

Call to Order/Invocation/Pledge of Allegiance/Roll Call	7:00 P.M.
Approval of Absence of Councilmember Vares.	Approved
Approval of Minutes	
Approval of June 28, 2004 City Council Meeting Minutes.	Approved
Approval of July 6, 2004 City Council Workshop Minutes.	Approved
Consent Agenda	
Approval of June 30, 2004 Claims in The Amount of \$196,796.06; Paid by Check No. 16097 Through 16210 with Check No. 15861 Void.	Approved
Approval of July 7, 2004 Claims in The Amount of \$714,610.73; Paid by Check No. 16211 Through 16391.	Approved
Approval of July 2, 2004 Payroll in The Amount of \$800,855.62; Paid by Check 12871 Through 12954.	Approved
Approval of Mayor to Sign Contract for Development of New City Logo; Rusty George Design.	Approved
North Marysville Master Drainage Plan & Regional Detention Facility Design; Supplemental Agreement #1.	Approved
Municipal Court Probation Officer.	Approved
Code Change Regarding Utility Tax Collections.	Approved
Public Hearing	
Peter Hegge Street Vacation; Pa 04-014; Establish the Value of the Property as 100% of \$77,000 Minus 50% Fee Simple of the Easement Resulting in a Total Value of \$40,057.92.	Approved
Current Business	
Doleshel Tree Farm - Table This Issue Until The Second Cycle of January 2005.	Continued
Resolutions And Ordinances	
Authorizing a Permanent EMS Levy at a Rate not to Exceed Fifty-Cents (\$.50) per Thousand Dollars of Assessed Valuation, the Proceeds of Such Levy to be Used for the Purpose of Providing Emergency Medical Care and Services.	Approved Res. No. 2124
Adopt an Ordinance of the City of Marysville Amending or Repealing Sections of Ordinance 2378 Codified as Marysville Municipal Code Chapter 9.04 and Adding New Sections to MMC Chapter 9.04 And Adopting the 2003 Edition of the International Fire Code.	Approved Ord. No. 2532
An Ordinance of the City of Marysville Amending Marysville Municipal Code Chapter 3.64 Titled Utilities Tax by Adding Sections Relating to Tax Payer Record Keeping, Inspection and Audit, Penalties for Delinquent Payments, and Interest Charges on Unpaid Balances and Penalties for Delinquent Utility Taxes.	Approved Ord. No. 2533
Mayor's Business	
Confirm the Appointment of Jim Lonneker to the Salary Commission.	Approved
Authorize Mayor to Release an Additional Amount up to \$400,000 for the 172nd Street Interchange Project.	Approved
Adjournment	8:52 P.M.

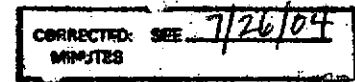
MARYSVILLE CITY COUNCIL MEETING

July 12, 2004

7:00 p.m.

City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE



Mayor Dennis Kendall called the July 12 meeting of the Marysville City Council to order at 7:00 p.m. Pastor Rick Terry of the Marysville Free Methodist Church gave the invocation. Mayor Kendall led those present in the Pledge of Allegiance.

ROLL CALL

Chief Administrative Officer Mary Swenson called the roll. The following councilmembers and staff members were in attendance:

Mayor Dennis Kendall
Council: Mayor Pro Tem Jon Nehring, Lee Phillips, Jeff Seibert, John Soriano, Jeff Vaughan, and Donna Wright.

Staff: Ralph Krusey, Police Commander; Sandy Langdon, Finance Director; Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Gloria Hirashima, Community Development Director; Kevin Nielsen, City Engineer; Jim Ballew, Parks and Recreation Director; and Laurie Hugdahl, Recording Secretary.

Mayor Kendall explained that Councilmember Lisa Vares was home ill. **Motion** made by Councilmember Nehring; seconded by Councilmember Seibert to excuse her absence. **Motion** passed unanimously (6-0).

COMMITTEE REPORTS

Councilmember Donna Wright attended the **Growth Management Policy Board** meeting where the Vision 2020 Policies on Continuous and Orderly Development were reviewed. There had also been discussion about selecting a consultant to do a sketch for the planning model.

PRESENTATIONS

A. Champion of Industry 300 Award Videos.

Community Information Officer Doug Buell introduced the Champion of Industry 300 Award and Video. He announced that Marysville is one of twenty-five cities nationwide recognized for small city management. Pat Summerall productions produced a 6-minute and a 2-minute marketing video for the City to use. The video will be also available on the Forbes.com website and the Industry View website. There will be a link from the City's

website for a limited period. Additionally there was an announcement in the June issue of Forbes magazine. The 2-minute version will be shown on Headline News. Mr. Buell then showed the two videos.

B. Certificate of Achievement: Eagle Scout Nathan Coon.

Mr. Coon's project involved building shelters and tables at Cascade Park in Granite Falls. Mayor Kendall congratulated him and presented him with his Certificate of Achievement.

C. Certificate of Achievement: Eagle Scout Julian Shin Travis.

Mr. Travis' project involved building and installing signage at Deering Wildflower Acres Park. Mayor Kendall congratulated him and presented him with his Certificate of Achievement.

D. Certificate of Achievement: Eagle Scout Daylin Troxel.

Mr. Troxel also performed a service project at Cascade Park in Granite Falls. His project involved building and installing concrete fire pits. Mayor Kendall congratulated him and presented him with his Certificate of Achievement.

E. Certificate of Achievement: Eagle Scout Andrew Wilcox.

Mr. Wilcox worked on the trail system and built the amphitheater at Cascade Park at Granite Falls. Mayor Kendall congratulated him and presented him with his Certificate of Achievement.

There was a recess from 7:22 p.m. - 7:25 p.m. for photos of Mayor Kendall with the families of the Eagle Scouts.

AUDIENCE PARTICIPATION.

Mayor Kendall solicited audience participation for any item not on the agenda. There was none.

APPROVAL OF MINUTES

A. June 28, 2004 City Council Meeting.

Councilmember Wright indicated she would be abstaining from the vote due to her absence at that meeting.

Motion made by Councilmember Vaughan, seconded by Councilmember Phillips to approve the minutes as presented. Motion passed unanimously (5-0) with Councilmember Wright abstaining.

B. July 6, 2004 City Council Work Session.

Motion made by Councilmember Nehring; seconded by Councilmember Wright to approve the minutes as presented. Motion passed unanimously (6-0).

CONSENT AGENDA ITEMS

Councilmember Jon Nehring requested that Items D and F be removed from the Consent Agenda for discussion.

- A. Approval of June 30, 2004 Claims in the Amount of \$196,796.06; Paid by Check No. 16097 through 16210 with Check No. 15861 Void.**
- B. Approval of July 7, 2004 Claims in the Amount of \$714,610.73; Paid by Check No. 16211 through 16391.**
- C. Approval of July 2, 2004 Payroll in the Amount of \$800,855.62; Paid by Check 12871 through 12954.**
- E. North Marysville Master Drainage Plan & Regional Detention Facility Design; Supplemental Agreement #1.**
- G. Code Change Regarding Utility Tax Collections.**

Motion made by Councilmember Vaughan; seconded by Councilmember Soriano to approve Consent Agenda Items A, B, C, E, and G. Motion passed unanimously (6-0).

- D. Approval of Mayor to Sign Contract for Development of New City Logo; Rusty George Design.**

Kris Passey, Chair of the Image and Identity Committee addressed the Council. He noted that this logo design is part of the economic development effort. The committee sought bids for redesign of the City logo as part of the Image and Identity project. The committee decided unanimously to select Rusty George Design. The committee was impressed with the breadth of experience of this firm as well as their experience with 3-dimensional design.

Motion made by Councilmember Nehring; seconded by Councilmember Seibert to award the contract in the amount of \$9,130.00 plus applicable tax, to Rusty George Design of Tacoma, Washington. The contract is for the design development of a new City logo based on requirements of the Request for Proposal (Exhibit B) and Scope of Work (Exhibit A) submitted by the contractor. Motion passed unanimously (6-0).

- F. Municipal Court Probation Officer.**

Mary Swenson explained that the current probation officer is retiring. The police department would like to change the position from a contract to a full-time position. Councilmember Seibert asked if a job description would be prepared. Mary Swenson said that it would and that it would be similar to the City of Lynnwood's job description included in council's packet.

Motion made by Councilmember Wright; seconded by Councilmember Seibert to establish the Probation Officer as a full status employee with a salary range of N-6 on the non-union pay grid. Motion passed unanimously (6-0).

REVIEW BIDS

None.

PUBLIC HEARINGS

A. Peter Hegge Street Vacation; PA 04-014.

Public Comment

Rick McCardle, Shockey Brent, 2716 Colby Avenue, Everett, WA 98201

Mr. McCardle noted he was representing Harbor Homes. He addressed the compensation issue. Mr. McCardle felt the lower end of the range was much more appropriate because the value should be based on "comparable abutting properties." He felt this would mean other undeveloped tracts because the fully platted and approved lots have full services and to him were not comparable.

He also referred to the 20-foot easement required by the City for the water line, which would encompass 2/3 of the property and would reduce the value. Finally, he stated that he believed the 50% value would be the proper compensation method per the MMC. His estimation was that the value should be somewhere in the range of \$10-15,000.

Discussion

City Attorney Grant Weed discussed code language regarding compensation methods. Councilmember Seibert asked Gloria Hirashima about the date of the last assessment. Councilmember Seibert was concerned that the value may not be the most current. Ms. Hirashima stated that they have access to the assessor's records online. Grant Weed stated that the ordinance is not effective until the compensation amount is paid.

Councilmember Vaughan asked if these numbers would change based on any new information from the County. Ms. Hirashima replied that they would not. Councilmember Wright asked about limitations due to the water line easement. Ms. Hirashima explained how this would affect this development.

Motion made by Councilmember Seibert to adopt the Option #2 using all the abutting land in order to get the most benefit to the taxpayers and the City. Motion seconded by Councilmember Nehring.

- Councilmember Wright stated that she believed 50% of the lower amount (50% of \$29,000) would be more consistent with what the City has done in the past.
- Councilmember Vaughan noted he was against the motion. He would rather see \$29,000 based on comparable abutting land.
- Councilmember Soriano asked if the two formulas were the only choices. City Attorney Grant Weed responded that a standard methodology needed to be used, but a percentage of either method could be used. He urged council to consider the effect this would have on similar actions in the future.
- Councilmember Seibert commented that when the City buys land, it usually averages all of the abutting land, not just similar land.
- Councilmember Wright noted that this property does not have utilities and would not be worth as much.

Motion defeated 4-2 with Councilmembers Vaughan, Wright, Soriano and Phillips voting against, Councilmembers Seibert and Nehring in favor.

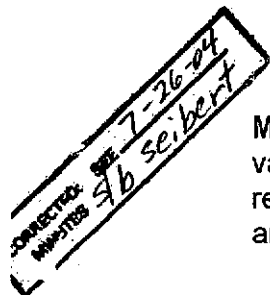
- City Engineer Kevin Nielsen proposed an alternate method, which would result in a total land value of \$40,057.92. His method used the higher amount, but deducted 50% fee simple for the easement.
- Grand Weed noted that the City does have the right to retain the easement.
- Councilmember Nehring stated he would not support the \$29,000 figure. He did not feel it was fair to the citizens.
- Councilmember Seibert stated he was not comfortable with the lower amount either. He believed it should be based on all the abutting lots. He addressed the issue of being a good steward of the land for the citizens.
- Councilmember Vaughan concurred that he also wanted the best for the taxpayers, but had a hard time valuing it at abutting property prices. He pointed out that he wanted to be fair to all parties.
- Councilmember Vaughan agreed that it should be at full value of all land around, but should be less because of the easement.

Motion made by Councilmember Phillips; seconded by Councilmember ^T to establish the value of the property as 100% of \$77,000 minus 50% fee simple of the easement resulting in a total value of \$40,057.92. Motion passed 4-2 with Councilmember Wright and Seibert voting against.

CURRENT BUSINESS

A. Staff Presentation Regarding Former Doleshel Tree Farm/ Neighborhood Park Improvement Program Acquisition by Snohomish County Parks.

- Councilmember Seibert had some questions about fencing and walkways around parts of the property. Jim Ballew responded to those. Councilmember Seibert stated he would hate to have this reflect badly on the City and hinder future grant opportunities. Jim Ballew replied that there were no hard feelings with the County. They are currently using this property as a tree nursery. Councilmember Seibert commented that when this area does annex, he would



like the City to commit to taking the property in. Mr. Ballew noted that it would be helpful if the County assisted with cleanup of this park to make it useable. He stated that the Parks Department is too overtaxed to take this on right now, but they might like to take it over in the future at an appropriate time.

- Donna Wright pointed out that the Parks Board had looked at this property and felt that it was not appropriate at this time. She was in favor of respectfully declining ownership.
- Councilmember Vaughan concurred with Councilmember Wright. He stated that he does not want the Parks Department stretched too thin.
- Councilmember Seibert asked about a timeline for annexation in this area. Gloria Hirashima responded that the quickest would be by the end of the year.
- Councilmember Soriano concurred with Councilmembers Wright and Vaughan. He referred to lean budgets and challenges associated with this particular property.
- Councilmember Seibert noted he would like to give the County some indication of the City's intentions.
- Councilmember Vaughan noted that the County seemed content with the current situation.
- Councilmember Phillips suggested contacting the County and asking for assistance with cleanup before annexation when the City would like to take it over. Mr. Ballew commented that the County has indicated they have no plans to operate or develop the site.
- Councilmember Seibert suggested tabling this for the current time and reviewing it after annexation.

Motion made by Councilmember Seibert; seconded by Councilmember Nehring to table this issue until the second cycle of January 2005. Motion passed unanimously (6-0).

NEW BUSINESS

A. Emergency Medical Services (EMS).

Grant Weed pointed out that there was an error with the resolution number of the last resolution passed. The 6-Year TIP should be revised to be Resolution No. 2123.

Motion made by Councilmember Wright; seconded by Councilmember Seibert to adopt Resolution No. 2124 calling for an election to be held September 14, 2004, authorizing a permanent EMS levy at a rate not to exceed fifty-cents (\$.50) per thousand dollars of assessed valuation, the proceeds of such levy to be used for the purpose of providing emergency medical care and services. Motion passed unanimously (6-0).

B. Adoption of International Fire Code.

Councilmember Nehring stepped out of the room.

Motion made by Councilmember Soriano; seconded by Councilmember Seibert to approve Ordinance No. 2532. Motion passed unanimously (5-0).

Councilmember Nehring returned to the room.

000336

LEGAL

None.

ORDINANCES AND RESOLUTIONS

- A. An Ordinance of the City of Marysville Amending Marysville Municipal Code Chapter 3.64 Titled Utilities Tax by Adding Sections Relating to Tax Payer Record Keeping, Inspection and Audit, Penalties for Delinquent Payments, and Interest Charges on Unpaid Balances and Penalties for Delinquent Utility Taxes.**

Motion made by Councilmember Nehring; seconded by Councilmember Seibert to approve Ordinance No. 2533. Motion passed unanimously (6-0).

- B. An Ordinance of the City of Marysville Amending or Repealing Sections of Ordinance 2378 Codified as Marysville Municipal Code Chapter 9.04 and Adding New Sections to MMC Chapter 9.04 And Adopting the 2003 Edition of the International Fire Code, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosion Hazards Arising from the Storage, Handling and Use of Hazardous Substances, Materials and Devices, and from Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premise and Providing for the Issuance of Permits and Collection of Fees and Penalties for False Alarms.**

Approved above under New Business.

- C. A Resolution of the City of Marysville, Providing for the Submission To the Qualified Electors of the City at an Election to be Held Within the City on September 14, 2004, in Conjunction with the State Primary Election, of a Proposition Authorizing a Levy on Property Taxes to be Made in 2004 for Collection in 2005 and Continuing Thereafter. This Proposition Would Authorize the City to Set an Amount Not to Exceed Fifty Cents (\$.50) Per Thousand Dollars (\$1,000) of Assessed Valuation, the Proceeds from Such Levy to be Used for the Provisions of Emergency Medical Care and Services. This Emergency Medical Services (EMS) Levy Would Replace the Current EMS Levy that Expires on December 31, 2006.**

Adopted above under New Business.

INFORMATION ITEMS

000337

Mayor's Business

Salary Commission Appointment

Mayor Kendall noted he was pleased to recommend the reappointment of Jim Lonneker for the Salary Commission for a second term of three years.

Motion made by Councilmember Seibert; seconded by Councilmember Wright to confirm the appointment of Jim Lonneker to the Salary Commission.

172nd Street Interchange Project

Next, Mayor Kendall asked Council to consider authorizing the Mayor to commit a dollar value not to exceed \$400,000 to assist in the construction of the 172nd Street interchange.

There was significant discussion on this topic:

- Mary Swenson expressed her frustration with the unfolding of this project, however she believes it is important for the City's goal of economic development.
- Councilmember Phillips asked to see a list outlining the contributions by all parties. Mary Swenson obtained this for the councilmembers to review.
- Councilmember Nehring asked for a budget overview from Sandy Langdon. Ms. Langdon noted that the general fund reserve had approximately \$1.7 million. Ms. Langdon and Ms. Swenson both voiced their concerns about using reserve funds. There was discussion about establishing a policy in the future about minimum amounts to be held in the reserves. There was discussion about when WSDOT would need the funds. Mr. Nehring stated that he was concerned about the amount the City already has leveraged for this project. He was also concerned how this would affect other needs that the City has. He said it would support the contribution under the condition that Marysville be the last in line to be paid. He noted that this council has gone above and beyond the call of duty to work with different partnerships to encourage economic development. He hopes that is recognized by all parties.

Councilmember Seibert referred to a TRAP petition from property owners in the area committing to enter into a LID situation. Mary Swenson replied that the TRAP group is still very active on this project, but the bid needs to be awarded within a certain timeframe or it dies. Councilmember Seibert then asked about the possibility of change orders. He expressed frustration about the high amount Marysville has already committed for an interchange that isn't in the City limits. He was also very disappointed about the way this had been presented in the newspaper. Mary Swenson further discussed the situation with the City of Arlington and noted Marysville is committed to continuing a positive working relationship with them.

- Councilmember Phillips suggested matching funds with the County up to a certain dollar amount. Mary Swenson indicated that this had been addressed with them and may be a possibility.
- Councilmember Soriano asked when construction would occur. Ms. Swenson indicated it would begin upon acceptance of a bid.

CORRECTED: SEE 7/26/04
MINUTES 5/6 2.7 million

CORRECTED: SEE 7/26/04
MINUTES 5/6 to pay

- Councilmember Seibert again expressed his disappointment with this process, but noted he hated to see the project die. He encouraged City officials to express the expectation that Arlington be more willing to approach the City in a more positive manner in the future.
- Councilmember Vaughan concurred with this. He noted that it was an unfortunate situation, but the interchange needs to be supported. He was concerned about the citizens' perception of this. He hoped it would be communicated to them how important the council views this project for the future. He would like to see conditions with the money such as a greater degree of cooperation with the City's neighbors.
- Councilmember Phillips inquired about adding conditions to use of the money. Grant Weed addressed this.

Motion made by Councilmember Nehring, seconded by Councilmember Vaughan to authorize the Mayor to commit an additional release of up to \$400,000 for the 172nd Street Interchange Project while strongly encouraging the County to match dollars; furthermore noting that dollars from Marysville should be the last added while seeking other funding options. Motion passed unanimously (6-0).

Mayor's Business Continued

Finally, Mayor Kendall noted that the Concerts in the Park series have been tremendous.

Staff Business

Jim Ballew had several items to note:

- Waterfront Park site is being cleared.
- Safety Town – a new program for tiny tots (ages 3-7).
- National Softball Association World Series – 162 teams will participate.
- Thanked Cathy Logg from the Herald for her excellent coverage of local events.
- Trail and Lights presentation to Recreation and Tourism committee and Image and Identity committee was impressive. There was discussion about doing a lighting display at the golf course.

Doug Buell encouraged councilmembers to sign up for the community information booth at the Homegrown Festival on August 13 and 14. Mayor Kendall added a reminder about the ribbon cutting for State Avenue on August 13.

Kevin Nielsen had no comments.

Gloria Hirashima had no comments.

Grant Weed had no comments.

Mary Swenson was pleased to report that the 3rd Street lighting project had sold out today. She was also encouraged by the investments in downtown businesses.

Sandy Langdon reported that the last building had been hooked up to the fiber connection.

Ralph Krusey had no comments.

Call on Councilmembers

Lee Phillips commented on the following items:

1. The Pledge of Allegiance – He noted that there should be no pause between “one nation” and “under God”. He felt council should set an example in reciting it properly.
2. City trees being watered midday for several hours and water is spilling out onto the street. Jim Ballew indicated he would look into this.
3. Comprehensive Plan review needed for new councilmembers. Mary Swenson said this would occur in the fall.
4. He inquired about the economic development coordinator position. Ms. Swenson said they are finalizing the job description.
5. He attended the Marysville-Pilchuck class of 2004 graduation – a very nice ceremony.

John Soriano reported on the Transportation Policy Board at PSRC. Handouts to follow.

Jon Nehring:

- Commended Jim Ballew on organizing the softball tournament. He noted that this is the type of “out of the box” thinking that needs to occur in order to increase revenues for the City.
- The Lights and Trails presentation was very impressive.
- Thanked Mary and the rest of staff for all of their hard work with NASCAR, the interchange project and other projects.
- Was pleased that the transient situation has improved greatly. Mary Swenson recognized Officer Kit Wennersten who has taken on this project and done a great job.

Jeff Seibert commented on a comment made by Tim Eyman about local governments gorging themselves on tax increases. He noted the irony that this council has held the line with tax increases and suggested it would be nice to get some press on that issue. He then commented that some of the firefighters had participated in dangling from the Space Needle as a practice training exercise. He commended them for their bravery and their commitment.

Donna Wright had no comments.

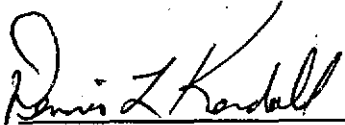
Jeff Vaughan thanked the council for recognizing the Eagle Scouts. He noted that three of the Eagle Scouts had contributed hundreds of hours to the community.

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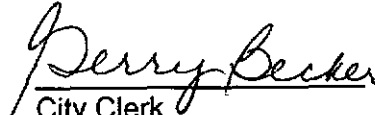
ADJOURNMENT

Seeing no further business, Mayor Kendall adjourned the meeting at 9:52 p.m. There was no Executive Session.

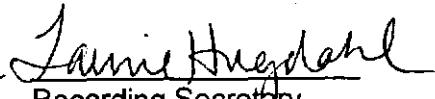
Approved this 26th day of July, 2004.



Mayor
Dennis Kendall



City Clerk
Gerry Becker



Recording Secretary
Laurie Hugdahl

MARYSVILLE CITY COUNCIL WORK SESSION

July 6, 2004

7:00 p.m.

City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the July 6, 2004 work session of the Marysville City Council to order at 7:00 p.m. There was no invocation. Mayor Kendall then led those present in the Pledge of Allegiance.

ROLL CALL

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

Mayor: Dennis Kendall

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

Staff: Mary Swenson, Chief Administrative Officer; Cheryl Beyer, City Attorney; Sandy Langdon, Finance Director; Jim Ballew, Parks and Recreation Director; Jeff Massie, Assistant City Engineer; Randy Brower, Program Engineer – Surface Water; Gloria Hirashima, Community Development Director; Doug Buell, Community Information Officer; Greg Corn, Fire Chief; Jerry Jacobsen, Fire Marshal; and Laurie Hugdahl, Recording Secretary.

COMMITTEE REPORTS

Councilmember Lee Phillips reported on the Finance Committee. Some of the topics discussed included:

- Management reserve amounts on contracts
- Update on Utility Rate Study Ad Hoc Committee results
- Revenue Bond Refunding
- Grant Administrator position
- Purchasing policy changes

PRESENTATIONS

Mayor Kendall indicated that there would be four presentations to Eagle Scouts at next week's meeting. There would also be a Champions of Industry 300 Award Presentation and accompanying video at the meeting.

DISCUSSION ITEMS

None.

Other Items Scheduled for July 12, 2004 Meeting**APPROVAL OF MINUTES.**

- A. June 28, 2004 City Council Meeting.**
- B. July 6, 2004 City Council Work Session.**

CONSENT

- A. Approval of June 30, 2004 Claims.**
- B. Approval of July 7, 2004 Claims.**
- C. Approval of July 2, 2004 Payroll.**

REVIEW BIDS

None.

PUBLIC HEARINGS**A. Peter Hegge Street Vacation; PA 04-014**

Gloria Hirashima pointed out the two possible alternatives for calculating the value of the property – assessed value or comparable value. She requested council guidance for determining which method to use. Councilmember Seibert indicated he was in favor of averaging the values of the surrounding lots. Councilmember Donna Wright was in favor of calculating the full value at the vacant land price. Councilmember John Soriano pointed out that there is an easement going right down the middle of the property that makes it less desirable. Councilmember Seibert felt that the property should be valued at what the lots around it are worth. Councilmembers Lisa Vares, Lee Phillips, Jeff Vaughan, and Jon Nehring noted that they were undecided. It was determined to leave the options open for further consideration at the hearing.

CURRENT BUSINESS**A. Approval of Mayor to Sign Contract for Development of New City Logo; Rusty George Design.**

Parks and Recreation Director Jim Ballew reviewed the contract for the development of the city logo. He noted they are recommending retaining Rusty George Design of Tacoma. There would be a 5-week timeframe for the design of the logo. Kris Passey, Chair of the Image and Identity Committee will be present at the July 12 meeting for comments. He noted that City Attorney Grant Weed was looking at a clause to address proprietary concerns. This would be coming at the next meeting. There was discussion about the benefits of copyrights and trademarks.

B. North Marysville Master Drainage Plan & Regional Detention Facility Design; Supplemental Agreement #1.

Randy Brower, Program Engineer – Surface Water was present to discuss the agreement. Councilmember Seibert asked about the fish barrier mentioned in Exhibit 2. Mr. Brower explained this part of the project. Mr. Seibert then asked how this would affect other potential fish-bearing areas. Gloria Hirashima responded that it could be included in the Critical Areas Ordinance Update, which could change future buffer requirements for development, but she did not foresee any immediate effects. Mr. Brower commented that the habitat in that particular area was not a positive environment for fish spawning. There was then discussion about the modeling process.

C. Staff Presentation Regarding Former Doleshel Tree Farm/Neighborhood Park Improvement Program Acquisition by Snohomish County Parks.

Jim Ballew reviewed the history of this property. He then discussed the benefits and challenges of the City acquiring the property. He noted that it could be a nice facility if there were the resources to keep it up and if you could work within the buffers.

Councilmember Seibert asked how Mr. Ballew arrived at the maintenance costs. Mr. Ballew explained his calculations. He noted it would require significant cost to provide security on the property due to the challenging topography and the existing plant life. Councilmember Seibert suggested the possibility of acquiring the property, but not acting on it until the City's financial situation is improved. He asked Gloria Hirashima about the possible use of the areas within the buffers. There was discussion of buffer averaging. Security issues with the neighboring elementary school were also brought up as a concern. Councilmember Nehring inquired about the maximum use of the area. Mr. Ballew replied that there was a possibility of having a skinny soccer field on one portion of the property. Most likely, it would be utilized as a park with walking trails. Councilmember Nehring then inquired about possible liability issues. City Attorney Cheryl Beyer responded about the possible risks of the area. Mayor Kendall suggested the possibility of turning it over to the school district as part of a forestry program project. Mr. Ballew noted that they would like to have it, but are also restricted financially. Councilmember Donna Wright asked if the Parks Board had explored this. Mr. Ballew responded that they had, but they also saw the challenges of this piece of property. He concluded by stating that he did not see the urgency of acquiring the property when the City is unable to

maintain it. Councilmember Seibert requested that there be communication with the County about the City's intentions. Councilmember Vares commented that she had been hopeful about the property, but was disappointed about the potential for it. She cited the lack of usable space and safety considerations as specific challenges.

NEW BUSINESS

A. Emergency Medical Services (EMS).

Fire Chief Greg Corn explained that the fire district is requesting that the City Council consider calling for an election replacing the existing EMS Levy. They are also proposing that the levy be changed from the current six-year EMS Levy, to a Permanent EMS Levy. There was significant discussion about how the levy rates are tied to assessed property values.

B. Adoption of International Fire Code.

Fire Marshal Jerry Jacobsen explained that on July 1, 2004 the International Fire Code became effective. He reviewed amendments that they are proposing to the Fire Code. The main areas of change were:

1. Adding "B" occupancies to sprinkler requirements.
2. Clarification of language to reduce interpretation issue
3. Adding penalty phase for false alarms
4. Adding 3,000 square foot requirements for "S" occupancies

C. Municipal Court Probation Officer.

Mary Swenson announced the resignation of the probation officer noting that it was a contract position. They would like to make it a full-time position. A representative from the police department was present to discuss the financial and other benefits of hiring a full-time probation officer.

Motion made by Councilmember Seibert, seconded by Councilmember Soriano to extend the work session by fifteen minutes. Motion passed 6-1 with Councilmember Nehring voting against.

D. Code Change Regarding Utility Tax Collections.

Finance Director Sandy Langdon explained that the ordinance would cover the collection process for the 5% utility tax on gas, electricity and telephone service.

LEGAL

None.

ORDINANCES & RESOLUTIONS

A. An Ordinance of the City of Marysville Amending Marysville Municipal Code Chapter 3.64 Titled Utilities Tax By Adding Sections Relating to Tax Payer Record Keeping and Inspection, Confidentiality of Applications and Returns, Interest Charge on Unpaid Balances, and for Delinquent Payments.

Discussed above.

INFORMATION ITEMS

A. Mayor's Business

Mayor Kendall discussed the following:

1. Former Fire Chief Dick Murdock had passed away. He noted that a funeral would be held on Wednesday at 2:00 p.m.
2. Councilmember Jeff Vaughan had requested the formation of a committee to discuss a scooter ordinance. It was noted that the Public Safety Committee is currently addressing this, but Councilmember Vaughan requested that a Citizens' Committee be formed. Mayor Kendall suggested Councilmember Vaughan head up that committee.
3. Fireworks update from the police department.
4. Recommendation for Salary Commission Re-Appointment of Jim Lonneker. He is also looking for another appointment for the Salary Commission.
5. Community Transit has some buses and vans to give away to an eligible 501(C)3 organization.

B. Staff Business

Jeff Massie gave an update on the Effluent Transfer Pipeline - Contract A; Change Order #3, #5, #6, and #7.

Cheryl Beyer had no comments.

Sandy Langdon had no comments.

Jim Ballew had no comments.

Mary Swenson noted that the City had received a request from Arlington for an additional \$350,000 to assist with the 172nd Street Interchange. There will be more discussion about this. She also commented that codebook updates have been received for councilmembers. She then stated that she had a property item to discuss in Executive Session.

C. Call on Councilmembers

Jeff Vaughan had no comments.

Jeff Seibert requested a moment of silence at next week's Council meeting on behalf of Dick Murdock. Mayor Kendall agreed that this would be appropriate.

Donna Wright noted that she had the results of the Survey on the State of America's Cities 2004 if anyone was interested in reviewing it.

Jon Nehring requested staff support for Jeff Vaughan's Citizens' Committee.

Lee Phillips noted he had seen the Summerall video and it looks good.

Lisa Vares had no comments.

John Soriano noted that Chief Carden already has some good ideas for the scooter committee.

ADJOURNMENT

Seeing no further business for the regular session, Mayor Kendall recessed into Executive Session at 9:48 p.m.

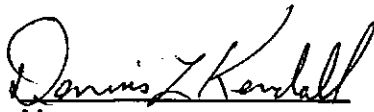
EXECUTIVE SESSION

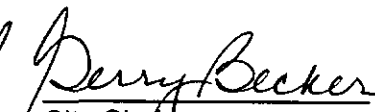
Council went into Executive Session at 9:50 p.m. and discussed one real estate issue. They reconvened into Regular Session at 10:00 p.m.; took no further action and adjourned.


ADJOURNMENT

Mayor Kendall adjourned the July 6, 2004 City Council Work Session at 10:00 p.m.

Approved this 12th day of July 2004.


Mayor
Dennis Kendall


City Clerk
Gerry Becker


Recording Secretary
Laurie Hugdahl