

MARYSVILLE CITY COUNCIL MEETING

000478

December 13, 2004

7:00 p.m.

Marysville City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

CORRECTED: MINUTES	SEE <u>1/10/05</u>
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Mayor Dennis Kendall called the December 13, 2004 meeting of the Marysville City Council to order at 7:00 p.m. in the Council Chambers at Marysville City Hall. The invocation was given by Pastor Steve Schertzinger of the New Hope Community Church. Mayor Kendall led those present in the Pledge of Allegiance.

ROLL CALL

Chief Administrative Officer Mary Swenson called the roll. The following staff and council members were noted as being present.

**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; Corbitt Loch, Administrative Assistant, Economic Development; Jim Ballew, Parks and Recreation Director; Larry Larson, Public Works Superintendent; Kevin Nielsen, City Engineer; Laurie Hugdahl, Recording Secretary.

**Motion** made by Councilmember Vaughan; seconded by Councilmember Wright to excuse the absence of Councilmember Lisa Vares. **Motion** passed (5-0) with Councilmember Lee Phillips abstaining.

COMMITTEE REPORTS

Mayor Kendall solicited committee reports. There were none.

PRESENTATIONS

**Employee Service Awards**

***Ray Riches, Police Officer – 15 Years.***

Sgt. Doug Lee presented the award to Officer Riches. He reviewed Officer Riches' background which included a 4-year period of service in the US Coast

Guard where he served on the boarding team, search and rescue, and drug intervention. In 1989, he began with the patrol division, at which time he was diagnosed with a tumor. He was thankful to all the employees who donated vacation time for him to attend to his medical needs at that time. Officer Riches was the first officer for the bicycle patrol, has served on the narcotics task force, and in 2001 assisted in the development of the motorcycle traffic unit. He is interested in a wide variety of circumstances and appreciates the high level of training available to him.

When he is not working he enjoys acting with the Camwood Players. He and his wife Nancy are currently in a play at Warm Beach. He has three daughters, Elizabeth, Sara, Rachel and a stepdaughter, Amanda.

### **Employee of the Month Award**

#### ***Judie Kirchberg, Administrative Secretary – 10 Years.***

Ms. Kirchberg was praised an expert at customer service, one who views upset customers not as a burden, but as an opportunity to satisfy customers. She constantly brings a smile to each visitor. She has endless energy and enthusiasm, dedication and spotless attendance. Her humor, loyalty and organizational skills are highly valued.

She has been involved with the American Cancer Society's Relay for Life and Operation Marysville. Ms. Kirchberg has one daughter and three grandchildren. She enjoys gardening in her free time. Mayor Kendall presented Ms. Kirchberg with a special gift from her co-workers.

### **AUDIENCE PARTICIPATION**

Dave Nelson, Commercial Real Estate Broker, 16316 80<sup>th</sup> Avenue NW, Stanwood, WA 98271.

Mr. Nelson expressed concern about the language in the regional stormwater ordinance. He referred specifically to the time limits noted in section D. He was opposed to non-refundable 10% deposits and felt that the 120-day time limit for turning in an application was not possible.

Councilmember Jon Nehring pointed out that section E discusses the ability to grant an extension. Mr. Nelson was not comfortable with the uncertainty of that extension. City Engineer Kevin Nielsen responded that some developers think that the deposit should be higher. Mr. Nelson suggested allowing the developer to pay 100%. His main concern was the time limits. City Engineer Nielsen explained that they do not want people to reserve capacity when they are not ready to act. The City does not want the capacity tied up. Mr. Nelson responded that he is working with a large

project with a possibility of over 250 employees. He stated that the language needs to be changed or they will go elsewhere. Councilmember Jeff Seibert asked for clarification about the 120-day time limit referred to by Mr. Nelson, noting that the language was not clear. Community Development Director Gloria Hirashima explained this language and discussed the varying comments they have received regarding this language. The 120-day time period was provided to allow the applicant time to submit permit applications. Mr. Nelson feels that this time period is too short. The next 120-day period is for the application review period. There were no further comments.

#### **DISCUSSION ITEMS**

None.

#### **APPROVAL OF MINUTES.**

##### **A. November 16, 2004 Council / Planning Commission Joint Work Session.**

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

##### **B. November 22, 2004 City Council Meeting.**

**Motion** made by Councilmember Vaughan; seconded by Councilmember Soriano to approve the minutes. **Motion** passed unanimously (6-0).

##### **C. November 29, 2004 Council / Marysville School Board Joint Work Session.**

**Motion** made by Councilmember Nehring; seconded by Councilmember Phillips to approve the minutes. **Motion** passed unanimously (6-0).

##### **D. December 6, 2004 City Council Work Session.**

**Motion** made by Councilmember Nehring; seconded by Councilmember Seibert to approve the minutes. **Motion** passed unanimously (6-0).

#### **CONSENT**

Mayor Kendall solicited audience comment regarding any items on the consent agenda. There were no comments from the audience. He then asked if any councilmembers wished to remove any of the items for further discussion. They did not.

- A. Approval of November 24, 2004 Claims in the Amount of \$330,244.01; Paid by Check No. 19006 through 19170.
- B. Approval of December 1, 2004 Claims in the Amount of \$160,853.49; Paid by Check No. 19171 through 19406 with Check No. 19171 - 19288, 19149, 61904, and 19018 Void.
- C. Approval of December 8, 2004 Claims in the Amount of \$1,139,549.50; Paid by Check No. 19407 through 19597.
- D. Approval of December 3, 2004 Payroll in the Amount of \$824,408.35; Paid by Check No. 13619 through 13692.
- E. Authorize Mayor to Sign Renewal Agreement with Snohomish County Center for Battered Women.
- F. Accept Smokey Point West Lower Tributary Culvert Replacement Project at 136th NE and Smokey Point West Upper Middle Tributary Culvert Replacement at 152nd Street NE as Complete and Begin 45-Day Lien Filing Period.
- G. Authorize Mayor to Sign Professional Services Renewal Agreement For Hearing Examiner; McConnell and Associates.
- H. Authorize Mayor to Sign Interlocal Renewal Agreement for Whatcom County Jail Mini-Chain.
- I. Authorize Mayor to Sign Interlocal Agreement with Lakes Stevens for Court Services.
- J. Water Meter Automated Analysis Program; Gray & Osborne, Inc.
- K. North Marysville Regional Stormwater Pond and Conveyance System; Change Order #2.
- L. Interlocal Agreement with WSDOT for Regional Transportation Investment District Cost-Risk Assessment Participation.
- M. 2005 City Attorney Retainer Renewal Agreement.

**Motion** made by Councilmember Vaughan; seconded by Councilmember Soriano to approve Consent Agenda Items A-M. **Motion** passed unanimously (6-0).

**REVIEW BIDS****A. Strawberry Fields Phase II Parking Expansion and Restroom Building Installation.**

Parks and Recreation Director Jim Ballew explained that there had been three bids received for the expansion of the parking lot, installation of restroom and fencing, excavation and shoring on-site. The low apparent bidder appears to be Trimaxx Construction, Inc. of Sedro Wooley, Washington. Staff is recommending the acceptance of this bid.

Mayor Kendall asked if any bidders or other members of the audience had any comments. There were none. Mary Swenson asked about a management reserve. Jim Ballew noted that \$5,000 should be included with this recommendation. The all inclusive total should be \$87,351.00.

**Motion** made by Councilmember Vaughan; seconded by Councilmember Wright to accept the apparent low bid from Trimaxx Construction Inc. of Sedro Wooley, Washington in the amount of \$87,351.00 which includes sales tax and a 5% management reserve for additional parking improvements and installation of the restroom building and fencing installation at the Strawberry Fields and to authorize the Mayor to sign the associated Small Works Contract once approved by the City Attorney's Office. **Motion** passed unanimously (6-0).

**PUBLIC HEARINGS**

None.

**CURRENT BUSINESS**

None.

**NEW BUSINESS****A. Revision of Development Review and Public Works Fee Structure.**

Community Development Director Gloria Hirashima discussed comments from Master Builders Association and developers who had asked that the impact fee administration fee be reconsidered. Staff is recommending setting aside this fee for further consideration next year. Councilmember Donna Wright stated that it sounded reasonable to remove that one fee. Councilmember Vaughan asked if that was their only concern. Mayor Kendall responded that there were more, but this was the most pertinent one.

*Discussion*

Councilmember Seibert asked if there was a cost involved in this. Ms. Hirashima replied that there is staff time involved. Mary Swenson added that there are several fees going up at once. This is something that should be changed, but maybe not right now. Councilmember Seibert asked where the money has been coming from for this service. Ms. Hirashima replied that it would have been coming from the general fund. Ms. Swenson stated that this was the decision made by prior councils. Councilmember Seibert was not comfortable with the general fund subsidizing this.

- Gloria Hirashima discussed some ideas being looked at right now. One of these is a sliding scale.
- Donna Wright mentioned a discount to keep a portion of school fees. She also noted the benefit to the City of having the developments.
- Councilmember Nehring referred to the ability to keep a portion of the administrative fee back from the school district.
- City Attorney Grant Weed explained that this is a policy decision – whether or not the City should keep a portion of the school district fee or absorb it.
- Councilmember Vaughan asked what kind of an impact this would have on the economic development the City desires. He noted that several fees are being increased. He supports recapturing costs, but noted that it is a balancing act.
- Mary Swenson discussed how developers want predictability. She and the Community Development Director shared a concern that they will not be able to process applications in a timely manner if there is an influx of applications as they expect. They need to be able to staff adequately, especially with Lakewood and the north end to help with permitting and review. This all needs to be funded.
- Councilmember Jeff Vaughan wondered where the point was when people would be driven away and this wouldn't be an issue.
- Gloria Hirashima stated that a certain amount of the costs are a general service and should be borne by the general fund. The development fees should also provide the cost for providing those services. Snohomish County is the main competitor and these fees resemble Snohomish County's fee structure. Developers want to be assured that they will go to insuring timely predictable services.
- Councilmember Soriano asked what the amount collected would have been had this been in place in 2004. Ms. Hirashima responded that it would have been approximately \$18,000.

Councilmember Seibert stated that he wants to make sure we are recapturing all the fees. He is opposed to subsidizing development any longer.

**Motion** made by Councilmember Seibert to accept the staff recommendations for the revised fee structure for development review services and public works fees and to bring this back in two months to review. **Motion** died for lack of a second.

Gloria Hirashima recommended at least six months before bringing this back. Councilmember Nehring was in favor of delaying this for six months.

**Motion** made by Councilmember Nehring to accept staff's recommendation of fees with the exception of the impact fee administration fee and to bring that back in six months after going through the Public Works Committee. **Motion** seconded by Councilmember Soriano. Motion passed unanimously (6-0).

**B. Proposed Ordinance Amending Chapter 2.08 of the MMC Relating to the Library Board and Appointment of New Board Trustees.**

Councilmember Lee Phillips asked if the number could be flexible, perhaps five to seven members. Grant Weed explained that this would be legally possible. If there were not enough applicants, they could continue operating with fewer than seven.

Dorothy Stanton, Board Member, 5900 – 64<sup>th</sup> Street NE, Marysville.

Ms. Stanton stated that expanding the number on the board is a good idea. She explained how the library is expanding programs quickly and needs more community involvement.

**Motion** made by Councilmember Phillips, seconded by Councilmember Seibert to approve Ordinance 2551 relating to the Library Board and appointment of new Board Trustees. **Motion** passed unanimously (6-0).

**C. 2004 Budget Amendment.**

**Motion** made by Councilmember Wright; seconded by Councilmember Vaughan to approve and adopt the 2004 Budget Amendment. **Motion** passed unanimously (6-0).

**LEGAL**

None.

## ORDINANCES AND RESOLUTIONS

- A. An Ordinance of the City Council of the City of Marysville, Washington Adding a New Section 14.18.110 to the Marysville Municipal Code Relating to Regional Storm Water Ponds and Conveyance Systems; and Establishing Policy, Procedures and Priorities for Commercial Properties to Connect to Marysville Area Regional Storm Water Ponds and Conveyance Systems.**

Councilmember Nehring referred to a letter from Mark Erickson. Kevin Nielsen responded that his letter referred to a much earlier draft and that his concerns have already been addressed.

**Motion** made by Councilmember Seibert; seconded by Councilmember Nehring to approve Ordinance 2552 relating to regional storm water ponds and conveyance systems. **Motion** passed unanimously (6-0).

- B. An Ordinance of the City of Marysville Amending the 2004 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in 2004 and Amending Ordinance No. 2500 and Ordinance No. 2504.**

**Motion** made by Councilmember Nehring; seconded by Councilmember Wright to approve Ordinance 2553 relating to 2004 Budget Amendment. **Motion** passed unanimously (6-0).

- C. An Ordinance of the City of Marysville, Washington Amending MMC Section 2.08.010 Relating to the Appointment and Term of Library Board Trustees.**

Approved above.

- D. An Ordinance of the City of Marysville Amending Section 14.07.005 of the Marysville Municipal Code Relating to Public Works Fee Structure; and Repealing MMC 14.07.005A.**

**Motion** made by Councilmember Soriano; seconded by Councilmember Nehring to approve Ordinance 2554 relating to the Public Works Fee Structure. **Motion** passed unanimously (6-0).



- E. An Ordinance of the City of Marysville Establishing a New Chapter 15.12 of the Marysville Municipal Code Relating to Development Fees; and Repealing MMC 19.60.020.**

**Motion** made by Councilmember Vaughan; seconded by Councilmember Nehring to approve Ordinance 2555 as amended. **Motion** passed unanimously (6-0).

- F. An Ordinance of the City of Marysville, Washington Amending MMC 14.07.010(2) Relating to Sewer and Water Utility Capital Improvement Charges and Repealing Ordinance No. 2542.**

**Motion** made by Councilmember Seibert; seconded by Councilmember Vaughan to approve Ordinance 2556 relating to Sewer and Water Utility Capital Improvement Charges. **Motion** passed unanimously (6-0).

- G. An Ordinance of the City of Marysville Amending MMC 14.03.090(1) and MMC 14.07.010(1), Relating to Payment of Capital Improvement Charges for Water and Sewer Utility Connections.**

**Motion** made by Councilmember Seibert; seconded by Councilmember Vaughan to approve Ordinance 2557 relating to Payment of Capital Improvement Charges for Water and Sewer Utility Connections. **Motion** passed unanimously (6-0).

#### INFORMATION ITEMS

##### Mayor's Business

1. Re-Appointment to 2-Year Term Position on LEOFF I Disability Board; Councilmember John Soriano.

**Motion** made by Councilmember Wright; seconded by Councilmember Phillips to reappoint John Soriano to the 2-Year Term Position on the LEOFF 1 Disability Board. Councilmember Seibert expressed his appreciation of the great job done by Councilmember Soriano on this board. **Motion** passed unanimously (6-0).

2. Appointment to 3-Year Term Position on Salary Commission; Donald Card.

**Motion** made by Councilmember Seibert; seconded by Councilmember Nehring to approve the appointment of Donald Card to the Salary Commission. **Motion** passed unanimously (6-0).

3. Appointment to Vacant Position on Park Board; Jeff Thompson.

**Motion** made by Councilmember Vaughan; seconded by Councilmember Soriano to approve the appointment of Jeff Thompson to the Park Board. **Motion** passed unanimously (6-0).

4. Appointment of Library Board Trustees.

Councilmember Seibert requested a brief biography of the applicants in the future. **Motion** made by Councilmember Seibert; seconded by Councilmember Phillips to accept the appointment of Dr. Thomas Albright, Mr. D. Michael Wray and Mr. Joseph Shipp to the Library Board. **Motion** passed unanimously (6-0).

5. Appointment of Donna Wright as Representative to the Board of Health.

**Motion** made by Councilmember Nehring; seconded by Councilmember Seibert to approve the re-appointment of Donna Wright as a representative to the Board of Health. Councilmember Seibert thanked Councilmember Wright for the fine job she has done. **Motion** passed unanimously (6-0).

Mayor Kendall announced that he will be attending Challenge Day and is looking for a councilmember to attend with him. This will be an all day event held on January 31.

#### **Staff Business**

**Jim Ballew** thanked Council and Mayor Kendall for an outstanding year. He applauded their vision for the City and is looking forward to 2005. He stated that the community is lucky to have this elected body representing the City. He also expressed appreciation to the staff. He wished everyone Happy Holidays.

**Corbitt Loch** announced that an extra edition of the Marysville Messenger would be going out on Friday and would be reaching citizens on Monday.

**Larry Larson** had no comments.

**Kevin Nielsen** stated that he has a copy of the 2005 Legislative Funding Request Projects on RTID. The City has approximately \$20M listed there. He thanked Council and staff for a great year and wished everyone Happy Holidays.

**Gloria Hirashima** informed Council that they are working on typing streams and ditches up north. They had a biologist do counts on fish in some of those. They want to include a typing map with the Critical Areas Ordinance. The Planning Commission is continuing its work on the Comprehensive Plan. December 14

they will be having a presentation from school districts and discussion of the sewer plan. She invited Councilmembers to a Qwuloot presentation on January 4 at the Planning Commission. Finally, she noted that she had two items for Executive Session.

**Mary Swenson** noted that the Arlington Governmental Affairs Committee meeting tomorrow has been cancelled. She had three personnel issues for Executive Session.

**Sandy Langdon** reminded Council of a Finance Committee meeting on Wednesday at 4:30. She thanked Council for a great year. There have been hard decisions, but it has been a pleasure.

**Ralph Krusey** stated that he would be bringing forward an agreement with Snohomish County Jails at the next meeting in January.

**Call on Councilmembers**

**Lee Phillips** thanked staff for being so extremely helpful. He has appreciated being part of the Council. He added that Mayor Kendall is an interesting mayor. He wished everyone Happy Holidays.

**John Soriano** wished Merry Christmas to the staff, council and the recording secretary.

**Jon Nehring** stated that it had been a satisfying year on Council: Strawberry Fields, Waterfront Park, stormwater ponds, smooth budget process, police department with record number of cases closed, strong community involvement, Comeford Park improvements, and petting zoo open in record time. He expressed appreciation for the citizens' committees, all the volunteer effort and staff. He wished everyone a Merry Christmas and a Happy New Year. He especially thanked Mayor Kendall for being so accessible.

**Donna Wright** thanked everyone for a great year and commended the great citizens. She thanked staff and fellow councilmembers for a wonderful year. She noted that Tara Mizell was part of the Snohomish County Children's Commission and would be interested in helping with youth involvement for the Council. She wished everyone a Merry Christmas and a Happy New Year.

**Jeff Vaughan** noted that he had been asked about rules for fireworks on New Years. Mary Swenson indicated they would get that information out to the public. He then asked about an update on the golf course. Mary Swenson replied that would be coming in January. He wished everyone a Merry Christmas and a Happy New Year.

CORRECTED MINUTES SEE 01-10-05

**Mayor Kendall** thanked everyone for a great year. He noted that it had been very busy for him, Mary and all of the staff. Every employee had contributed to pick up the slack. He commended Council's dedication and leadership and expressed his hope for continued growth and cooperation. He wished everyone a safe and happy holiday.

#### ADJOURNMENT

Mayor Kendall recessed the meeting into Executive Session at 8:50 p.m. After a five-minute break Executive Session was scheduled to begin at 8:55 p.m. and was expected to last approximately 40 minutes.

#### EXECUTIVE SESSION

Council met in Executive Session at 8:55 p.m., discussed litigation and personnel issues, and reconvened into Regular Session at 9:25 p.m.

#### ADJOURNMENT

With no further action to be taken, Mayor Kendall adjourned the December 13, 2004 meeting of the Marysville City Council at 9:26 p.m.

Approved this 10<sup>th</sup> day of January, 200~~4~~<sup>5</sup>.

Dennis Z Kendall  
Mayor  
Dennis Kendall

Gerry Becker  
City Clerk  
Gerry Becker

Laurie Hugdahl  
Recording Secretary  
Laurie Hugdahl

000473

Marysville City Council

7:00 p.m.

**ORIGINAL**

December 13, 2004

City Hall

<b>Call to Order/Invocation/Pledge of Allegiance/Roll Call</b>	<b>7:00 P.M.</b>
<b>Roll Call</b>	
Excuse the Absence of Councilmember Vares.	Approved
<b>Approve of Minutes</b>	
Approval of November 16, 2004 Council / Planning Commission Joint Work Session Minutes.	Approved
Approval of November 22, 2004 City Council Meeting Minutes.	Approved
Approval of November 29, 2004 Council / Marysville School Board Joint Work Session Minutes.	Approved
Approval of December 6, 2004 City Council Work Session Minutes.	Approved
<b>Consent Agenda</b>	
Approval of November 24, 2004 Claims in the Amount of \$330,244.01; Paid by Check No. 19006 through 19170.	Approved
Approval of December 1, 2004 Claims in the Amount of \$160,853.49; Paid by Check No. 19171 through 19406 with Check No. 19171 - 19288, 19149, 61904, and 19018 Void.	Approved
Approval of December 8, 2004 Claims in the Amount of \$1,139,549.50; Paid by Check No. 19407 through 19597.	Approved
Approval of December 3, 2004 Payroll in the Amount of \$824,408.35; Paid by Check No. 13619 through 13692.	Approved
Authorize Mayor to Sign Renewal Agreement with Snohomish County Center for Battered Women.	Approved
Accept Smokey Point West Lower Tributary Culvert Replacement Project at 136th NE and Smokey Point West Upper Middle Tributary Culvert Replacement at 152nd Street NE as Complete and Begin 45-Day Lien Filing Period.	Approved
Authorize Mayor to Sign Professional Services Renewal Agreement For Hearing Examiner; McConnell and Associates.	Approved
Authorize Mayor to Sign Interlocal Renewal Agreement for Whatcom County Jail Mini-Chain.	Approved
Authorize Mayor to Sign Interlocal Agreement with Lakes Stevens for Court Services.	Approved
Water Meter Automated Analysis Program; Gray & Osborne, Inc.	Approved
North Marysville Regional Stormwater Pond and Conveyance System; Change Order #2.	Approved
Interlocal Agreement with WSDOT for Regional Transportation Investment District Cost-Risk Assessment Participation.	Approved
2005 City Attorney Retainer Renewal Agreement.	Approved
<b>Review Bids</b>	
Approve award of bid for Strawberry Fields Phase II Parking Expansion and Restroom Building Installation to Trimaxx Construction, Inc.	Approved
<b>Public Hearings</b>	
<b>Current Business</b>	
<b>New Business</b>	
Approval of Revision of Development Review and Public Works Fee	Approved

Structure With the Exception of the Impact Fee Administration Fee.	
Approval of Proposed Ordinance Amending Chapter 2.08 of the MMC Relating to the Library Board and Appointment of New Board Trustees.	Approved
Approval of 2004 Budget Amendment.	Approved
<b>Legal</b>	
<b>Ordinances and Resolutions</b>	
Approval of an Ordinance of the City Council of the City of Marysville, Washington Adding a New Section 14.18.110 to the Marysville Municipal Code Relating to Regional Storm Water Ponds and Conveyance Systems; and Establishing Policy, Procedures and Priorities for Commercial Properties to Connect to Marysville Area Regional Storm Water Ponds and Conveyance Systems.	Approved Ord. No. 2552
Approval of an Ordinance of the City of Marysville Amending the 2004 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in 2004 and Amending Ordinance No. 2500 and Ordinance No. 2504.	Approved Ord. No. 2553
Approval of an Ordinance of the City of Marysville, Washington Amending MMC Section 2.08.010 Relating to the Appointment and Term Of Library Board Trustees.	Approved Ord. No. 2551
Approval of an Ordinance of the City of Marysville Amending Section 14.07.005 of the Marysville Municipal Code Relating to Public Works Fee Structure; and Repealing MMC 14.07.005A.	Approved Ord. No. 2554
Approval of an Ordinance of the City of Marysville Establishing a New Chapter 15.12 of the Marysville Municipal Code Relating to Development Fees; and Repealing MMC 19.60.020.	Approved Ord. No. 2555
Approval of an Ordinance of the City of Marysville, Washington Amending MMC 14.07.010(2) Relating to Sewer and Water Utility Capital Improvement Charges and Repealing Ordinance No. 2542.	Approved Ord. No. 2556
Approval of an Ordinance of the City of Marysville Amending MMC 14.03.090(1) And MMC 14.07.010(1), Relating to Payment of Capital Improvement Charges for Water and Sewer Utility Connections.	Approved Ord. No. 2557
<b>Information Items</b>	
<b>Mayor's Business</b>	
Approval of Re-Appointment to 2-Year Term Position on LEOFF I Disability Board; Councilmember John Soriano.	Approved
Approval of Appointment to 3-Year Term Position on Salary Commission; Donald Card.	Approved
Approval of Appointment to Vacant Position on Park Board; Jeff Thompson.	Approved
Approval of Appointment of Library Board Trustees; Dr. Thomas Albright, Mr. D. Michael Wray and Mr. Joseph Shipp.	Approved
Approval of Appointment of Donna Wright as Representative to the Board of Health.	Approved
<b>Adjournment</b>	<b>8:50 P.M.</b>

December 13, 2004

Marysville City Council  
7:00 p.m.

000475

City Hall

<b>Executive Session</b>	8:55 P.M.
Discussed litigation and personnel issues. No Action taken.	
<b>Adjournment</b>	9:26 P.M.

ORIGINAL

MARYSVILLE CITY COUNCIL WORK SESSION

December 6, 2004

7:00 p.m.

City Hall

000465

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

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

**ROLL CALL**

Finance Director Sandy Langdon 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:** Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Sandy Langdon, Finance Director; Gloria Hirashima, Community Development Director; Robb Lamoureux, Police Commander; Jim Ballew, Parks and Recreation; Kevin Nielsen, City Engineer; Corbitt Loch, Assistant Administrator/Economic Development; Laurie Hugdahl, Recording Secretary.

**Motion** made by Councilmember Nehring; seconded by Councilmember Wright to excuse the absence of Councilmember Vares. **Motion** passed unanimously (6-0).

**COMMITTEE REPORTS**

Councilmember John Soriano reported that the **LEOFF 1 Disability Board** reviewed and approved two claims. A hearing was held for one claimant.

Councilmember Soriano then reviewed the December 2 **Public Safety** meeting. There was a personnel update, a Citizens Academy update, Public Safety building update and a review of the Strategic Plan for 2004. Councilmember Wright inquired about the Citizens Academy. Commander Robb Lamoureux reported that the new session began a few weeks ago.

Councilmember Jeff Seibert reported on the December 3 **Public Works Committee Meeting**. The following topics were discussed:

- A proposal for a private company to handle pre-treatment.



- Notification from DNR.
- Water surcharge
- Traffic impact fees
- Public Works fee revisions

Councilmember Donna Wright reported that she had attended the National League of Cities, but would hold her comments until the end of the meeting.

## **PRESENTATIONS**

None.

## **DISCUSSION ITEMS**

**Other Items Scheduled for December 13, 2004 Meeting**

### **APPROVAL OF MINUTES.**

- A. November 16, 2004 Council / Planning Commission Joint Work Session.**
- B. November 22, 2004 City Council Meeting.**
- C. November 29, 2004 Council / Marysville School Board Joint Work Session.**
- D. December 6, 2004 City Council Work Session.**

### **CONSENT AGENDA ITEMS**

- A. Approval of November 24, 2004 Claims.**
- B. Approval of December 1, 2004 Claims.**
- C. Approval of December 3, 2004 Payroll.**
- D. Authorize Mayor to Sign Renewal Agreement with Snohomish County Center for Battered Women.**

Commander Lamoureux explained that money is received from the state and passed through to the center. There were no further comments or questions.

- E. Accept Smokey Point West Lower Tributary Culvert Replacement Project at 136th NE and Smokey Point West Upper Middle Tributary Culvert Replacement at 152nd Street NE as Complete and Begin 45-Day Lien Filing Period.**

There were no comments or questions on this item.

- F. Authorize Mayor to Sign Professional Services Renewal Agreement For Hearing Examiner; McConnell and Associates.**

Councilmember Nehring asked if this was a competitive rate. Community Development Director Gloria Hirashima explained that this is an extremely good rate. Mr. McConnell has worked for the City for fifteen years and does excellent work. Councilmember Seibert asked if this was in the budget. Finance Director Sandy Langdon confirmed that it was.

- G. Authorize Mayor to Sign Interlocal Renewal Agreement for Whatcom County Jail Mini-Chain.**

Commander Lamoureux explained that this is a renewal of an Interlocal Agreement for the City to remain on the transport system with Whatcom County. Whatcom County provides inmate transport service to jails along the I-5 corridor. Councilmember Seibert asked if this was in the budget. Sandy Langdon confirmed that it was.

## **REVIEW BIDS**

- A. Strawberry Fields Phase II Parking Expansion and Restroom Building Installation.**

Placeholder.

- B. Water Meter Automated Analysis Program; Gray & Osborne, Inc.**

City Engineer Kevin Nielsen explained that Gray & Osborne would be reviewing the technology to determine the most efficient water meters for the City. He added that they would be having at least three, possible more, vendors install meters side-by-side in different locations for better comparison. Councilmember Seibert commented on how the price has come down in the last several years.

## **PUBLIC HEARINGS**

None.

**CURRENT BUSINESS**

None.

**NEW BUSINESS****A. North Marysville Regional Stormwater Pond and Conveyance System;  
Change Order #2.**

Kevin Nielsen reported that this was the final consolidation payment for the pond. He explained that it was over the management reserve amount by \$24,350.85. The main reasons for the overage were dewatering issues and problems with too-clean material. Councilmember Seibert expressed frustration that the work had already been completed and now was coming to Council for approval. He requested that in the future this type of overage be brought to Council for approval prior to the work being performed. Mr. Nielsen reviewed the extenuating circumstances that prevented him from doing that this time. He explained that he always tries to stay within the management reserve, but that it is not always possible when dealing with contractors.

**B. Revision of Development Review and Public Works Fee Structure.**

Gloria Hirashima noted that the recommended revisions would recover more of the actual costs involved in providing services. Some current fees are being increased and some new fees are being established. Councilmember Seibert thanked Ms. Hirashima for doing the redlined comparisons. There was consensus that it was very helpful.

**C. Interlocal Agreement with WSDOT for Regional Transportation Investment District Cost-Risk Assessment Participation.**

Mr. Nielsen explained that this agreement would reimburse the City for its part in the coordination of certain activities associated with the RTID. There were no further comments or questions on this item.

**D. Proposed Ordinance Amending Chapter 2.08 of the MMC Relating to the Library Board and Appointment of New Board Trustees.**

Mayor Kendall explained that the board is being expanded from five to seven members to give better citizen representation and input from the community. There was some discussion about ways to get youth involved on the board. Councilmember Wright suggested accepting applications for a youth member. Maggie Buckholz was in agreement with this idea.

**G. 2004 Budget Amendment.**

Finance Director Sandy Langdon reviewed the 2004 Budget Amendments.

**LEGAL**

**A. 2005 City Attorney Retainer Renewal Agreement.**

Mary Swenson noted that there was no increase this year.

**ORDINANCES AND RESOLUTIONS**

**A. An Ordinance of the City Council of the City of Marysville, Washington Adding a New Section 14.18.110 to the Marysville Municipal Code Relating to Regional Storm Water Ponds and Conveyance Systems; and Establishing Policy, Procedures and Priorities for Commercial Properties to Connect to Marysville Area Regional Storm Water Ponds and Conveyance Systems.**

Discussed above.

**B. An Ordinance of the City of Marysville Amending the 2004 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in 2004 and amending Ordinance No. 2500 and Ordinance No. 2504.**

Discussed above.

**C. An Ordinance of the City of Marysville Amending MMC 2.08 Relating to Library Board Trustee's.**

Discussed above.

**D. An Ordinance of the City of Marysville Amending Section 4.07.005 of the Marysville Municipal Code Relating to Public Works Fee Structure; and Repealing MMC 14.07.005A.**

Discussed above.

**E. An Ordinance of the City of Marysville Establishing a New Chapter 15.12 of the Marysville Municipal Code Relating to Development Fees; and Repealing MMC 19.60.020.**

Discussed above.

**F. An Ordinance of the City of Marysville, Washington Amending MMC 14.07.010(2) Relating to Sewer and Water Utility Capital Improvement Charges and Repealing Ordinance No. 2542.**

Discussed at last meeting.

**INFORMATION ITEMS**

***Mayor's Business***

1. Re-Appointment to 2-Year Term Position on LEOFF I Disability Board; Councilmember John Soriano.
2. Appointment to 3-Year Term Position on Salary Commission; Donald Card.
3. Appointment to Vacant Position on Park Board; Jeff Thompson.

***Staff Business***

**Kevin Nielsen** informed Council of the Change Order #4, #9, #10, #11, #12, and #13 - Effluent Transfer Pipeline - Contract A. He emphasized that **there were less than 1% on job change orders.**

**Gloria Hirashima** updated Council on the Comprehensive Plan update progress with the Planning Commission.

**Jim Ballew** noted that the holiday decorations were out. The banners along I-5 are thanks to the Hotel/Motel grant. Marysville for the Holidays had good turnout regardless of the weather. There were 37 entries in the parade. Mayor Kendall dedicated the pavilion at Cornford Park on the same night. Mr. Ballew then gave an update on the Ebey Waterfront Park. Finally, he noted that grant with the school district was off because the bids came in too high.

**Robb Lamoureux** commented that the parade was a law enforcement success.

**Sandy Langdon** had no further comments.

**Corbitt Loch** stated that that he, Mayor Kendall and Mary Swenson were putting together a working plan and a budget for economic development.

**Maggie Buckholz** commented that they were preparing for next year's "Year of the Book". The theme is "More to Explore" and will be focusing on different areas of the Dewey Decimal System throughout the year.

**Grant Weed** referred to Tab 25, the ordinance relating to sewer and water utility capital improvement charges. He noted that they would need to clean up some of

the language in the existing code that describes when the fees would be paid. He added that he would need an executive session next week.

**Mary Swenson** was pleased to announce that the School Board recall is off. She praised Merrysville for the holidays as a great event.

***Call on Councilmembers***

**Jeff Vaughan** commented that he enjoyed Merrysville for the Holidays.

**Jon Nehring** was pleased with the recall news. He also enjoyed Merrysville for the Holidays and felt it was very well done.

**Jeff Seibert** asked about improvements at a certain intersection. Kevin Nielsen indicated it would be handled.

**Lee Phillips** also enjoyed Merrysville for the Holidays.

**John Soriano** noted that the lights on the State Avenue trees look nice.

**Mayor Kendall** commented that the Merrysville lighting ceremony was wonderful. He acknowledged the employees from the Parks Department and Public Works who worked very hard to prepare for the event. He extended a huge thanks to all of them.

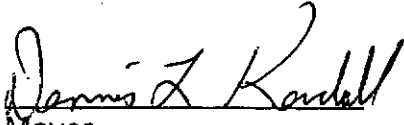
**Donna Wright** reported that she attended the National League of Cities in Indianapolis. She discussed Community Development Block Grants.

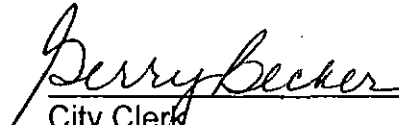
- Congress wants more accountability and is questioning continuing the grant. Cities are responding that they are being used appropriately. Councilmember Seibert explained that the money goes to housing homeless people and others who need assistance and is very helpful.
- Strengthening America's Families. Ways to involve youth in council meetings were discussed.
- Trails/Greenways – Councilmember Wright explained how the trails have been created by using "linear open spaces". Development along the walking trail in Indianapolis was discussed. Councilmember Wright was very enthused about what has been done there.

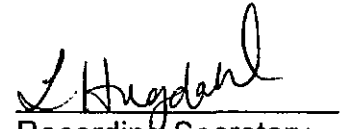
**ADJOURNMENT**

Seeing no further business, the work session was adjourned at 8:04 p.m.

Approved this 13<sup>th</sup> day of December, 2004.

  
\_\_\_\_\_  
Mayor  
Dennis Kendall

  
\_\_\_\_\_  
City Clerk  
Gerry Becker

  
\_\_\_\_\_  
Recording Secretary  
Laurie Higdahl