, 7. Dierck voted nay on items 2 and 6; motion carried (6-1).

ACTION ITEMS**Review Bids**

None.

Public Hearing

None.

Current Business**1. Utility Billing – Delinquent Process**

Dean Rohla, Assistant Finance Director, gave a detailed presentation in response to a citizen's concern about the city's shutoff process for delinquent utility billing. He explained the steps in the notification process, the timing of the notices, and the fees charged to delinquent accounts. His timeline showed 55 days from the billing date before an account was shut off. Compared with the practices of surrounding cities, Marysville allowed the longest grace period.

Councilmember questions and comments included:

- *Is there an expense to the city in the delinquent/disconnect process?* No, those are recouped in the shutoff and reconnect fees.
- *Of the number of customers served, how many get shut off?* The city has 11,000 water accounts which are billed on different cycles; the smallest billing group is 1600 and the largest 3700. There might be 40 to 50 shutoff notices for the big list.
- *How were rentals handled when tenants move in the night?* The city tried to collect from the tenant, but the bill was legally the responsibility of the property owner.
- *Did delinquencies get reported to a credit bureau?* The city sometimes used collection agencies, but it was the city's policy to not allow the collection agency to report to a national credit bureau.
- *Does the city actively pursue collection of non-payments?* Yes, the property was liened and the bill went to a collection agency.
- *How successful had staff been at making contact on the courtesy calls?* Shirlene Williford, Utility Billing, answered that they were quite successful, in the range of 75%.
- *Of the 75% staff contacted, how many came in and paid before shutoff?* Less than half. Payments were collected from the drop box at 8:00 a.m. and if payment was there, the crews in the field were notified not to continue with the shutoff.
- *Of the 25% that didn't pay, what was the average bill?* They ranged from \$26 to over \$200.
- *What was the disconnect fee?* Mr. Rohla responded that the disconnect fee was \$10 and the reconnect fee was \$10.
- *Did the city utilize door hangars?* No, unless staff suspected there was a leak.
- *Are door hangars more effective for contacting residents?* No, because they are put on the front door and residents often entered through the garage.
- *Could payment arrangements be made?* If someone came in prior to the actual shutoff, the city offered a 15-day payment arrangement if they had not had a prior shutoff in a one-year period.
- *How many delinquent customers are repeats?* About half, so the process was not new to them.

MOTION by Bartholomew, second by Brennick, to continue with the practice that is currently in place. Dierck voted nay because she favored more leniency in the process; all others voted aye; motion carried (6-1).

New Business

1. Reconsideration of two utility variances denied at December 4 meeting

Councilmember Pedersen spoke in favor of the utility variances. She noted that the city had made long-term commitments to people in the area to provide utility services. At one time there was concern about not being able to grow to the north so annexations to the east were encouraged. She noted the city did not have a large business, industrial or commercial base and utility fees constituted a significant portion of the city's income. She had carefully reviewed the minutes and the agenda materials from the December 4 meeting and requested reconsideration of the council's action. She expressed support for continuing the commitment that had been made.

Councilmember Smith noted that previous councils may have made a commitment to provide utility service outside the city but those utility fees did not come back in to the community per se to be used for parks and schools; they were earmarked for future infrastructure. She supported encouraging growth of the city's commercial base. Councilmember Pedersen noted she had been on the council for 11 years and had not seen that growth yet.

Councilmember Leighan stated that \$2 million had come into the General Fund as the result of growth from outside the city. Because those outside paid higher rates, they helped keep costs down for those living in the city. Councilmember Smith responded that city residents had to provide the schools and parks for those living outside the city because it did not receive any benefit from their property taxes. She did not support annexations unless they were close to the city limits and appropriate. Councilmember Leighan suggested that much of the sales tax revenue received by the city came from people living outside of the city who came here to shop; also, the city had a reciprocal agreement with the county regarding sharing parks and traffic mitigation fees.

Councilmember Brennick stated he had received a call after the last meeting from Bob Hill. Mr. Hill had made a contribution to his campaign. Mr. Hill was affected by the council's decision at the December 4 meeting. Councilmember Brennick acknowledged that previous councils may have made commitments, but voters and had made changes on the council and expected some changes. He supported "good growth," stating he had voted nay because he wanted to see building permit dollars come into the city not the county and he felt that providing services outside the city was giving away capacity that might be needed later.

Councilmember Dierck stated that several months ago she had requested council review the way annexations were done; she supported annexation to the city prior to development. She stated there was a chart, which showed that the city lost more than it gained by providing services outside the city limits.

MOTION by Pedersen, second by Bartholomew, to approve Utility Variance Extension subject to conditions for Pacific Rim Development; 3318 71st Avenue NE, Marysville, UV 99-12. Smith, Dierck and Brennick voted nay; all others voted aye; motion carried (4-3).

MOTION by Dierck, second by Smith, to deny UV 2000-23. Smith, Dierck and Brennick voted aye; all others voted nay; motion failed (3-4).

MOTION by Pedersen, second by Leighan, to approve Utility Variance subject to conditions for Pacific Rim Development & Construction, 6811 Sunnyside Boulevard, Marysville, UV 2000-23. Smith, Dierck and Brennick voted nay; all others voted aye; motion carried (4-3).

2. Professional Services Agreement, Water and Sewer Rate Study, Economic and Engineering Services, Inc.

Mr. Winckler gave the background presentation explaining how the consultant was selected, noting they had been recently done a solid waste the study for the city.

Councilmember questions and comments included:

- *Did staff anticipate any additional work?* No, not at this time. One exception to that was that a scope of work or rate study would be needed for the storm water utility. Staff did not know how far along the process would be when that was required.
- *Does the city currently collect a surface water tax?* No, the county collected it and distributed it to the cities.
- *Were we anticipating charging that ourselves?* If the city's rate were exactly the same as the county's, the county would continue to collect it. If council decided to increase the rate it would become the city's responsibility to collect the whole amount.
- *Would this study dovetail appropriately with the construction of the sewer project?* Yes.
- *Did we know how many state grants or low interest loans were available?* No, that research would be part of the study.
- *Would this study look at all options available for paying for the project so the existing ratepayers wouldn't have to bear the entire burden?* Yes. Council directed staff to do a rate study during the 5th year of the rate schedule. In conjunction with that, staff and the consultants would be researching what was available to help pay for capital projects.
- *Did staff have an estimate of the increase and whether it would be staggered?* No.

Mr. Winckler noted that the sewer treatment plant project was driven by new regulations, not new development. New development paid its way via connection fees, which were raised a year ago and also this January.

The Mayor called for public comments; there were none.

MOTION by Bartholomew, second by Pedersen, to approve the professional services agreement with Economic and Engineering Services, Inc. in the amount of \$52,985.00 and authorize the Mayor to execute the document. Motion carried (7-0).

3. Professional Services Agreement, wetland delineation work, Adolfson Associates, Inc.

Mr. Winckler presented the information from the agenda packet. He thought a biological assessment would have to be done for this project, but that was not included in this contract.

Councilmember Smith asked if this type of survey should be done in the spring. Mr. Winckler responded that the consultants had been to the site during the last four months and were confident the proposed study could be conducted now. The scope of this work was limited and was structured to allow the design phase of the project to go forward.

Councilmember Leighan noted the city had cut back funding for this project for the coming year; he questioned the arrangements with Grace Baptist Church. Mr. Weed responded that there was no commitment at this time. The next step was to negotiate with Grace Baptist for an easement. That would take into consideration the alignment, but that could not be firmed up until this study was done. Then there would be additional discussions with the property owners about the final realignment of the stream channel.

The Mayor called for public comments; there were none.

CORRECTED: SEE L-2-01
MAY 1998 Additional Text

MOTION by Dierck, second by Smith, to approve the professional services agreement with Adolfson Associates, Inc. and authorize the Mayor to sign it. Motion carried (7-0).

4. I-5 ramps evening closures

Mr. Winckler reviewed the schedule for the closures and the detour routes.

Councilmember Leighan asked if there had been any discussion about using Quilceda. Mr. Winckler said he would check on that and also on where there would be an impact on the Park and Ride lot construction.

Councilmember Pedersen requested that staff discuss the closures with Albertson's, the drive-ins and gas stations as this would greatly impact those businesses. Mr. Winckler agreed to follow up with notification.

Councilmember Soriano asked if going north on State and left on 88th posed any problems; Mr. Winckler said that intersection would accommodate truck traffic. Councilmember Brennick suggested Cedar had more room for turning than 4th and State. Mr. Winckler said Cedar could be signed as the detour for truck traffic.

The Mayor called for public comments; there were none.

MOTION by Brennick, second by Smith, to approve the signing of the detour route as set out in the letter of concurrence. Motion carried (7-0).

The Mayor called for a 5-minute break, then reconvened the meeting.

Ordinances & Resolutions

1. An Ordinance of the City of Marysville amending Ordinance No. 2333 and 12.04.065 of the Marysville Municipal Code relating to the street name of "State Avenue."

MOTION by Dierck, second by Smith, to adopt Ordinance 2349. Bartholomew voted nay; all others voted aye; motion carried (6-1).

2. An Ordinance of the City of Marysville creating a Disability Board for LEOFF I members with jurisdiction over police officers and firefighters of the City of Marysville pursuant to RCW 41.26.110.

Mr. Weed explained that the city was required to form this board because of its population, 20,000 or greater. In the past the city had been served by the Snohomish County Board. The membership on this Board was dictated by statute and it might have to operate with one vacancy because there was only one retired LEOFF I firefighter. Councilmember Leighan suggested using someone who had been employed by the city prior to the merger; Mr. Weed stated he would review this.

Councilmembers expressing an interest in serving on the Board were Pedersen, Brennick and Dierck.

MOTION by Leighan, second by Dierck, to adopt Ordinance 2350. Motion carried (7-0).

3. An Ordinance of the City of Marysville granting a non-exclusive franchise to Black Rock Cable, Inc., to construct, install and operate an open video system consisting of lines, wires, coaxial cable and appurtenances for originating, receiving, distributing and supplying cable service along, across

and upon the public's streets, ways, alleys and places within the City of Marysville.

John Pierce President of Black Rock Cable advised that Everett, Lynnwood and Mountlake Terrace had approved similar ordinances. Councilmember Soriano asked if the installation of lines included fiber optic; Mr. Pierce said it did. Councilmember Soriano asked if the company would support computer operations in the future. Mr. Pierce said yes, his company was limited now but was courting richer companies; a system in the future might have multiple providers. He explained that his current business was to provide fiber optic interconnections. If more funding became available he would provide multiple services. To add high-speed data or internet service he would not have to come back before council; to add telecommunications service he would.

Councilmember Pedersen asked if this was a step in providing a climate that was positive for new businesses. Mr. Pierce said it was, especially as to fiber optics.

MOTION by Pedersen, second by Soriano, to adopt Ordinance 2351. Motion carried (7-0).

4. A Resolution of the City of Marysville amending Resolution No. 1987 granting a utility variance for Dujardin Development Company for property located at 108th Street NE and 67th Avenue NE, Marysville, Washington.

MOTION by Bartholomew, second by Leighan, to adopt Resolution 2016. Brennick, Dierck and Smith voted nay; all others voted aye; motion carried (4-3).

5. A Resolution of the City of Marysville stating its intention to annex certain unincorporated area, known as Cedars on 60th into the city and transmitting the matter to the Snohomish County Boundary Review Board for approval.

MOTION by Pedersen, second by Bartholomew, to adopt Resolution 2017. Motion carried (7-0).

Current Business (Continued)

2. Executive Department reorganization and management salary study

Mayor Weiser introduced the topic, noting A.J. Housler of Waldron Resources had been engaged to help with the possible reorganization of the Executive Department and look at the salary structure.

Mr. Housler reviewed his experience and qualifications then gave a detailed presentation of the options available. He noted the recommended option was 3C "reorganize, distributing City Administrator duties/responsibilities." This created a strong management team. The Administration position would report to the Mayor. Reporting to Administration would be Finance and Parks/Recreation, as well as those departments which currently come under the administrative function: legal and municipal court, clerk, human resources, information services, computer services, etc. Mr. Housler emphasized that this option maintained continuity when political changes occurred.

Mayor Weiser advised that this concept had been discussed with staff members three or four times and they were comfortable with it. Mr. Housler added that as far as termination, the Managers wanted to be treated like any other employee, which was termination for just cause. The Personnel Director had indicated that changes were being made to the personnel rules to come before council in January. That change would be incorporated.

Mr. Housler continued with the second part of his presentation, which was the salary survey. The city's current status included disparity in education requirements, a unique/contradictory education pay policy, inconsistency in grading jobs, an outdated salary grid, and the city's rapid growth. He briefly reviewed the salary comparisons, the proposed salary range, salary grid and job classification plan.

A lengthy discussion ensued, with several councilmembers stating they had received their packets late and had not had sufficient time to review the data presented. Mayor Weiser stated he felt it was important to not table action until January because that would mean pay raises for non-represented personnel would not go into effect until February 1st.

MOTION by Brennick, second by Dierck, to extend the meeting past 11:00 p.m. Pedersen and Leighan voted nay; all others voted aye; motion carried (5-2).

EXECUTIVE SESSION

Council adjourned into Executive Session at 11:15 p.m. to discuss personnel matters.

The meeting reconvened at 11:25 p.m.

MOTION by Brennick, second by Bartholomew, to extend the meeting to 11:30 p.m. Pedersen and Leighan voted nay; all others voted aye; motion carried (5-2).

The Executive Session resumed.

ADJOURN

Council reconvened into regular session at 11:29 p.m.

MOTION by Brennick, second by Bartholomew, to approve Ordinance 2352. Motion carried (7-0).

Council adjourned at 11:30. p.m.

Accepted this 2nd day of January, 2001.

David Weiser
Mayor

Berry Becker
City Clerk

Ann M. Averill
Recording Secretary