

September 12, 2005

Marysville City Council

7:00 p.m.

000270

ORIGINAL
City Hall

Call to Order/Invocation/Pledge of Allegiance	7:00 P.M.
Roll Call	
Approve of Minutes	
Approve July 25, 2005 City Council Meeting Minutes.	Approved
Approve September 6, 2005 City Council Work Session Minutes.	Approved
Consent Agenda	
Approval of July 29, 2005 Claims in the Amount of \$731,657.92; Paid by Check No. 24340 through 24455 with Check No 24209 Void.	Approved
Approval of August 3, 2005 Claims in the Amount of \$137,782.52; Paid by Check No. 24456 through 24569.	Approved
Approval of August 10, 2005 Claims in the Amount of \$542,932.14; Paid by Check No. 24570 through 24746.	Approved
Approval of August 17, 2005 Claims in the Amount of \$805,523.85; Paid by Check No. 24747 through 24858 with Check No. 24701 Void.	Approved
Approval of August 24, 2005 Claims in the Amount of \$2,162,577.21; Paid by Check No. 24859 through 25051 with Check No. 24700, 24917, and 25036 Void.	Approved
Approval of August 31, 2005 Claims in the Amount of \$295,643.01; Paid by Check No. 25052 through 25169 with Check No. 25065 Void.	Approved
Approval of September 7, 2005 Claims in the Amount of \$741,387.05; Paid by Check No. 25170 through 25316 with Check No. 24809 Void.	Approved
Approval of August 5, 2005 Payroll in the Amount of 10 \$817,123.75; Paid by Check No. 14837 through 14923.	Approved
Approval of August 19, 2005 Payroll in the Amount of \$522,536.28; Paid by Check No. 14924 through 14996	Approved
Approval of September 2, 2005 Payroll in the Amount of 12* \$826,286.99; Paid by Check No: 14997 through 15077.	Approved
Approval of Liquor License Renewals for Mai's Restaurant (9501 State Avenue #F); Don's Restaurant (1216 Fourth Street); Safeway Store #1485 (1258 State Avenue); J.R.'s (1352 State Avenue); Smokey's Cascadia (210 State Avenue); and Marysville Shell & Food Court (11601 State Avenue).	Approved
Approval of Liquor License Renewals for 4th Street Market (1212 Fourth Street); Nobel Palace (1212 State Avenue Ste. B); and Taqueria La Jaliscience (409 State Avenue).	Approved
Approval of New Liquor License for Marysville Grocery Outlet (9620 State Avenue).	Approved
Amend Salary Commission Duties.	Approved
Waive Requirement to Annex Subject to Property Owner(s) Recording of Annexation Covenant; ONO Annexation; PA 05012.	Approved
Accept the Edward Springs Treatment Facility Project as Complete And Begin 45-Day Lien Filing Period.	Approved
Affirm the Hearing Examiner's Decision to Approve the Rezone, Preliminary Plat, Utilization of Density Incentives, and Lifting of the 6-Year Forest Practices Moratorium; Kenley Rezone/Preliminary Plat; PA 05005.	Approved

Approval of Amendment No. 2 to Coastal Zone Management 306 Grant Award G0500006 with Department of Ecology.	Approved
Declare Items of Personal Property to be Surplus and Authorize the Sale or Disposal thereof.	Approved
Supplemental Professional Services Agreement; KPFF Engineers; State Avenue (136th Street NE to 152nd Street NE) Preliminary Design.	Approved
Proposed Speed Revision Ordinance – SR 528, Alder Street Vicinity to 47th Avenue N.E. and 74th Drive N.E. to SR 9.	Approved
City of Everett Animal Shelter Interlocal Agreement.	Approved
Review Bids	
Public Hearings	
Current Business	
New Business	
Legal	
Ordinances and Resolutions	
An Ordinance of the City of Marysville Amending Parts of Ordinance No. 829 Section 2, Codified as Marysville Municipal Code Section 3.92.010 Relating to Gambling State Laws Adopted by Reference Adding RCW 9.4.196 "Cheating – Defined" and RCW 9.46.1962 "Cheating in the Second Degree" and Amending Ordinance 829 Section 19, Codified as 3.92.190 Violations – Penalty; and Severability.	Approved Ord. 2591
An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area Known as the Farrington Annexation into the City of Marysville.	Approved Ord. 2592
An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area, Known as the Miklautsch Annexation into the City of Marysville.	Approved Ord. 2593
An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Subsection 2.51.040(1) Relating to the Duties of the Salary Commission.	Approved Ord. 2594
An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Jordan Annexation Area into the City of Marysville.	Approved Ord. 2595
An Ordinance of the City of Marysville Creating a New Code Section Codified as 11.04.032 Establishing the Maximum Speed Limits on SR 528 between Mile Post 0.49 (Alder Street Vicinity) and Mile Post 0.80 (47th Avenue Northeast) and on SR 528 between Mile Post 2.54 (74th Drive Northeast Vicinity) and State Route 9; and Severability.	Approved Ord. 2596
An Ordinance of the City of Marysville Affirming the Decision of the Hearing Examiner and Rezoning Properties Owned by Alta Brodie Amending the Official Zoning Map of the City.	Approved Ord. 2597
A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.	Approved Res. 2152
A Resolution of the City of Marysville Supporting Proposition No. 1 of the Marysville School District Relating to General Obligation Bonds on the Ballot September 20, 2005.	Approved Res. 2153

Information Items	
Mayor's Business	
Approve Park Board Appointments: Melissa Phillips and Brooke Hougan	Approved
Approve Planning Commission Re-appointments: Dave Voigt and Deirdre Kvangnes	Approved
Staff Business	
Call on Councilmembers	
Adjournment	8:30 p.m.
Executive Session	8:35 p.m.
Discussed: 1 pending litigation, 1 potential litigation, 1 personnel, and 1 real estate item.	No Action
Adjournment	9:35 p.m.

MARYSVILLE CITY COUNCIL MEETING**September 12, 2005****7:00 p.m.****Marysville City Hall****CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE**

Mayor Dennis Kendall called the September 12, 2005 meeting of the Marysville City Council to order at 7:00 p.m. Pastor Greg Kanehen of the Marysville Free Methodist Church gave the invocation. Mayor Kendall then led those present in the Pledge of Allegiance.

ROLL CALL

Chief Administrative Officer Mary Swenson gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Dennis Kendall

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

Staff: Robert Carden, Police Chief; Sandy Langdon, Finance Director; Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney, Gloria Hirashima, Community Development Director; Paul Roberts, Public Works Director; Jim Ballew, Parks and Recreation Director, Ryan White, Legal Intern and Laurie Hugdahl, Recording Secretary.

Councilmember Lisa Vares was not present at the meeting.

COMMITTEE REPORTS

Councilmember Seibert reported on the September 9 Public Works Committee meeting. Topics discussed at that meeting included: surface water billing, Navy contract, gas tax initiative, speed limit change near Cedarcrest golf course, sewer LIDs, and new regulations from the Health Department regarding serving water in the UGA.

PRESENTATIONS

None.

AUDIENCE PARTICIPATION

Jessica Gurley, City of Refuge Christian Church, 4411 -76th Street, Marysville, WA 98270.

Ms. Gurley made a presentation of a plaque to the Mayor and the Council in appreciation for their support of the church's community outreach endeavor, "Fun in the City 2005."

Joan Sprales, 14600 – 51st Avenue NE #35, Marysville, WA 98271.

Ms. Sprales discussed a complaint she had regarding police treatment at her home in Eagle Point Mobile Home Park.

Shannon Spooner, 14600 – 51st Avenue NE, #20, Marysville, WA 98271.

Ms. Spooner discussed a complaint about police treatment at Eagle Point Mobile Home Park. She related an incident where she felt she had been treated poorly by police when filing a report. She is concerned about safety in the neighborhood.

Katherine McCord, 606 Eagle View Drive, Granite Falls, WA 98252.

Ms. McCord is a former resident of Eagle Point Mobile Home Park. She expressed frustration at the lack of police responsiveness at the park. She said that the residents do not feel safe.

Barbara Romero, 14600 – 51st Avenue NE #20, Marysville, WA 98271.

Ms. Romero had numerous complaints regarding Barclays North, the developer who purchased the mobile home park. She discussed unannounced water and electricity shutoffs; raw sewage, asbestos and mold from demolished mobile homes; noise and shaking from demolition; damage to yard and garden, and the resulting stress and impact on her health.

Dwain Rawley, 14600 – 51st NE #108, Marysville, Wa 98271.

Mr. Rawley expressed his opinion that the safety and health walkthrough performed by the code enforcement officer was flawed because Eagle Point should not be considered a construction site at this time. Right now it is their home. He related complaints about the contractors including noise and threats. Specific issues that were not included in the inspection report included an open meter base, which is a danger to children, and an abandoned mobile home next to his that is filled with rotting garbage. He felt that Barclays North is not performing their job of managing the mobile home park.

Devin Spooner, 14600 – 51st Avenue NE #36, Marysville, WA 98271.

Mr. Spooner had issues with the safety practices of Barclays North and its contractors especially related to machinery and children in the area. He also cited an overabundance of rats and early morning machinery noise. He complained about treatment from the police department. Finally he stated that the mobile home park is now a terrible place to live because of all of these factors.

Kathy Rawley, 14600 – 51st Avenue NE #108, Marysville, WA 98271.

Ms. Rawley emphasized that the park is still their home, not a construction site. According to the law they are allowed time to relocate, but she emphasized that they are not being relocated. The homes are being demolished because there is no place to put them and no money to move them. She displayed over 150 e-mails and letters written to city, county and state officials and Barclays North. She claims they have been largely ignored. She requested that Barclays North stop the development until the residents are gone.

DISCUSSION ITEMS

None.

APPROVAL OF MINUTES.**A. July 25, 2005 City Council Meeting.**

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

A. July 25, 2005 City Council Meeting.

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

CONSENT AGENDA ITEMS

- A. Approval of July 29, 2005 Claims in the Amount of \$731,657.92; Paid by Check No. 24340 through 24455 with Check No 24209 Void.**
- B. Approval of August 3, 2005 Claims in the Amount of \$137,782.52; Paid by Check No. 24456 through 24569.**
- C. Approval of August 10, 2005 Claims in the Amount of \$542,932.14; Paid by Check No. 24570 through 24746.**
- D. Approval of August 17, 2005 Claims in the Amount of \$805,523.85; Paid by Check No. 24747 through 24858 with Check No. 24701 Void.**
- E. Approval of August 24, 2005 Claims in the Amount of \$2,162,577.21; Paid by Check No. 24859 through 25051 with Check No. 24700, 24917, and 25036 Void.**
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- G. Approval of September 7, 2005 Claims in the Amount of \$741,387.05; Paid by Check No. 25170 through 25316 with Check No. 24809 Void.**
- H. Approval of August 5, 2005 Payroll in the Amount of \$817,123.75; Paid by Check No. 14837 through 14923.**
- I. Approval of August 19, 2005 Payroll in the Amount of \$522,536.28; Paid by Check No. 14924 through 14996.**
- J. Approval of September 2, 2005 Payroll in the Amount of \$826,286.99; Paid by Check No. 14997 through 15077.**
- K. Approval of Liquor License Renewals for Mai's Restaurant (9501 State Avenue #F); Don's Restaurant (1216 Fourth Street); Safeway Store #1485 (1258 State Avenue); J.R.'s (1352 State Avenue); Smokey's Cascadia (210 State Avenue); and Marysville Shell & Food Court (11601 State Avenue).**

- L. **Approval of Liquor License Renewals for 4th Street Market (1212 Fourth Street); Nobel Palace (1212 State Avenue Ste. B); and Taqueria La Jaliscience (409 State Avenue).**
- M. **Approval of New Liquor License for Marysville Grocery Outlet (9620 State Avenue).**
- N. **Amend Salary Commission Duties.**
- O. **Waive Requirement to Annex Subject to Property Owner(s) Recording of Annexation Covenant; ONO Annexation; PA 05012.**
- P. **Accept the Edward Springs Treatment Facility Project as Complete And Begin 45-Day Lien Filing Period.**
- Q. **Affirm the Hearing Examiner's Decision to Approve the Rezone, Preliminary Plat, Utilization of Density Incentives, and Lifting of the 6-Year Forest Practices Moratorium; Kenley Rezone/Preliminary Plat; PA 05005.**
- R. **Approval of Amendment No. 2 to Coastal Zone Management 306 Grant Award G0500006 with Department of Ecology.**
- S. **Declare Items of Personal Property to be Surplus and Authorize the Sale or Disposal thereof.**
- T. **Supplemental Professional Services Agreement; KPFF Engineers; State Avenue (136th Street NE to 152nd Street NE) Preliminary Design.**
- U. **Proposed Speed Revision Ordinance – SR 528, Alder Street Vicinity to 47th Avenue N.E. and 74th Drive N.E. to SR 9.**
- V. **City of Everett Animal Shelter Interlocal Agreement.**

Mayor Kendall solicited audience comment on any items on the consent agenda. There was none. He then solicited council discussion on any items consent agenda items. There was none.

Motion made by Councilmember Soriano; seconded by Councilmember Nehring to approve consent agenda items A-V. Motion passed unanimously (6-0).

REVIEW BIDS

None.

PUBLIC HEARINGS

None.

CURRENT BUSINESS

None.

NEW BUSINESS

None.

LEGAL

None.

ORDINANCES AND RESOLUTIONS

- A. An Ordinance of the City of Marysville Amending Parts of Ordinance No. 829 Section 2, Codified as Marysville Municipal Code Section 3.92.010 Relating to Gambling State Laws Adopted by Reference Adding RCW 9.4.196 "Cheating – Defined" and RCW 9.46.1962 "Cheating in the Second Degree" and Amending Ordinance 829 Section 19, Codified as 3.92.190 Violations – Penalty; and Severability.**

Motion made by Councilmember Vaughan; seconded by Councilmember Wright to approve Ordinance 2591. Motion passed unanimously (6-0).

- B. An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area Known as the Farrington Annexation into the City of Marysville.**

Councilmember Phillips indicated that he would be abstaining from this vote. **Motion** made by Councilmember Wright; seconded by Councilmember Vaughan to approve Ordinance 2592. Motion passed unanimously (5-0) with Councilmember Phillips abstaining.

- C. An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area, Known as the Miklautsch Annexation into the City of Marysville.**

Motion made by Councilmember Seibert; seconded by Councilmember Vaughan to approve Ordinance 2593. Motion passed unanimously (6-0).

- D. An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Subsection 2.51.040(1) Relating to the Duties of the Salary Commission.**

Motion made by Councilmember Soriano; seconded by Councilmember Phillips to approve Ordinance 2594. Motion passed unanimously (6-0).

- E. An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Jordan Annexation Area into the City of Marysville.**

Motion made by Councilmember Wright; seconded by Councilmember Seibert to approve Ordinance 2595. Motion passed unanimously (6-0).

F. An Ordinance of the City of Marysville Creating a New Code Section Codified as 11.04.032 Establishing the Maximum Speed Limits on SR 528 between Mile Post 0.49 (Alder Street Vicinity) and Mile Post 0.80 (47th Avenue Northeast) and on SR 528 between Mile Post 2.54 (74th Drive Northeast Vicinity) and State Route 9; and Severability.

Motion made by Councilmember Vaughan; seconded by Councilmember Nehring to approve Ordinance 2596. Motion passed unanimously (6-0).

G. An Ordinance of the City of Marysville Affirming the Decision of the Hearing Examiner and Rezoning Properties Owned by Alta Brodie Amending the Official Zoning Map of the City.

Motion made by Councilmember Nehring; seconded by Councilmember Soriano to approve Ordinance 2497. Motion passed unanimously (6-0).

H. A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.

Motion made by Councilmember Nehring; seconded by Councilmember Vaughan to approve Resolution 2152. Motion passed unanimously (6-0).

I. Marysville School District Bond Measure on the Ballot September 20, 2005.

Chief Administrative Officer Mary Swenson explained that because the health of the schools plays such a vital role in economic development, staff was suggesting that Council take a position in asking voters to approve the bond issue. Discussion by councilmembers followed.

- Donna Wright stated that she would be in favor of encouraging citizens to vote in favor of this.
- Jeff Seibert spoke in favor of supporting the schools as a private citizen and encouraging others to support the schools.
- Jeff Vaughan stated that he supported the passage of the bond; however he was concerned with the precedent it might set of the Council taking a certain position.

City Attorney Grant Weed noted that state law allows councils to take position on certain items on the agenda as long as certain rules are followed. With regard to precedent setting, Mr. Weed agreed that there could be expectations in the future, but the Council would not be required to take a stand. Ms. Swenson explained that there would be equal time allowed to the public.

- Jeff Seibert referred to other instances when the council had taken a stand on issues.
- Jon Nehring agreed with Councilmember Vaughan. He was not comfortable with precedent that this would set.

- Lee Phillips spoke in favor of supporting the bond, but had mixed feelings about endorsing support of the bond.
- John Soriano spoke in favor of supporting schools. He stated that the benefit is not just for schools and teachers, but that it would help to improve the quality of life for the whole community.

Motion made by Councilmember Seibert; seconded by Councilmember Wright to adopt Resolution 2153 - *Option A: A Resolution Supporting Proposition No. 1 of the Marysville School District relating to General Obligation Bonds on the Ballot September 20, 2005.*

Public Comment:

Mayor Kendall solicited public comment on the issue.

Melissa Phillips, 4319 – 150th Street NE, Marysville, WA.

Ms. Phillips stated that she graduated from Marysville Pilchuck High School in 2000. She discussed problems from the perspective of students as a result of the lack of funding for schools. She suggested that the extra support that might be given by Council could be critical.

A roll call vote was taken and the **motion** passed 4-2 with Councilmembers Vaughan and Nehring voting against.

J. A Resolution of the City of Marysville Supporting Proposition No. 1 of the Marysville School District Relating to General Obligation Bonds on the Ballot September 20, 2005.

See above.

K. A Resolution of the City of Marysville Urging Voters to Vote on September 20, 2005 Concerning Proposition No. 1 of the Marysville School District Relating to General Obligation Bonds.

No action taken. See above.

INFORMATION ITEMS

A. Mayor's Business

1. Park Board Appointments.

Motion made by Councilmember Nehring; seconded by Councilmember Seibert to approve the appointment of Melissa Phillips to fill the vacated position of Aaron Soper with the term to expire February 28, 2008. Motion passed unanimously (5-0) with Councilmember Lee Phillips abstaining.

Motion made by Councilmember Seibert; seconded by Councilmember Vaughan to approve the appointment of Brooke Hougan to fill the vacated position of Margaret Natterstad with the term to expire February 28, 2007. Motion passed unanimously (6-0).

2. Planning Commission Re-Appointments.

Motion made by Councilmember Wright; seconded by Councilmember Nehring to approve the reappointment of Dave Voigt and Deirdre Kvangnes to the Marysville Planning Commission with the term for both to expire on August 2, 2011. Motion passed unanimously (6-0).

Other Business:

Mayor Kendall noted that Touch a Truck was a booming success. He congratulated Jim Ballew, Paul Roberts and other staff members for their hard work.

B. Staff Business

Jim Ballew had no further comments.

Ryan White had no comments.

Paul Roberts commended all involved in Touch a Truck.

Gloria Hirashima had no further comments.

Grant Weed stated that they would be having a lengthy executive session. He had one pending and one potential litigation item. No action would be taken, but he and Ms. Swenson would need about one hour total.

Mary Swenson explained that she had one personnel and one property item to discuss in executive session. She added that Chief Carden had excused himself to have a meeting with the residents of the Eagle Point Mobile Home Park to discuss some of their concerns mentioned earlier.

Sandy Langdon had no further comments.

C. Call on Councilmembers

Lee Phillips stated that Touch a Truck and the Show and Shine at Public Works were great events.

John Soriano agreed that Touch a Truck had a great turnout. He was pleased that KZOK had made a plug for the event.

Jon Nehring asked about sending the retiring board members a thank you. Mary Swenson indicated that they would do that. Mr. Nehring then referred to the Eagle Point situation and asked what Council could do. Ms. Swenson explained that they have very limited options, which they have communicated to the residents numerous times. Grant Weed concurred. He noted that the developer now has control of the property. The City might be able to discuss with the developer some of the specific issues brought up by the residents, but legally there is not much the City can do.

Chief Carden returned to the room and explained that there is a lot of frustration by the residents. The police department has increased patrols out there, is documenting more, has committed a commander to attend their monthly meetings and will work to help them feel safe and demonstrate mutual respect out there.

Jeff Vaughan expressed concern about the report that abandoned homes might be used for illegal activity. Chief Carden said he was not aware of this, but would look into it.

Jeff Seibert asked about the City's response to Mr. Rawley's code enforcement issues. Ms. Hirashima stated that it is the City's procedure to respond, but she would confirm that this happened. Councilmember Seibert stated that he has had similar issues with developers and wants to be sensitive to the situation.

He then thanked Mayor Kendall for taking care of having the light fixed over the weekend. He asked Chief Carden about a citizen issue with the traffic pattern at Cedarcrest School. Mayor Kendall stated that the Traffic Safety Committee is addressing the traffic pattern issue right now. Chief Carden said to have the citizen contact him.

Donna Wright complimented the Touch a Truck event, especially the endurance of the firefighter and police officer involved in lifting children up onto the vehicles. She announced that the Soroptimists would be holding their auction on October 14 and distributed invitations to councilmembers.

Jeff Vaughan complimented the improved City of Marysville website. There was consensus that it looks great.

ADJOURNMENT

Mayor Kendall recessed at 8:30 p.m. into executive session, which was scheduled to begin at 8:35 p.m. There were one pending litigation, one potential litigation, one property and one personnel items to be discussed.

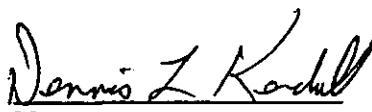
EXECUTIVE SESSION

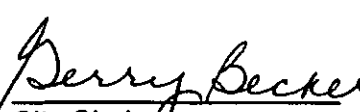
Council met in Executive Session at 8:35 p.m.; discussed one pending and one potential litigation item, one personnel item, and one real estate item.

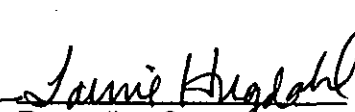
ADJOURNMENT

Council reconvened into Regular Session at 9:35 p.m., took no further action, and adjourned.

Approved this 26th day of September, 2005.


Mayor
Dennis Kendall


City Clerk
Gerry Becker


Recording Secretary
Laurie Hugdahl

ORIGINAL

00261

MARYSVILLE CITY COUNCIL WORK SESSION

SEPTEMBER 6, 2005

7:00 P.M.

CITY HALL

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the September 6, 2005 work session of the Marysville City Council to order at 7:05 p.m. There was no invocation given. Mayor Kendall led those present in the Pledge of Allegiance.

ROLL CALL

Chief Administrative Officer Mary Swenson gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Dennis Kendall

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

Staff: Robert Carden, Police Chief; Sandy Langdon, Finance Director; Mary Swenson, Chief Administrative Officer; Cheryl Beyer, City Attorney, Gloria Hirashima, Community Development Director; Janis Lamoureux, Communications Officer, Commander Robb Lamoureux, Paul Roberts, Public Works Director; Jim Ballew, Parks and Recreation Director and Laurie Hugdahl, Recording Secretary.

Councilmember Lisa Vares was not in attendance.

COMMITTEE REPORTS

Councilmember John Soriano reported that the LEOFF I Board reviewed and approved three claims at their last meeting.

PRESENTATIONS

Motion made by Councilmember Nehring, seconded by Councilmember Seibert to allow a brief presentation regarding the recent Hurricane Katrina disaster. John Still, a citizen who will be hosting a family fleeing from the devastation in the south, discussed ways that Marysville citizens might be able to help other victims of the hurricane. He discussed the potential of large numbers of evacuees coming to this area for temporary housing. He requested assistance from the City in setting up a telephone line at City Hall and a website to help coordinate efforts. He is planning to create and distribute a list of ways that interested citizens can help. Suzanne Smith suggested the importance of having the city help support the host families in the community.

Mayor Kendall read a proclamation, proclaiming September 11, 2005 "9-1-1 Day" in the City of Marysville and encouraging all citizens to recognize the importance of 9-1-1 service to the health and safety of us all. He offered a salute to the public safety providers on whom we rely every day; and presented a copy of the proclamation to Commander Robb Lamoureux and Communications Officer Janis Lamoureux.

ACTION ITEMS

None.

DISCUSSION ITEMS

None.

OTHER ITEMS SCHEDULED FOR SEPTEMBER 12, 2005 MEETING

APPROVAL OF MINUTES.

A. July 25, 2005 City Council Meeting.

B September 6, 2005 City Council Work Session.

CONSENT AGENDA ITEMS

A. Approval of July 29, 2005 Claims in the Amount of \$731,657.92; Paid by Check No. 24340 through 24455 with Check No. 24209 Void.

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E. Approval of August 24, 2005 Claims in the Amount of \$2,162,577.21; Paid by Check No. 24859 through 25051 with Check No. 24700, 24917, and 25036 Void.

F. Approval of August 31, 2005 Claims.

G. Approval of September 7, 2005 Claims.

H. Approval of August 5, 2005 Payroll in the Amount of \$817,123.75; Paid by Check No. 14837 through 14923.

I. Approval of August 19, 2005 Payroll in the Amount of \$522,536.28; Paid by Check No. 14924 through 14996.

J. Approval of September 2, 2005 Payroll.

K. Approval of Liquor License Renewals for Mai's Restaurant (9501 State Avenue #F); Don's Restaurant (1216 4th Street); Safeway Store #1485 (1258 State Avenue); J.R.'s (1352 State Avenue); Smokey's Cascadia (210 State Avenue); and Marysville Shell & Food Court (11601 State Avenue).

There were no comments or questions regarding this item.

L. Approval of Liquor License Renewals for 4th Street Market (1212- 4th Street); Noble Palace (1212 State Avenue Ste. B); and Taqueria La Jaliscience (409 State Avenue).

There were no comments or questions regarding this item.

M. Approval of New Liquor License for Marysville Grocery Outlet (9620 State Avenue).

There were no comments or questions regarding this item.

N. Amend Salary Commission Duties.

Mayor Kendall explained that the amendment would provide for members to meet yearly as opposed to every other year.

O. Waive Requirement to Annex Subject to Property Owner(s) Recording of Annexation Covenant; ONO Annexation; PA05012.

Gloria Hirashima explained that they had tried to expand the area and were unsuccessful. Staff is recommending waiving the requirement to annex.

P. Accept the Edward Springs Treatment Facility Project as Complete and Begin 45-Lien Filing Period.

There were no comments or questions regarding this item.

Q. Affirm the Hearing Examiner's Decision to Approve the Rezone, Preliminary Plat, Utilization of Density Incentives, and Lifting of the 6-year Forest Practices Moratorium; Kenley Rezone/Preliminary Plat; PA 05005.

Gloria Hirashima noted that this is the Hearing Examiner's decision for the Kenley Rezone/Preliminary Plat. She discussed the decision and staff recommendations.

R. Approval of Amendment No. 2 to Coastal Zone Management 306 Grant Award G050006 with Department of Ecology.

Ms. Hirashima explained that the Community Development Department had received an additional Coastal Zone Management grant award to pay for consultant cost overruns and allow staff to complete the SMMP update on time. There were no questions for Ms. Hirashima.

S. Declare Items of Personal Property to be Surplus and Authorize the Sale or Disposal thereof.

There were no comments or questions regarding this item.

REVIEW BIDS

A. State Avenue (116th Street N.E. to 136th Street N.E.) Roadway Improvement Project.

This item was removed from the agenda, but will be included in the next cycle.

PUBLIC HEARINGS

None.

CURRENT BUSINESS

None.

NEW BUSINESS

A. Supplemental Professional Services Agreement; KPFF Engineers; State Avenue (136th Street NE to 152nd Street NE) Preliminary Design.

Paul Roberts explained that this PSA will enable KPFF Engineers to continue the work they are doing. There were no questions for Mr. Roberts.

B. Proposed Speed Revision Ordinance – SR 528, Alder Street Vicinity to 47th Avenue N.E. and 74th Drive N.E. to SR 9.

Mr. Roberts noted that council has already taken action on this, but this is the authorization from WSDOT to approve the action.

C. City of Everett Animal Shelter Interlocal Agreement.

Chief Robert Carden explained that this is a standard agreement that is renewed each year. He pointed out the increase from \$60 to \$80 of the fee per animal brought in from Marysville. The City would be responsible for the costs of animals brought in if the owners do not pay. He noted that they are looking at alternatives to reduce these costs. One option is to offer free animal licenses to avoid having the majority of animals taken to shelters. Ms. Swenson suggested bringing this option forward to Council for consideration.

LEGAL

None.

ORDINANCES AND RESOLUTIONS

A. An Ordinance of the City of Marysville Amending Parts of Ordinance No. 829 Section 2, Codified as Marysville Municipal Code Section 3.92.010 Relating to Gambling State Laws Adopted by Reference Adding RCW 9.46.196 "Cheating – Defined" and RCW 9.46.1962 "Cheating in the Second Degree" and Amending Ordinance 829 Section 19, Codified as 3.92.190 Violations – Penalty; and Severability.

There were no comments or questions regarding this item.

B. An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area, Known as the Farrington Annexation into the City of Marysville.

There were no comments or questions regarding this item.

C. An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area, Known as the Miklautsch Annexation into the City of Marysville.

Gloria Hirashima commented that this annexation and the Farrington annexation would be effective on November 1.

D. An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Subsection 2.51.040(1) Relating to the Duties of the Salary Commission.

Discussed above.

E. An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Jordan Annexation Area Into the City of Marysville.

Discussed above.

F. An Ordinance of the City of Marysville Creating a New Code Section Codified as 11.04.032 Establishing the Maximum Speed Limits on SR 528 between Mile Post 0.49 (Alder Street Vicinity) and Mile Post 0.80 (47th Avenue Northeast) and on SR 528 between Mile Post 2.54 (74th Drive Northeast Vicinity) and State Route 9; and Severability.

Discussed above.

G. An Ordinance of the City of Marysville Affirming the Decision of the Hearing Examiner and Rezoning Properties Owned by Alta Brodie Amending the Official Zoning Map of the City.

Discussed above – Kenley Rezone/Preliminary Plat.

H. A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.

Discussed above.

I. A Resolution of the City of Marysville Supporting the Marysville School District Construction Bond Measure on the Ballot September 20, 2005.

There was discussion about the pros and cons of recommending that citizens vote in favor of this versus just urging citizens to vote. There was consensus to bring forward two different versions of this resolution next week for consideration.

INFORMATION ITEMS

A. Mayor's Business

Mayor Kendall explained that the County Executive has requested his presence at a meeting with the County and State Department of Emergency Management going over different scenarios of refugees coming to a three-county area in this state. He has heard estimates of the possibility of from 1,000 and 10,000 people being relocated here from the devastated area. There was some discussion about the impacts that this would have on the community and the region. Councilmember Jeff Seibert discussed the Community Block Grant Development Committee's goal of ending homelessness in the next ten years. He commented that this would have an impact on that goal.

Mayor Kendall then noted that the new Fall *Marysville Messenger* would be going in the mail tomorrow. He also commented that the National Night Out was a big success.

B. Staff Business

Sandy Langdon:

- Apologized for not having the paperless agenda up and running. She stated that there were unexpected issues with the Microsoft conversion, but they have a deadline of November 1.

- The Finance Committee meeting has been moved to the third week.
- The audit is now complete after five weeks of intense work by the Finance Department.

Paul Roberts commended Ms. Langdon's department for the grueling work they endured with the audit. He noted that the Public Works Committee would be meeting on Friday at 2:00 p.m. Touch a Truck will be held this weekend. There will be a barbeque and car show on Friday at Public Works.

Gloria Hirashima had no further comments.

Chief Carden stated that they may be sending some folks down to help with the Katrina situation. They have received a request, but are still waiting for final information.

Jim Ballew:

- Referred to the positive comments they have received regarding the new Waterfront Park.
- He noted that Touch a Truck would be this weekend.
- He added that the after school programs will be starting next week. He stated that the Tulalip Tribes had donated funds for the program. Mayor Kendall added that the Tribes had also contributed money to the police department. There was discussion about sending a formal thank you to the Tulalip Tribes.

Cheryl Beyer had no further comments.

Mary Swenson:

- She announced that they have a new legal intern, Ryan White, who has been a great help.
- Department heads have been working on the budget. Workshops may be in October.
- She had two items for the Executive Session.

C. Call on Councilmembers

Lee Phillips:

- Asked how soon the newly annexed areas would be able to vote. Ms. Hirashima responded that it would be immediately upon annexation.
- Mr. Phillips then suggested adding a link to the front page of the City of Marysville website for Katrina assistance information.
- He commended Sandy Langdon for her work on the audit and Jim Ballew for the Waterfront Park.
- He noted that the National Night Out was very effective at Comeford Park.

Jeff Vaughan:

- Referred to a ministerial organization in the City that might be helpful with the refugees to our area. He encouraged including them in the City's efforts.
- He then discussed the need for clarity about responsibilities of all city leaders in the event of an emergency. He discussed having a small card with important numbers

on it that could be carried in a wallet. Ms. Swenson concurred and suggested that a drill would also be helpful.

- Mr. Vaughan then commended Jim Ballew and his staff for the work they had done on the concerts in the parks. He had received a lot of positive comments from citizens about those.

Jeff Seibert:

- Concurred that the National Night Out was a success.
- He suggested that staff consider the impacts of the rising prices of gas in the budget.
- He then stated that he was impressed with the high quality of the boat launch at the Waterfront Park and the large number of boats utilizing the launch.
- He referred to a petition included in their packets from a resident on 80th Street.
- Finally he mentioned that Willow Run appeared to have changed from solely senior housing to something else and he wondered if staff was aware of this. Ms. Hirashima indicated they would review the situation.

Jon Nehring:

- Agreed that the Waterfront Park is great. He thanked Jim Ballew for his hard work.
- He then commended Sandy Langdon for her work on the audit.
- He agreed with Jeff Vaughan's suggestion to be well prepared and drill for an emergency. He stated that he would also like to see a grid of the city with plans for emergency policing, housing, etc. Chief Carden explained that the Emergency Operations Plan addresses those things and more. The EOP is regularly updated and drilled. There are also emergency plans for the fire department and public works. Chief Carden stated that they have activated the EOP three times already and it seems to work smoothly. He suggested including council in the next exercise.
- Mr. Nehring then referred to a letter regarding the gas station by Safeway. Mayor Kendall explained that he had responded that it is a traffic issue on private property so the City has no jurisdiction. This was discussed briefly.

John Soriano noted that a few years ago he had attended an Emergency Preparedness course at the county level where they had discussed how certain equipment would be available for use in an emergency. He complimented National Night Out and the Waterfront Park. He stated that he had attended the open house at Lakewood Elementary and was very impressed.

Donna Wright concurred that all the events were great. She noted that the Round Robin Artists Association had contacted her about displaying their work. Mary Swenson suggested having them contact her.

Mayor Kendall added that there would be a brief observance of 9-11 at the library on Friday at 10 a.m.

ADJOURNMENT

Mayor Kendall recessed into Executive Session at 8:45 p.m. Executive Session was scheduled to begin at 8:50 and to last 45 minutes. There was one real estate item and one personnel item. Action would be taken on one item.

EXECUTIVE SESSION

Council met in Executive Session at 8:50 p.m.; discussed one real estate item and reconvened into Regular Session at 8:58 p.m.

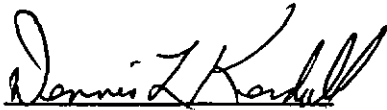
REGULAR SESSION

Council reconvened into Regular Session at 8:58 p.m. **Motion** by Councilmember Soriano, second by Councilmember Wright to authorize the Mayor to sign the Amendment to the Voluntary Developer Mitigation Agreement with Patrick and Michelle Gogal as discussed in Executive Session. **Motion** carried unanimously.

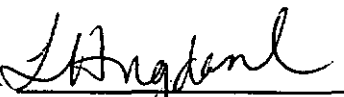
EXECUTIVE SESSION

Council met again in Executive Session at 9:00 p.m.; discussed one personnel item; reconvened into Regular Session at 9:20 p.m.; took no further action; and adjourned.

Approved this 19 day of September, 2005.


 Mayor
 Dennis Kendall


 City Clerk
 Gerry Becker


 Recording Secretary
 Laurie Hugdahl