

May 24, 2004

Marysville City Council  
7:00 p.m.**ORIGINAL** City Hall

<b>Call to Order/Invocation/Pledge of Allegiance/Roll Call</b>	<b>7:00 p.m.</b>
<b>Presentations</b>	
Employee Service Awards	
<b>Approval of Minutes</b>	
May 10, 2004 City Council Meeting	Approved
May 17, 2004 City Council Work Session	Approved
<b>Consent Agenda</b>	
Approval of May 12, 2004 Claims in the Amount of \$444,970.62; Paid by Check No. 15028 through 15175	Approved
Approval of May 19, 2004 Claims in the Amount of \$2,852,548.49; Paid by Check No. 15176 through 15329 and Check No. 15069 and 14540 Void	Approved
Approval of May 20, 2004 Payroll in the Amount of \$480,410.13; Paid by Check 12651 through 12714.	Approved
Approval of Liquor License Renewals for Captain Dizzy Exxon (1203 State Avenue), Jim's Shell & Grocery (1209-4 <sup>th</sup> Street), Marysville Deli & Video (922 State Avenue), and That Burger Place (9414 B State Avenue).	Approved
Approval of Ebey Vista Final Plat; PA 9911056	Approved
Approval of Alexander Heights Final Plat; PA 0210042	Approved
Approval of Sounds of Summer Concert Series Performance Contracts	Approved
Acceptance of 10% Notice of Intention Petition; Marshall Elementary School Annexation; PA 0202009	Approved
Acceptance of 10% Notice of Intention Petition; Marysville School District Annexation; PA 0103016.	Approved
Deny the Application for Utility Variance to Provide City Sewer Without Public Water Service; Dale Gribble Center Construction Company	Approved
<b>Review Bids</b>	
2004 Water Quality Testing	Approved
Small Works Contract Award: Gravel Pad & Personal Property Moving Project	Approved
<b>Public Hearings</b>	
None	
<b>Current Business</b>	
None	
<b>New Business</b>	
Hotel/Motel Tax Grant Program	Approved

May 24, 2004

Marysville City Council  
7:00 p.m.

000271

City Hall

Park Property Lease Agreement with R&D Park Creek, LLC.	Approved
Kalberg Annexation; 10% Notice of Intention Petition; PA 04002	Approved
Robinett Annexation; Notice of Intent; 60% Petition; PA 04009	Approved
International Building Codes	Approved
Affordable Housing – Establishment of Housing Prices	Approved
Approval of Harbor Winds Final Plat; PA 0009038	Approved
Authorize Mayor to Sign Contract with Perteet Engineering Regarding ISC Speedway Race Day Transportation Management Plan	Approved
<b>Legal</b>	
AT&T/DIS Toll-Free Services Master Contract Billing Dispute Settlement Offer.	Approved
<b>Resolutions and Ordinances</b>	
An Ordinance of the City of Marysville, Washington Adopting by Reference the International Building Code and International Residential Code and the International Building Code Standards 2003 Edition, Excluding the International Electrical, Plumbing, Property Maintenance and Energy Codes, Chapter 34 Existing Buildings and Amending Marysville Municipal Code Chapter 16.04, 16.08, 16.28.	Approved Ord. 2523
<b>Mayor's Business</b>	
June 1, 2004 at 7:00 p.m. at Marysville Pilchuck School Auditorium is the first NASCAR meeting	
No Council meeting on May 31 or June 1.	
<b>Adjournment</b>	8:40 p.m.
<b>Executive Session</b>	8:55 p.m.
1. Personnel	No Action Taken
<b>Adjournment</b>	9:06 p.m.

**MARYSVILLE CITY COUNCIL MEETING**

May 24, 2004

7:00 p.m.

City Hall

**CALL TO ORDER / PLEDGE OF ALLEGIANCE / INVOCATION**

CORRECTED: SEE	6/14/04
MINUTES	

Mayor Dennis Kendall called the May 24, 2004 meeting of the Marysville City Council to order at 7:00 p.m. and led those present in the Pledge of Allegiance. There was no invocation.

**ROLL CALL**

Chief Administrative Officer Mary Swenson called the roll. The following staff and councilmembers were present.

**Council:** Mayor Dennis Kendall, Jon Nehring, Lee Phillips, Jeff Seibert, John Soriano, Lisa Vares, Jeff Vaughan, and Donna Wright.

**Staff:** Jim Ballew, Parks and Recreation Director; Doug Buell, Community Information Officer; Robert Carden, Chief of Police; John Dorcas, Building Official; Gloria Hirashima, Community Development Director; Sandy Langdon, Finance Director; Kevin Nielsen, City Engineer; Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Phil Williams, Interim Public Works Director; and Michelle Cash, Recording Secretary.

**COMMITTEE REPORTS**

Councilmember Seibert attended the Visioning Taskforce Meeting and said it went well. There was a lot of citizen input and he was glad he attended.

**PRESENTATIONS**

**Employee Service Awards.**

Greg Keith, Operations Manager recapped some of Eddie Phelp's accomplishments and expressed his appreciation on behalf of the City for his 5 years of service. Unfortunately, Mr. Phelp's daughter was ill so he was not present to accept the award.

Larry Larson, Public Works Superintendent presented Joel Palm with his 25 years of service award. Mr. Larson gave a brief history of the many projects Mr. Palm has been involved in. Mr. Larson congratulated and thanked Mr. Palm for his dedication and years of service.

Mary Swenson, Chief Administrative Officer presented Doug Buell, Community Information Officer his certificate for 10 years of service. Mr. Buell has been very instrumental in a wide variety of City activities. Ms. Swenson thanked Mr. Buell for his commitment.

Commander Krusey gave a history of Officer Jeff Burkholder's accomplishments and expressed his appreciation for his 5 years of service. Officer Burkholder was not able to attend the meeting so Commander Krusey will give the certificate to him at a later date.

#### **AUDIENCE PARTICIPATION**

Mayor Kendall solicited audience participation on items not listed on the agenda.

**Dorothy Stanton, 5900 64<sup>th</sup> Street Northeast, #8, Marysville:** Wanted a status of the 1% of capital improvement budgets for public art.

Mary Swenson, Chief Administrative Officer explained that there was a discussion that 1% of construction costs be allocated to public art. However, due to the decline in the economy, it was Ms. Swenson's understanding that this allocation has since been eliminated.

Councilmember Nehring sited an example where you might have a \$40 million Public Works project and the calculated 1% would be too significant.

Ms. Swenson offered to attend the next Library Board meeting to explain the reasoning for discontinuing the 1% support for public art.

Ms. Stanton thanked the Council for their time.

#### **APPROVAL OF MINUTES**

##### **A. May 10, 2004 City Council Meeting.**

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

##### **B. May 17, 2004 City Council Work Session.**

**Motion** made by Councilmember Soriano, seconded by Councilmember Phillips to approve the minutes as presented. **Motion** passed unanimously (7-0).

**CONSENT AGENDA**

- A. Approval of May 12, 2004 Claims in the Amount of \$444,970.62; Paid by Check No. 15028 through 15175.**
- B. Approval of May 19, 2004 Claims in the Amount of \$2,852,548.49; Paid by Check No. 15176 through 15329 and Check No. 15069 and 14540 Void.**
- C. Approval of May 20, 2004 Payroll in the Amount of \$480,410.13; Paid by Check 12651 through 12714.**
- D. Approval of Liquor License Renewals for Captain Dizzy Exxon (1203 State Avenue), Jim's Shell & Grocery (1209-4<sup>th</sup> Street), Marysville Deli & Video (922 State Avenue), and That Burger Place (9414 B State Avenue).**
- E. Approval of Ebey Vista Final Plat; PA 9911056.**
- F. Approval of Alexander Heights Final Plat; PA 0210042.**
- G. Approval of Sounds of Summer Concert Series Performance Contracts.**
- H. Acceptance of 10% Notice of Intention Petition; Marshall Elementary School Annexation; PA 0202009.**
- I. Acceptance of 10% Notice of Intention Petition; Marysville School District Annexation; PA 0103016.**
- J. Deny the Application for Utility Variance to Provide City Sewer Without Public Water Service; Dale Gribble Center Construction Company**

Mayor Kendall asked if any Councilmembers wished to remove any of the consent agenda items for further discussion. Councilmember Nehring asked to remove item J

**Motion** made by Councilmember Nehring, seconded by Councilmember Vares to approve consent agenda items A through I. **Motion** passed unanimously (7-0).

**Mr. Dale Gribble, 4702 – 67<sup>th</sup> Avenue Northeast, Marysville** expressed his extreme frustration with Snohomish County PUD and the cost of public water service.

Councilmember Seibert explained that the cost of hooking-up to public water service is based upon the cost of the infrastructure. Phil Williams, Interim Public Works Director further clarified that it depends on the source of funding a utility company has available to them to help offset the cost. He also noted that Marysville's current fee structure is under review.

Grant Weed, City Attorney clarified per the 14.01.040 MMC, the variance criteria for Mr. Gribble's property was not met. Therefore, the staff was recommending denial of the Application for Utility Variance. Mr. Weed further explained that in order for a variance to be granted, the circumstance needs to be a unique circumstance.

Mayor Kendall thanked Mr. Gribble for attending the meeting.

**Motion** made by Councilmember Nehring, seconded by Councilmember Seibert to approve consent agenda item J. **Motion** passed unanimously (7-0).

## REVIEW BIDS

### A. 2004 Water Quality Testing.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Wright to approve the Mayor to sign a Professional Services Contract with Edge Analytical to provide water quality testing, analysis, and reporting for the 2004-2005 calendar years, with a two-year renewal option. **Motion** passed unanimously (7-0).

### B. Small Works Contract Award: Gravel Pad & Personal Property Moving Project.

**Motion** made by Councilmember Nehring, seconded by Councilmember Seibert to award the bid for Gravel Storage Pad & Personal Property Moving Project to Lance Harvey Trucking & Excavating, Inc. in the amount of \$29,295.00 including Washington State Sales Tax, authorize the Mayor to sign the contract documents and approve a 10% management reserve of \$2,929.50 for a total allocation of \$32,224.50 for the Gravel Storage Pad & Personal Property Moving project. **Motion** passed unanimously (7-0).

## PUBLIC HEARINGS

There were no public hearings.

## CURRENT BUSINESS

There was no current business.

## NEW BUSINESS

### A. Hotel/Motel Tax Grant Program.

Mayor Kendall solicited audience participation. There was none.

**Motion** made by Councilmember Phillips, seconded by Councilmember Vares to authorize the allocation of the Hotel/Motel tax revenues of \$3,000 to Marysville Kiwanis Club, \$2,000 to Maryfest, \$5,000 to the City of Marysville (2004 Marysville/North

Snohomish Visitors Guide), and \$2,000 to the City of Marysville (Champions of Industry 300 Award video) with consideration and possible amendment given to the Greater Marysville Tulalip Chamber of Commerce. **Motion** passed unanimously (7-0).

**B. Park Property Lease Agreement with R&D Park Creek, LLC.**

Mayor Kendall solicited audience participation. There was none.

Councilmember Seibert asked Jim Ballew, Parks and Recreation Director if he had clarified if removal of material was covered under the agreement. Mr. Ballew did not have an opportunity to do so and apologized.

Grant Weed, City Attorney recommended the item be approved upon the condition that staff includes in the definition the removal of all stockpiled materials. In addition, that the term "improvements" are clarified as physical improvements/removal and the bond should cover both.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan to authorize the Mayor to sign the Lease agreement and include an addendum that specifies the removal of stored construction materials with a bond amount that covers both improvements and the removal of said materials. **Motion** passed unanimously (7-0).

**C. Kalberg Annexation; 10% Notice of Intention Petition; PA 04002.**

Mayor Kendall solicited audience participation.

**Donna Pedersen, 7030 – 57<sup>th</sup> Drive Northeast, Marysville** was the Church Council President when the property was received. She noted a correction on the Executive Summary—in the 2<sup>nd</sup> paragraph, "as they had submitted a petition to annex just prior to the Supreme Court's ruling invalidating the petition method of annexation" should be deleted.

Councilmember Seibert asked Gloria Hirashima, Community Development Director to clarify the easement that was in question. Ms. Hirashima stated that the area in question was not a separate tax parcel but further research needed to be done. She noted that the Council can set the boundary and then scale back if necessary.

Councilmember Soriano sought City Attorney Grant Weed's advice to determine if there is any risk with expanding the boundary. Mr. Weed explained that there was no substantial risk involved because there are many opportunities for hearings.

**Motion** made by Councilmember Nehring, seconded by Councilmember Seibert to accept the 10% Notice of Intent for circulation of the 60% petition. The annexation is subject to the City's bonded indebtedness and comprehensive plan land use designation

of Public/Institutional Use for the church and county properties, and Medium Density Single Family for the Kalberg property. **Motion** passed unanimously (7-0).

**D. Robinett Annexation; Notice of Intent; 60% Petition; PA 04009.**

Mayor Kendall solicited audience participation. There was none.

Councilmember Wright noted that her company has done business with the party involved but does not feel this affects her decision.

**Motion** made by Councilmember Seibert, seconded by Councilmember Nehring to approve Expanded Boundary No. 1 for circulation of the 60% petition, or waive the annexation requirement for obtaining water and sewer service, subject to the applicant recording a valid annexation covenant. **Motion** passed unanimously (7-0).

**E. International Building Codes.**

Mayor Kendall solicited audience participation. There was none.

Councilmember Seibert noted that he received another copy of the summary and was wondering what had changed from the previous summary. Gloria Hirashima, Community Development Director noted that nothing had changed and wasn't quite sure why a second copy was provided.

**Motion** made by Councilmember Vares, seconded by Councilmember Vaughan to approve revisions to Chapter 16 to include the International Building Codes. **Motion** passed unanimously (7-0).

**F. Affordable Housing – Establishment of Housing Prices.**

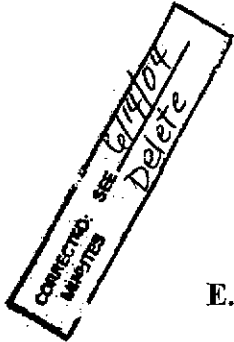
Mayor Kendall solicited audience participation. There was none.

Councilmember Phillips noted that he personally knows Mr. Ross; however, he does not feel the relationship affects his decision. Grant Weed, City Attorney advised as long as he has no economic gains or benefits from the decision made then he is entitled to vote.

**Motion** made by Councilmember Wright, seconded by Councilmember Vares to 1) Adopt the 2004 annual initial purchase price for affordable income housing units of \$177,777.78; and 2) Approve the *Voluntary Developer Mitigation Agreement for Affordable Income Housing* (exhibit 3) and authorize the mayor to sign the agreement. **Motion** passed unanimously (7-0).

**G. Approval of Harbor Winds Final Plat; PA 0009038.**

Mayor Kendall solicited audience participation. There was none.





**Motion** made by Councilmember Vaughan, seconded by Councilmember Nehring to authorize the Mayor to sign the Final Plat Mylar. **Motion** passed unanimously (7-0).

**H. Authorize Mayor to Sign Contract with Perteet Engineering Regarding ISC Speedway Race Day Transportation Management Plan.**

Mayor Kendall solicited audience participation.

**Kelly Smith, 6922 Woodbine Drive, Arlington** inquired how close the City was in bringing the speedway to Marysville. Mayor Kendall responded that a letter has been submitted to ISC but no decision has been made. Ms. Smith wanted clarification as to what the guidelines and dollar amounts designated were. Mary Swenson, Chief Administrative Officer explained that the Executive Summary was to evaluate what improvements would need to be made to accommodate the speedway. Ms. Swenson encouraged Ms. Smith to attend the June 1 informational meeting. Councilmember Phillips also suggested Ms. Smith review the "Scope of Services" for further clarification on what the outside consultant will be assessing.

Councilmember Soriano commended Ms. Smith for bringing her concerns to the council. Ms. Smith thanked the Council for listening and for hiring a third party/impartial consultant.

**Neil Kendall, 7502 – 76<sup>th</sup> Place, Marysville** understands that NASCAR varies from area to area a great deal. He also wanted the Council to know that there are different levels of racing. He asked the Council to evaluate traffic patterns and spectators varying from season to season (i.e. summer racing vs. winter). He also does not think the fan base in Marysville would be like the East Coast or Texas fan base. He would like a copy of the Checker Flag report and thought the Economic Report was based heavily on ISC's opinions. Mr. Kendall thanked the Council for their time.

**Motion** made by Councilmember Phillips, seconded by Councilmember Nehring to authorize the Mayor to sign the contract with Perteet Engineering regarding the ISC Speedway Race Day Transportation Management Plan. **Motion** passed unanimously (7-0).

**LEGAL**

**A. AT&T/DIS Toll-Free Services Master Contract Billing Dispute Settlement Offer.**

Sandy Langdon, Finance Director provided a brief summary of the settlement offer.

**Motion** made by Councilmember Soriano, seconded by Councilmember Wright to authorize the Mayor to sign the Acceptance of Settlement Offer. **Motion** passed unanimously (7-0).

**ORDINANCES AND RESOLUTIONS**

- A. An Ordinance of the City of Marysville, Washington Adopting by Reference the International Building Code and International Residential Code and the International Building Code Standards 2003 Edition, Excluding the International Electrical, Plumbing, Property Maintenance and Energy Codes, Chapter 34 Existing Buildings and Amending Marysville Municipal Code Chapter 16.04, 16.08, 16.28.**

**Motion** made by Councilmember Vares, seconded by Councilmember Vaughan to approve Ordinance No. 2523. **Motion** passed unanimously (7-0).

**INFORMATION ITEMS****Mayor's Business.**

**Mayor Kendall** encouraged everyone to read and be aware of the Economic Benefits Analysis regarding the ISC. He also reminded everyone that there will be an informational meeting on June 1 at 7:00 p.m. regarding this issue.

Mayor Kendall noted that there will be no Council meeting on May 31 or June 1.

Lastly, Mayor Kendall informed the Council that he had received a thank you letter from AARP.

**Staff Business.**

**Phil Williams** had nothing to report.

**Gloria Hirashima** had nothing to report.

**Grant Weed** noted that there was one item for Executive Session with potential litigation.

**Mary Swenson** thanked Phil Williams, Interim Public Works Director for his service. Mayor Kendall and other Councilmembers expressed their appreciation.

**Sandy Langdon** had nothing to report.

**Robert Carden** announced that he was a proud Grandfather of Baby Samantha born May 21 at 7 pounds, 10 ounces. Mayor Kendall congratulated Chief Carden.

**Call on Councilmembers.**

**Lisa Vares** noted that the Fire Board has been thinking about Marysville annexing into the fire district. She recommended that this item be put on the agenda for a future Council meeting and noted that there might be some tax advantages to the City by annexing. Councilmember Vares further clarified some of the ramifications of the annexation.

Mary Swenson noted that the staff would need to research the issue and suggested waiting a month before placing the issue on the Council agenda.

**Lee Phillips** had nothing to report.

**John Soriano** mentioned he facilitated a morning session entitled "Getting Involved in Government." He offered the materials to anyone who is interested.

**Jon Nehring** asked if there was a Committee of the Whole Meeting tomorrow. Mary Swenson, Chief Administrative Officer confirmed that a meeting is scheduled.

**Jeff Seibert** mentioned that someone at the Visioning meeting questioned how high the Fire Department Ladder Trucks go. Robert Carden, Police Chief clarified approximately 75 feet.

**Donna Wright** had nothing to report.

**Jeff Vaughan** thanked Gloria Hirashima, Community Development Director for the Visioning Workshop.

He also noted that the right turn arrow on Cedar and 4<sup>th</sup> was a great addition.

Councilmember Vaughan asked the Council where the review process stands for motorized scooters. Mayor Kendall noted that he had given Lillie Lein, Confidential Secretary, Deputy Clerk the information but he did not see it in his box. Mary Swenson, Chief Administrative Officer will check with Lillie.

Councilmember Vaughan noted that laws and ordinances can be made but it also comes down to some personal responsibility as well.

Lastly, Councilmember Vaughan expressed his appreciation to Phil Williams, Interim Public Works Director for his services—he will be missed.

Kevin Nielson responded that there will be a signal installed with the Getchel Hill development at the referenced intersection. They will then look at the whole corridor for timing.

**ADJOURNMENT**

Seeing no further business, Mayor Kendall adjourned the regular meeting of the Marysville City Council at 8:40 p.m. Grant Weed, City Attorney noted that there was one item regarding Litigation for the executive session, which would begin at 8:55 p.m.

**EXECUTIVE SESSION**

Council met in Executive Session at 8:55 p.m.; discussed one personnel issue; and adjourned back into Regular Session at 9:05 p.m.

**ADJOURNMENT**

Council took no further action and Mayor Kendall adjourned the May 24, 2004 Marysville City Council meeting at 9:06 p.m.

Approved this 14<sup>th</sup> day of June, 2004.

Dennis L. Kendall  
Mayor  
Dennis Kendall

Gerry Becker  
City Clerk  
Gerry Becker

Michelle R. Cash  
Recording Secretary  
Michelle Cash

## MARYSVILLE CITY COUNCIL WORK SESSION

May 17, 2004

7:00 p.m.

City Hall

**CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE**

Mayor Dennis Kendall called the May 17, 2004 work session of the Marysville City Council to order at 7:00 p.m. There was no invocation. Mayor Kendall led those present in the Pledge of Allegiance.

**ROLL CALL**

Finance Director Sandy Langdon called the roll. The following staff and councilmembers were present:

**Mayor:** Dennis Kendall

**Council:** Mayor Pro Tem Jon Nehring, Councilmembers Jeff Vaughan, Lee Phillips, John Soriano, Jeff Seibert, Donna Wright and Lisa Vares.

**Staff:** Grant Weed, City Attorney; Sandy Langdon, Finance Director; Phil Williams, Interim Public Works Director; Gloria Hirashima, Community Development Director; Gerry Becker, City Clerk; Jim Ballew, Parks and Recreation Director; John Dorcas, Building Official, Bill Spies, Fleet/Facilities Manager and Michelle Cash, Recording Secretary.

**COMMITTEE REPORTS**

Councilmember Seibert gave a recap of the Solid Waste Advisory Committee meeting held May 12. The recap reviewed the Solid Waste tipping fees, discussed the issues local cities experience with hosting a "Community Clean-Up" day, commented on the Cathcart landfill, and discussed the problems they are having with the rail companies in retrieving containers.

Councilmember Vaughan recapped the May 5 Park Advisory Board meeting. Jim Ballew, Parks and Recreation Director added that the restroom design for the Strawberry Fields project was being discussed because sewer is not available in this area. He also added that the golf course is being considered for other events including cross-country programs and lighting displays during the holidays. Mr. Ballew informed the Council that there has been some recent vandalism at the golf course causing approximately \$10,000 in damages. On behalf of the Park Advisory Board, Mr. Ballew thanked the Council for their support.

**PRESENTATIONS**

None.

**DISCUSSION ITEMS**

*Scheduled for May 24, 2004 Meeting*

**CONSENT**

- A. **Approval of May 12, 2004 Claims.**
- B. **Approval of May 19, 2004 Claims.**
- C. **Approval of May 20, 2004 Payroll.**
- D. **Approval of Liquor License Renewals for Captain Dizzy Exxon (1203 State Avenue), Jim's Shell & Grocery (1209-4<sup>th</sup> Street), Marysville Deli & Video (922 State Avenue), and That Burger Place (9414 B State Avenue).**

There were no comments or questions regarding this item.

- E. **Approval of Ebey Vista Final Plat; PA 9911056.**

Councilmember Vaughan sought clarification on level spreaders. Gloria Hirashima, Community Development Director clarified that they had to do with drainage. She also noted that this trail was an extension of the Harborview trail and will intercept with Harborview Village and then continue on. She commented that this was a nice trail and encouraged people to walk it.

- F. **Approval of Alexander Heights Final Plat; PA 0210042.**

Councilmember Seibert commended the Developer, Gary Petershagen for this project.

- G. **Approval of Sounds of Summer Concert Series Performance Contracts.**

Jim Ballew, Parks and Recreation Director reviewed the contract. He added on June 25 the Army Band will be playing. Mayor Kendall added that this band was fantastic last summer.

Councilmember Nehring asked how aggressive sponsors were sought after. Mr. Ballew commented that they were still working on sponsorship. Councilmember Wright added she may have some sponsorship leads/suggestions.

- H. **Approval of Harbor Winds Final Plat; PA 0009038.**

Councilmember Seibert inquired if the permits aren't issued then what is the next step. Ms. Hirashima clarified that they are monitoring the issue and that there was a similar agreement with Harborview Village.

**REVIEW BIDS****A. 2004 Water Quality Testing**

Interim Public Works Director, Phil Williams reviewed the background on this item. He added that the Council may receive some testimony at the next Council meeting from the lowest bidder, which is Parabola Lab Services.

**PUBLIC HEARINGS**

None

**CURRENT BUSINESS**

None

**NEW BUSINESS****A. Hotel/Motel Tax Grant Program.**

Gerry Becker, City Clerk clarified the RCW regarding this program.

Councilmember Wright noted the 2004 Hotel/Motel Applications, City of Marysville (2004 Marysville/North Snohomish Visitors Guide, the last sentence should be clarified as "The guide is in short supply..." rather than "The guide is not in short supply..." Ms. Becker will confirm.

Councilmember Nehring asked if there was a specific timeframe that the money is to be used within. Sandy Langdon, Finance Director noted that the money needed to be used within one year.

Councilmember Phillips gave further clarification on the program and how the money was determined/graded for distribution.

Councilmember Seibert suggested that the individual groups give presentations (i.e. for five minutes) to explain why they should receive the money.

**B. Park Property Lease Agreement with R&D Park Creek, LLC.**

Mr. Ballew reviewed the agreement. There was further discussion on the bond requirements. Mr. Ballew noted that a bond is required for the improvements, which includes removal and storage of materials.

**C. Marshall Elementary School Annexation; 10% Notice of Intention Petition; PA 0202009.**

Ms. Hirashima gave a brief background of the annexation. Councilmember Vaughan questioned if approval of the proposal meant approval of the annexation. Ms. Hirashima clarified that approval of the proposal simply meant that the annexation process will begin, not that the annexation is approved.

**D. Marysville School District Annexation; 10% Notice of Intention Petition; PA 0103016.**

There were no comments or questions regarding this item.

**E. Kalberg Annexation 10% Notice of Intention Petition; PA 04002.**

Ms. Hirashima reviewed the annexation. Councilmember Wright inquired if the tree farm was included with this annexation. Ms. Hirashima clarified that the tree farm was part of the annexation. Councilmember Vaughan asked if there was any kind of facility on the property and Ms. Hirashima commented that there was a house.

There was further discussion regarding this annexation and the boundaries. Councilmember Soriano noted that there might be an easement relating to the annexed area. Ms. Hirashima will clarify this issue along with verifying the park agreement with Snohomish County.

**F. Robinett Annexation; Notice of Intent; 60% Petition; PA 04009.**

Ms. Hirashima gave a recap of the proposal and noted that it was initiated because of the desire to connect to utilities. There was further discussion regarding this annexation and whether or not petitions should be required.

**G. International Building Codes.**

John Dorcas, Building Official, Community Development Department recapped the changes to the International Building Codes. He further clarified that the codes have been adopted by the State and local jurisdictions, and Marysville is required to adopt them as well.

There was further discussion of this item including the new fee structure and major changes to the UBC.

**H. Utility Variance for Dale Gribble, Center Construction Company.**

Ms. Hirashima reviewed the Application for Utility Variance. There were no further questions.



**I. Affordable Housing – Establishment of Housing Prices.**

Ms. Hirashima recapped the Affordable Housing Executive Summary. She noted that this is the last one because this code section has been eliminated. She also clarified that this particular Executive Summary applies to the three houses mentioned.

Grant Weed, City Attorney suggested that the Council set a maximum price for houses at the recommended purchase price listed on the Executive Summary, then approve the agreement.

There was further discussion regarding this agreement. It was noted that the agenda will flow so pricing is established prior to the said agreement.

**LEGAL**

None

**ORDINANCES & RESOLUTIONS**

**INFORMATION ITEMS**

**A. Purchase of One (1) Vactor Truck from City of Tacoma Contract.**

Bill Spies, Fleet/Facilities Manager reviewed the contract for the Vactor Truck. There were no further questions.

**B. Marysville Park Advisory Board Minutes; March 10, 2004.**

**C. Mayor's Business**

Mayor Kendall noted that the first public meeting regarding NASCAR will be held on June 1, 2004 at 7:00 p.m. at Marysville-Pilchuck School Auditorium. Mayor Kendall and Aaron Reardon, Snohomish County Executive will be the presenters.

**D. Staff Business**

Phil Williams had no comments.

Sandy Langdon reminded everyone that the Finance Meeting has been rescheduled to next Wednesday, May 26 at 4:00 p.m.

Jim Ballew thanked Mayor Kendall for attending the Fishing Derby. He mentioned that they also have had a crew trying to clean up the Scotch Broom. Lastly, he noted that the Image and Identity Committee is working on a presentation with the new city logo.

**Gloria Hirashima**, has organized a Community Visioning Meeting for Wednesday, May 19, beginning with a walking tour of the downtown area at 5:00 p.m. This meeting is being held at the Ken Baxter Senior Community Center. After the "walk" the meeting will reconvene at 6:00 p.m. for a workshop to discuss the image and identity of the downtown area, which is critical regarding the future economic vitality of our community.

**Grant Weed** noted that there will be two matters pending litigation; two matters with potential litigation; and two matters requiring action for the Executive Session.

#### **B. Call on Councilmembers**

**Lisa Vares** asked the Council to coordinate a date for the Image Identity Committee Meeting. It was agreed that the meeting will be held May 20 at 4:00 p.m.

She also noted that the Police Award Ceremony was a nice event and recommended a banquet be held, like the firefighters banquet, next year.

**Donna Wright** had no comments.

**Jeff Seibert** commented that the Police ceremony was a nice way to pay respect.

He also asked if the sewer lines were going to be installed for the Strawberry Fields project to reduce future cost. Jim Ballew clarified that the building is close to 152<sup>nd</sup> and that the cost, at a later date, would be low.

Councilmember Seibert also requested an update regarding the Doleshel Property. Mr. Ballew commented once there is further information, an Executive Session will be requested to review the material.

**John Soriano** extended his appreciation to the Kiwanis Club and said the Fishing Derby was great.

**Lee Phillips** requested that the Budget Meeting be rescheduled. It was agreed that the meeting will be held June 11 from 4:00-7:00 p.m. Sandy Langdon, Finance Director will work out the room scheduling and Gerry Becker, City Clerk will publicize the meeting.

**Jeff Vaughan** commented that he enjoyed the Police Award Ceremony and thought the banquet was a good idea for next year. He is also looking forward to the Community Visioning walking tour of the downtown area.

**Jon Nehring** mentioned that he received a phone call from Zoe Halgren and she was disappointed that the Council and staff did not have a team at the Housing Hope "Bowl-a-thon". She asked Councilmember Nehring to solicit donations from other Councilmembers.

Councilmember Nehring also asked Jim Ballew if he was noticing any effects from the rising gas prices. Mr. Ballew commented that it was a little premature to tell at this point.

#### ADJOURNMENT

Mayor Kendall recessed the regular meeting at 8:25 p.m. into Executive Session, which was to begin at 8:35 p.m. Grant Weed, City Attorney, noted the items to be discussed above.

#### EXECUTIVE SESSION

Council adjourned into Executive Session at 8:35 p.m., discussed potential and pending litigation matters and reconvened into Regular Session at 8:52 p.m.

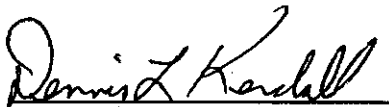
**MOTION** by Councilmember Wright, second by Councilmember Phillips to approve Ordinance No. 2522 authorizing the condemnation, appropriation, taking and damaging of land and other property for improvements in connection with the North Marysville Master Drainage Basin Plan and Regional Detention Facility. **Motion** carried unanimously (7-0).

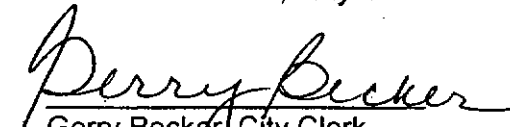
**MOTION** by Councilmember Seibert, second by Councilmember Soriano to authorize Mayor to enter into an agreement for legal services with Akerman Senterfitt not to exceed \$10,000. **Motion** carried unanimously (7-0).

#### ADJOURNMENT

Mayor Kendall adjourned the May 17, 2004 City Council work session at 8:53 p.m.

Approved this 24<sup>th</sup> day of May 2004.

  
Dennis L. Kendall, Mayor

  
Gerry Becker, City Clerk

  
Michelle Cash, Recording Secretary