

July 24, 2006

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

Call to Order/Invocation/Pledge of Allegiance	7:00 P.M.
Roll Call	
Approval of Amending the Agenda by Adding an Ordinance, Item Number 35.	Approved
Approval of Minutes	
Approval of June 26, 2006 City Council Meeting Minutes.	Approved
Approval of July 10, 2006 City Council Meeting Minutes.	Approved
Approval of July 17, 2006 City Council Work Session Minutes.	Approved
Consent Agenda	
Approval of July 5, 2006 Claims in the Amount of \$643,755.41; Paid by Check No. 31954 through 32096 with Check No. 30776, 22521, and 31730 Void.	Approved
Approval of July 12, 2006 Claims in the Amount of \$469,908.45; Paid by Check No. 32097 through 32244.	Approved
Approval of July 19, 2006 Claims in the amount of \$3,105,631.04; Paid by Check No. 32245 through 32412 with Check No. 31660 Void.	Approved
Approval of July 5, 2006 Payroll in the Amount of \$994,349.97; Paid by Check No. 16411 through 16496.	Approved
Approval of July 20, 2006 Payroll in the Amount of \$639,142.14; Paid by Check No. 16497 through 16573.	Approved
Approval of Application for North City Taxi to Operate a For-Hire Business in Marysville.	Approved
Approval of Liquor License Renewals for Don's Restaurant (1216 4th St.); Marysville Deli & Video (922 State Avenue Suite B); Safeway Store #1485 (1258 State Avenue); JR's (1352 State Avenue); Boondocker's Café (1008 Cedar Avenue); Smokey's Cascadia (210 State Avenue); and Marysville Shell & Food Court (11601 State Avenue NE).	Approved
Authorize Mayor to Sign Professional Services Supplemental Agreement No. 1 with CIC Valuation Group, Inc. for Appraisal Work on the State Avenue Corridor Improvements (116th Street NE to 152nd Street NE) Project.	Approved
Approval of Final Plat for Berrywoods Phase 1; PA 05053.	Approved
Authorize Mayor to Sign Mutual Aid Agreement with EWUC.	Approved
Approval of Professional Services Supplemental Agreement No. 1 for Construction Management on the Sunnyside 3MG Reservoir Project; MWH Americas, Inc.	Approved
Authorize the Allocation of Hotel/Motel Tax Revenues as Recommended by the Hotel/Motel Committee.	Approved
Approval of Professional Services Agreement with RH2 Engineering for Edward Springs Well 1R Development Project.	Approved
Approval of WaveBroadband Cable System Franchise.	Approved
Approval of Interlocal Agreement with the City of Arlington for Surface Water Billing Services.	Approved
Review Bids	

Marysville City Council
7:00 p.m.

July 24, 2006

City Hall

2006 Sewer Replacement Project.	Approved
Sunnyside 3 MG Reservoir Project.	Approved
Public Hearings	
Current Business	
New Business	
Surface Water Utility Billing.	Approved
Legal	
Ordinances and Resolutions	
An Ordinance of the City of Marysville, Washington Amending Chapters 14.05, 14.07, and 14.19 of the Marysville Municipal Code Relating to Policies and Procedures for the City's Surface Water Utility.	Approved Ord. No. 2654
An Ordinance of the City of Marysville, Washington Authorizing the Condemnation, Appropriation, Taking and Damaging of Land and Other Property for Purposes of Widening State Avenue from Two Lanes to Five Lanes and Constructing Curbs, Gutters and Sidewalks from Approximately 136th Street N.E. to Approximately 152nd Street N.E., Marysville, Washington.	Approved Ord. No. 2655
An Ordinance of the City of Marysville Repealing the Section of Ordinance 2131 Codified at MMC 19.20.070 Relating to Sign Permit Fees.	Approved Ord. No. 2656
An Ordinance of the City of Marysville Granting a Franchise to WaveDivision I, LLC to Operate a Cable Television System in City Rights-of-Way.	Approved Ord. No. 2657
An Ordinance of the City of Marysville, Washington, Amending MMC 16.04.030 to Adopt Appendix B of the International Building Code Related to Administrative Procedures for the Board of Appeals.	Approved Ord. No. 2658
An Ordinance regarding a temporary moratorium on single-family dwellings in Multiple Family zones (R12-R28).	Approved Ord. No. 2659
Information Items	
Mayor's Business	
Planning Commission Re-Appointment – Steve Muller.	Approved
Park Board Re-Appointment – John Myers.	Approved
Marysville Board of Appeals Appointments.	Approved
Staff Business	
Approval of new positions related to annexations.	Approved
Call on Councilmembers	
Authorize staff to craft a letter from the Marysville City Council to the County asking them to place a moratorium on air space condominiums.	Approved
Adjournment	9:51 p.m.
Executive Session	9:55 p.m.
Potential Litigation – 2 Items	No Action Taken
Personnel – 2 items	
Adjournment	10:30 p.m.

Marysville City Council Meeting

July 24, 2006

7:00 p.m.

City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the July 24, 2006 meeting of the Marysville City Council to order at 7:00 p.m. The invocation was given by Pastor Tom Albright of Marysville United Methodist Church. 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: Mayor Pro Tem Jon Nehring, Lee Phillips, Carmen Rasmussen, 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; Paul Roberts, Public Works Director; John Turner, Interim Chief of Police; Kevin Nielsen, City Engineer; Jim Ballew, Parks and Recreation Director; Gerry Becker, City Clerk; and Laurie Hugdahl, Recording Secretary.

COMMITTEE REPORTS

Councilmember Rasmussen reported on the July 12 Parks and Recreation Board meeting. At that meeting there was an introduction of the new Athletic Coordinator to the Board. There was also discussion of grant application submittals. Since there was not a quorum, no action was taken.

Councilmember Lee Phillips reported on the TV Advisory Committee. He noted that capital improvement plans are being finalized and will be coming to the Council in September.

Councilmember John Soriano reported that the LEOFF 1 Committee reviewed and approved three claims.

Councilmember Jeff Seibert reported that the Finance Committee discussed the following at their July 19 meeting: Paperless agenda testing going on now; MUNIS upgrade and server replacement update; 2005 audit update; 2006 Budget Workshop scheduled for October 16-20. Due to printing costs, this year they will not be printing hard copies for the public unless requested. The budget information will be available on the website for those interested; CPI came out; benefits going up 8-9%; Utility billing surface water for Arlington; Technology update – Temporary person filling in for Network Administrator position; Archiving on hold for now.

Motion made by Councilmember Wright; seconded by Councilmember Seibert to amend the agenda to add an ordinance, item 35, to the agenda. **Motion** passed unanimously (7-0).

PRESENTATIONS

27. Proclamation: Honoring Ray & Dorothy Stanton. Mayor Kendall read the proclamation declaring July 26, 2006 as *Ray and Dorothy Stanton Day* for their incredible service to the City. Mrs. Stanton was in attendance and received a beautiful award for her and her husband in honor of the occasion.
28. Proclamation: Honoring Marysville Little League and Teams. Mayor Kendall read a proclamation delegating the week of July 24, 2006 as Marysville Little League Week in the City of Marysville and invited all citizens to join in honoring the Marysville Little League Association and its members and players in celebrating their accomplishments.
29. Employee Service Awards. The following employees received accolades from their supervisors and the appreciation from the Mayor:
 - Sandy Langdon, Finance Director – 5 Years.
 - Stephen Moore, Building Inspector – 10 Years.
 - Mike Buell, Police Officer – 5 Years.
 - Wallace Forslof, Police Officer – 5 years.
 - Bronwyn Kieland, Police Officer – 5 Years.
 - David Coleman, Police Officer – 5 Years.
30. Review of I-933 Property Fairness Initiative: Grant Weed & Paul Roberts presented a summary of I-933 and discussed some of the issues that would be associated with the initiative.

AUDIENCE PARTICIPATION

Dawn Everett, 4401 – 80th Street NE #41, Marysville.

Ms. Everett spoke regarding dogs at large. She is very concerned about unrestrained dogs and the lack of response she has received from the City. She suggested that city planners take a look at dog bite prevention programs. She wants to feel safe and wants the City to look at its leash laws.

Councilmember Nehring asked Interim Police Chief Turner if an animal control officer could be of assistance. Chief Turner stated that unless the dog is acting aggressively they do not respond. Councilmember Nehring requested information regarding leash laws. He was informed that in Marysville the requirement is that the dog be on a leash or under verbal control by its owner. There was discussion about the reality of owners who think their animals are under verbal control, but may not be. Councilmember Rasmussen also noted that the vagueness of "a dog acting aggressively" needs to be addressed in the code. Councilmember Nehring spoke in support of a leash law.

Lela Wall, 8016 – 60th Drive NE #1, Marysville.

Ms. Wall spoke regarding concerns about the handling of the dispatch center and its employees. Chief Administrative Officer Mary Swenson explained that this is a communication issue between MPOA and the employees. She was not able to communicate directly with employees and relies on the MPOA to communicate the information with them. Ms. Wall also suggested that the delegation of duties be reexamined.

Janice Lamoureux, 8103 – 76th Place NE.

Ms. Lamoureux clarified that Ms. Wall was suggesting that a new communications position be created with functions under MPOA domain.

City Attorney Grant Weed explained that staff and the elected officials are prohibited from discussing these issues with employees. They must be communicated via the union.

Patricia Duemmell, Marysville Police Department.

Ms. Duemmell said she has been working with the MPOA, the Teamsters and dispatch. She stated that they have not met with the City to discuss the new records position and there has been no communication with the City.

APPROVAL OF MINUTES.

1. Approval of June 26, 2006 City Council Meeting Minutes.

Motion made by Councilmember Wright; seconded by Mayor Pro Tem Nehring to approve the June 26, 2006 minutes as presented. **Motion** passed unanimously (7-0).

2. Approval of July 10, 2006 City Council Meeting Minutes.

Motion made by Councilmember Nehring; seconded by Councilmember Vaughan to approve the minutes as presented. **Motion** passed unanimously (7-0).

31. Approval of July 17, 2006 City Council Work Session Minutes.

Councilmember Phillips referred to his comments at the top of page 6. He clarified that he had said that, "Citizens have been using less water this month of this year than this month of last year."

Councilmember Seibert referred to his comments regarding the senior citizen low-income discount at the top of page 4. He wanted to be sure it was understood that the discount would be 30%, not 70%.

Motion made by Councilmember Seibert; seconded by Councilmember Phillips to approve the July 17 minutes as amended. **Motion** passed unanimously (7-0).

CONSENT AGENDA

Councilmember Seibert requested the removal of item #32.

Motion made by Councilmember Wright; seconded by Councilmember Soriano to approve the following Consent Agenda items:

3. Approval of July 5, 2006 Claims in the Amount of \$643,755.41; Paid by Check No. 31954 through 32096 with Check No. 30776, 22521, and 31730 Void.
4. Approval of July 12, 2006 Claims in the Amount of \$469,908.45; Paid by Check No. 32097 through 32244.
5. Approval of July 19, 2006 Claims in the amount of \$3,105,631.04; Paid by Check No. 32245 through 32412 with Check No. 31660 Void.
6. Approval of July 5, 2006 Payroll in the Amount of \$994,349.97; Paid by Check No. 16411 through 16496.
7. Approval of July 20, 2006 Payroll in the Amount of \$639,142.14; Paid by Check No. 16497 through 16573.
8. Approval of Application for North City Taxi to Operate a For-Hire Business in Marysville.
9. Approval of Liquor License Renewals for Don's Restaurant (1216 4th St.); Marysville Deli & Video (922 State Avenue Suite B); Safeway Store #1485 (1258 State Avenue); JR's (1352 State Avenue); Boondocker's Café (1008 Cedar Avenue); Smokey's Cascadia (210 State Avenue); and Marysville Shell & Food Court (11601 State Avenue NE).
10. Authorize Mayor to Sign Professional Services Supplemental Agreement No. 1 with CIC Valuation Group, Inc. for Appraisal Work on the State Avenue Corridor Improvements (116th Street NE to 152nd Street NE) Project.
11. Approval of Final Plat for Berrywoods Phase 1; PA 05053.
12. Authorize Mayor to Sign Mutual Aid Agreement with EWUC.
15. Approval of Professional Services Supplemental Agreement No. 1 for Construction Management on the Sunnyside 3MG Reservoir Project; MWH Americas, Inc.
16. Authorize the Allocation of Hotel/Motel Tax Revenues as Recommended by the Hotel/Motel Committee.
17. Approval of Professional Services Agreement with RH2 Engineering for Edward Springs Well 1R Development Project.
18. Approval of WaveBroadband Cable System Franchise.

Motion passed unanimously (7-0) to approve Consent Agenda items 3-12 and 15-18.

32. Approval of Interlocal Agreement with the City of Arlington for Surface Water Billing Services.

Councilmember Seibert requested a summary of this. Sandy Langdon reviewed the terms of the agreement.

Motion made by Councilmember Seibert; seconded by Councilmember Vaughan to approve the Interlocal Agreement with the City of Arlington. **Motion** passed unanimously (7-0).

REVIEW BIDS

13. 2006 Sewer Replacement Project.

Motion made by Councilmember Soriano; seconded by Councilmember Nehring to authorize the Mayor to award the bid for the 2006 Sewer Replacement Projects project to Snelson Companies, Inc. in the amount of \$474,571.41 including Washington State Sales Tax, and approve a management reserve of \$24,000.00 for a total allocation of \$498,571.41. **Motion** passed unanimously (7-0).

14. Sunnyside 3 MG Reservoir Project.

Motion made by Councilmember Rasmussen, seconded by Councilmember Seibert to award the bid for the "Sunnyside 3 Million Gallon Reservoir Project" to the apparent low bidder, T Bailey, Inc. for a total amount including sales tax and management reserve of \$3,011,923.00 and authorize the Mayor to sign the contract documents. **Motion** passed unanimously (7-0).

PUBLIC HEARINGS – None.

CURRENT BUSINESS – None.

NEW BUSINESS – None.

19. Surface Water Utility Billing.

Staff reviewed the proposed code changes. There was consensus to insert language, at the top of page 7, regarding a reduction for public education institutions "in an amount of up to 100%". Councilmember Rasmussen noted that "fourth" should be corrected to "forth".

Motion made by Councilmember Wright; seconded by Councilmember Seibert to approve Ordinance No. 2654 with changes as discussed above. **Motion** passed unanimously (7-0).

Mary Swenson thanked Kari Chennault and acknowledged all the work she has done on this.

LEGAL – None.

ORDINANCES AND RESOLUTIONS

20. An Ordinance of the City of Marysville, Washington Amending Chapters 14.05, 14.07, and 14.19 of the Marysville Municipal Code Relating to Policies and Procedures for the City's Surface Water Utility.

Approved above on item 19, Ordinance No. 2654.

21. An Ordinance of the City of Marysville, Washington Authorizing the Condemnation, Appropriation, Taking and Damaging of Land and Other Property for Purposes of Widening State Avenue from Two Lanes to Five Lanes and Constructing Curbs, Gutters and Sidewalks from Approximately 136th Street N.E. to Approximately 152nd Street N.E., Marysville, Washington.

Motion made by Councilmember Nehring; seconded by Councilmember Rasmussen to approve Ordinance 2655, authorizing the condemnation, appropriation, taking and damaging of land and other property for the improvement of State Avenue from 136th Street NE to 152nd Street NE. **Motion** passed unanimously (7-0).

22. An Ordinance of the City of Marysville Repealing the Section of Ordinance 2131 Codified at MMC 19.20.070 Relating to Sign Permit Fees.

Motion made by Councilmember Vaughan; seconded by Councilmember Soriano to approve Ordinance 2656, repealing sign permit fees. **Motion** passed unanimously (7-0).

23. An Ordinance of the City of Marysville Granting a Franchise to WaveDivision I, LLC to Operate a Cable Television System in City Rights-of-Way.

Steve Schneider, local manager of WaveDivision I, was present for questions and to introduce himself.

Motion made by Councilmember Soriano; seconded by Councilmember Phillips to approve Ordinance 2657, granting a franchise to WaveDivision I, LLC to operate a cable television system in city rights-of-way. **Motion** passed unanimously (7-0).

33. An Ordinance of the City of Marysville, Washington, Amending MMC 16.04.030 to Adopt Appendix B of the International Building Code Related to Administrative Procedures for the Board of Appeals.

Councilmember Seibert requested an explanation of this ordinance. Community Development Director Gloria Hirashima explained that the City currently has on the books a process for forming a Board of Appeals, but needs to adopt the appendices stating the rules for the Board of Appeals.

Motion made by Councilmember Nehring; seconded by Councilmember Wright to adopt Ordinance 2658, regarding administrative procedures for the Board of Appeals. **Motion** passed unanimously (7-0).

35. An Ordinance regarding a temporary moratorium on single-family dwellings in Multiple Family zones (R12-R28).

Gloria Hirashima discussed issues associated with this type of development and the need for a temporary moratorium to allow the City to get appropriate rules in place.

Motion made by Councilmember Seibert; seconded by Councilmember Nehring to approve Ordinance 2659 regarding a temporary moratorium on single-family dwellings in Multiple Family zones. **Motion** passed unanimously (7-0).

MAYOR'S BUSINESS

24. Planning Commission Re-Appointment – Steve Muller.

Motion made by Councilmember Soriano; seconded by Councilmember Philips to confirm the re-appointment of Mr. Steve Muller to the Planning Commission serving a six-year term, which expires on August 2, 2012. **Motion** passed unanimously (7-0).

25. Park Board Re-Appointment – John Myers.

Motion made by Councilmember Rasmussen; seconded by Councilmember Wright to confirm the re-appointment of Mr. John Myers to the Park Board serving a three-year term, which expires on August 31, 2009. **Motion** passed unanimously (7-0).

34. Marysville Board of Appeals Appointments.

Motion made by Councilmember Wright; seconded by Councilmember Nehring to approve the following appointments to the Board of Appeals:

Robert Wicks – term to expire July 24, 2007
 Todd Borseth – term to expire July 24, 2008
 Ryan Lynn – term to expire July 24, 2009
 Harvey Jubie – term to expire July 24, 2010
 Mark A. Ossewaarde – term to expire July 24, 2011

Darren Peterson – alternate – term to expire July 24, 2011
 Mike Mulligan – alternate – term to expire July 24, 2011
 Alan Campbell – alternate – term to expire July 24, 2011

Motion passed unanimously (7-0).

MAYOR'S BUSINESS

Mayor Kendall requested receipts from Councilmembers from the Red Lion Inn, Spokane, for the AWC Conference.

He noted that the Governmental Affairs meeting was cancelled on Friday, but there was a Chamber breakfast meeting on Friday, July 28th.

The Public Works tour will be held on Saturday, September 16 beginning at 8:00 a.m.

STAFF BUSINESS

Jim Ballew:

- The National Softball Series came and went with a total of 128 games played in Marysville.
- The NRPR conference will be held in October.
- He invited all to the Concert in the Park on August 3 for a special performance.
- He stated that they now have 40 members in Healthy Communities.
- He thanked Mayor Kendall and the Council for recognizing the Stanton's.

Kevin Nielsen:

- He thanked Kari Chennault, Sandy Langdon, Martin Ginsburg and David Doop for their work on the Surface Water Utility Ordinance.
- He gave an update on the paving projects occurring around the city.
- He noted that they are working on the irrigation issue.

Gloria Hirashima:

- She noted that the Planning Commission is hopefully concluding their work on the small lot codes this week.
- The Gateway Committee held their first meeting last week. The consultants are working on different concepts for the gateways.
- The Boundary Review Board has a hearing scheduled for August 8.

Grant Weed:

- There were two pending litigation items and two personnel items for Executive Session. These were expected to take 15-20 minutes with no action expected.

Mary Swenson discussed the need for confirmation of staffing positions related to the annexations.

Motion made by Councilmember Seibert; seconded by Councilmember Rasmussen to authorize the following positions:

- 5 new police officers - if Sunnyside annexation moves forward
- 1 community service officer – immediately
- 1 clerical position/program specialist within Community Development – immediately

Motion passed unanimously (7-0).

Chief Turner:

- He invited everyone to attend National Night Out. He noted that the Command and Control vehicle will be in place and available for tours. He thanked Jim Ballew and Kayla Flynn for working hard on this event.

CALL ON COUNCILMEMBERS

Donna Wright:

- She will be out of town, in San Antonio for a public health meeting, the rest of the week and will miss the Public Safety meeting this Wednesday.
- Two evergreen trees at Jennings Park are not green anymore.

Jeff Seibert:

- He thanked Kevin Nielsen and Paul Roberts for working on the issue at 88th Street and State.
- He asked Kevin Nielsen if they can put up signs letting residents know about closures in advance.

Motion made by Councilmember Seibert; seconded by Councilmember Phillips to direct staff to craft a letter from the Council to the County asking them also to put a moratorium on air space condominiums. **Motion** passed unanimously (7-0).

Carmen Rasmussen:

- She asked if emergency preparedness information was ready for National Night Out. Chief Turner said that it was.
- She attended a very interesting biodiesel presentation at American Distributing Company.
- She thanked the police department for putting the trailer on Mr. Moses' street.

Lee Phillips:

- He thanked Chief Turner for the animal licensing information and asked for some more information from Chief Turner.
- The Gateway Committee's first meeting went very well.
- He thanked Dorothy Stanton for being at the meeting and for the dedication she and Mr. Stanton have given to the City.
- He encouraged enforcing the time limit for public comment and being consistent with the rules for public participation.

John Soriano:

- He thanked Gloria Hirashima for her work on the Gateway Committee.
- He thanked Dorothy Stanton for all she does for the City.

Jon Nehring:

- He referred to a letter he received regarding a foul smell near Biringer Farms. The Mayor explained that staff has taken care of this.

INFORMATION ITEMS – None.

EXECUTIVE SESSION

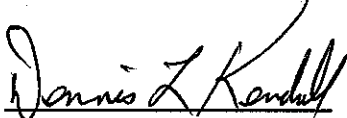
The meeting was recessed into Executive Session at 9:51 p.m.

Council met in Executive Session at 9:55 p.m. to discuss two litigation and two personnel matters.


ADJOURNMENT

Council reconvened into Regular Session at 10:30 p.m. and seeing no further business, Mayor Kendall adjourned the July 24, 2006 City Council meeting.

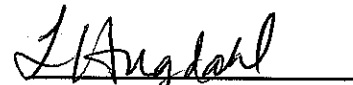
Approved this 11th day of September, 2006.



Mayor
Dennis Kendall



City Clerk
Gerry Becker



Recording Secretary
Laurie Huggahl