

September 11, 2006

Marysville City Council
7:00 p.m.

ORIGINAL 000261
City Hall

Call to Order/Invocation/Pledge of Allegiance	7:00 P.M.
Roll Call	
Approval of Minutes	
Approve July 24, 2006 City Council Meeting Minutes.	Approved
Approve August 3, 2006 City Council Special Meeting Minutes.	Approved
Approve September 5, 2006 City Council Work Session Minutes.	Approved
Consent Agenda	
Approve July 28, 2006 Claims in the Amount of \$278,874.57; Paid by Check No. 32413 through 32583 with Check No. 32330 Void.	Approved
Approve August 2, 2006 Claims in the Amount of (\$724,732.13); Paid by Check No. 32584 through 32725 with Check No. 32381 Void.	Approved
Approve August 9, 2006 Claims in the Amount of \$1,549,816.26; Paid by Check No. 32726 through 32886 with Check No. 7870, 7871, 31581, 32483, and 32488 Void.	Approved
Approve August 16, 2006 Claims in the Amount of \$1,419,224.48; Paid by Check No. 32888 through 33049 with Check No. 32556, 32820, and 32821 Void.	Approved
Approve August 23, 2006 Claims in the Amount of \$569,968.08; Paid by Check No. 33051 through 33231 with Check No. 32781, 32887, 33033, and 33050 Void.	Approved
Approve August 30, 2006 Claims in the Amount of \$894,591.29; Paid by Check No. 33232 through 33375 with Check No. 32777 Void.	Approved
Approve August 4, 2006 Payroll in the Amount of \$916,190.34; Paid by Check No. 16574 through 16663.	Approved
Approve August 18, 2006 Payroll in the Amount of \$567,992.89; Paid by Check No. 16664 through 16734.	Approved
Approve September 5, 2006 Payroll in the Amount of \$874,958.81; Paid by Check NO. 16735 through 16810 with Check No. 16796, 16797, 16799, and 16802 Void.	Approved
Approve Liquor License Renewals for Noble Palace (1212 State Avenue Ste. B); Ichi Bento Teriyaki (1205 State Avenue #E); and Taqueria La Jaliscience (409 State Avenue #B).	Approved
Approve New Liquor License Application for Target Store T-2192 (16818 Twin Lakes Avenue).	Approved
Authorize Mayor to Sign Timber Trespass Release and Covenant; Robert and Sylvia Stevens.	Approved
Authorize Mayor to Sign Flu Immunization Agreement with the Visiting Nurse Services of the Northwest.	Approved
Approve September 6, 2006 Claims in the Amount of \$1,212,446.90; Paid by Check No. 33376 through 33633.	Approved
Review Bids	
Approve Rejection of All Bids for Sale of Property Located at 6208 76 th Street N.E., Marysville.	Approved
Public Hearings	

Ordinance No. 2659 – Establishing a Moratorium on the Filing and Receipt of Applications for Detached Single Family Residential Permits Not Located on an Individual Lot, Providing for Severability, Declaring an Emergency, and Establishing an Effective Date.	Hearing
Current Business	
New Business	
Approve Agreement for Caretaker Services at Strawberry Fields Park; Justin and Amy Palitz.	Approved
Accept the 10% Notice of Intent and Authorize Circulation of the 60% Petition for the Annexation Boundary for the Lakewood South Annexation.	Approved
Approve the Professional Services Agreement with Pertect Inc. – Smokey Point Master Plan.	Approved
Approve the Professional Services Agreement with Berger/Abam Engineers, Inc. for Lakewood BNSF Railroad Over-crossing Project.	Approved
Property Tax Levy Lid Lift.	Discussed
Legal	
Approve Recovery Contract for Sewer; Lakewood Sewer Extension Project.	Approved Recovery Contract No. 271
Ordinances and Resolutions	
Adopt a Resolution of the City Council of the City of Marysville, Washington, Providing for the Submission to the Qualified Electors of the City of a Proposition Authorizing a Levy Lid Lift to Permanently Increase the Current Property Tax Levy Rate to an Amount Not to Exceed \$2.22 per \$1,000.00 of Assessed Valuation for Collection Beginning in 2007, and to Increase the Property Tax Levy Each Year for General City Purposes, as Allowed by Chapter 84.55 RCW; and Setting Forth the Ballot Proposition Therefore.	Approved Ord. No. 2186
Information Items	
Mayor's Business	
Affirm the appointment of Mrs. Dorothy Stanton to the Park Board serving a three-year term, which expires on August 31, 2009.	Approved
Affirm the appointment of Mr. Andy Delegans to the Park Board serving the remaining term of Mr. Childs, which expires on February 28, 2007.	Approved
Staff Business	
Call on Councilmembers	
Adjournment	8:35 P.M.
Executive Session	8:40 P.M.
Pending Litigation – 6 items	
Real Estate – 1 items	
Adjournment – No action taken	8:55 p.m.

CORRECTED: SEE 9-25-06
MINUTES**Marysville City Council Work Session**

September 11, 2006

7:00 p.m.

CORRECTED: SEE 9/2/06
MINUTES S/B Meeting City Hall**CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE**

Mayor Dennis Kendall called the September 11, 2006 meeting of the Marysville City Council to order at 7:00 p.m. He invited those present to observe a moment of silence in memory of the 9/11/2001 tragedy. The invocation was given by Pastor Greg Kanehen of the Marysville Free Methodist Church. Mayor Kendall led those present in reciting the Pledge of Allegiance.

ROLL CALL

Finance Director Sandy Langdon 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: Grant Weed, City Attorney; Sandy Langdon, Finance Director; Paul Roberts, Public Works Director; Gloria Hirashima, Community Development Director; John Turner, Interim Chief of Police; Jim Ballew, Parks and Recreation Director; Greg Corn, Fire Chief; and Laurie Hugdahl, Recording Secretary.

COMMITTEE REPORTS – None.

PRESENTATIONS – None.

AUDIENCE PARTICIPATION

Craig Wells, Owner, Marysville Laundry, 1048 State Street.

Mr. Wells addressed issues associated with vandalism of the skate park and of his business complex. He suggested building a fence to keep kids out at night, utilizing a police officer and enforcing fines, and closing the park until skateboarders clean it up when vandalism occurs. He commented that damages costing \$5,000 were done when vandals etched the glass in his and other buildings in his complex. Mr. Wells stressed the importance of the youth recognizing the value of the skate park.

Mayor Pro Tem Nehring asked staff about the video option. Jim Ballew responded that they will be proposing a video surveillance system in this budget cycle. Regarding the fence, they need to be careful because kids will still try to get in and the City does not want them to get injured.

Curry Smythe, Owner, The Village Restaurant in Smokey Point.

Mr. Smythe discussed concerns relating to the inaccessibility of traffic to the restaurant due to construction in the area. He requested that the City address this situation as it is negatively impacting his business. Gloria Hirashima indicated that she would have a response by the next meeting.

APPROVAL OF MINUTES**1. Approval of July 24, 2006 City Council Meeting Minutes.**

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

2. Approval of August 3, 2006 City Council Special Meeting Minutes.

Motion made by Councilmember Soriano; seconded by Councilmember Seibert to approve the August 3, 2006 Special Meeting Minutes. **Motion** passed (6-0) with Councilmember Nehring abstaining due to his absence at the August 3 meeting.

28. Approval of September 5, 2006 City Council Work Session Minutes.

Councilmember Phillips and Wright indicated that they would be abstaining since they were absent from the Work Session.

The following amendments were made:

- Page 6, Call on Councilmembers - Councilmember Rasmussen clarified that she had not heard directly *from* qualified applicants regarding the police hiring process; she had only heard *of* them.
- Page 3, Paragraph 2 – The first sentence should be amended to read:
*Councilmember Seibert suggested mailing the ~~adjacent~~ property owners **adjacent to the golf course** a notice.*
- Page 4, Item 22 – The last sentence should be amended as follows: *Councilmember Soriano . . . to the entire district **and also to meet deployment standards.***

Motion made by Councilmember Seibert; seconded by Councilmember Soriano to approve the September 5, 2006 Work Session minutes as amended. **Motion** passed 5-0 with Councilmembers Wright and Phillips abstaining.

CONSENT AGENDA

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

- 3 Approval of July 28, 2006 Claims in the Amount of \$278,874.57; Paid by Check No. 32413 through 32583 with Check No. 32330 Void.**
- 4 Approval of August 2, 2006 Claims in the Amount of (\$724,732.13); Paid by Check No. 32584 through 32725 with Check No. 32381 Void.**

5. Approval of August 9, 2006 Claims in the Amount of \$1,549,816.26; Paid by Check No. 32726 through 32886 with Check No. 7870, 7871, 31581, 32483, and 32488 Void.
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11. Approval of September 5, 2006 Payroll in the Amount of \$874,958.81; Paid by Check NO. 16735 through 16810 with Check No. 16796, 16797, 16799, and 16802 Void.
12. Approval of Liquor License Renewals for Noble Palace (1212 State Avenue Ste. B); Ichi Bento Teriyaki (1205 State Avenue #E); and Taqueria La Jaliscience (409 State Avenue #B).
13. Approval of New Liquor License Application for Target Store T-2192 (16818 Twin Lakes Avenue).
14. Authorize Mayor to Sign Timber Trespass Release and Covenant; Robert and Sylvia Stevens.
15. Authorize Mayor to Sign Flu Immunization Agreement with the Visiting Nurse Services of the Northwest.
27. Approval of September 6, 2006 Claims in the Amount of \$1,212,446.90; Paid by Check No. 33376 through 33633.

Motion passed unanimously (7-0).

REVIEW BIDS

16. Sale of Property Located at 6208 76th Street N.E., Marysville.

Motion made by Councilmember Rasmussen; seconded by Councilmember Seibert to accept staff's recommendation to reject all bids for the sale of City property located at 6208 – 76th Street NE, Marysville, WA. **Motion** passed unanimously (7-0).

PUBLIC HEARING

17. **Ordinance No. 2659 – Establishing a Moratorium on the Filing and Receipt of Applications for Detached Single Family Residential Permits Not Located on an Individual Lot, Providing for Severability, Declaring an Emergency, and Establishing an Effective Date.**

Gloria Hirashima reviewed the basis for the moratorium and updated the Council on the status of the proposed regulations.

Mayor Kendall opened the hearing for public comment at 7:28 pm. Seeing no comments, he closed the hearing at 7:28 p.m.

Councilmember Seibert asked Ms. Hirashima if King County is allowing these types of developments. Ms. Hirashima replied that generally speaking, it is not a permitted use although some have been created through a planned residential development on a different scale.

CURRENT BUSINESS – None.

NEW BUSINESS

18. **Agreement for Caretaker Services at Strawberry Fields Park; Justin and Amy Palitz.**

Motion made by Councilmember Nehring; seconded by Councilmember Rasmussen to authorize the Mayor to sign the attached Agreement for Caretaker Services and Lease Agreement with Justin and Amy Palitz as Independent Contractors performing Caretaker duties as described within the Scope of Work for Strawberry Fields Athletic Park. The term of the Lease and Caretaker Agreement is for two (2) years, effective September 15, 2006. **Motion** passed unanimously (7-0).

19. **Lakewood South Annexation – 10% Notice of Intention; PA06-061.**

Ms. Hirashima reviewed the status of this annexation request. She noted that the County was interested in invoking jurisdiction for this in conjunction with other adjacent annexations, but Marysville staff has requested that it be processed separately due to the length of time the Marysville First Assembly has been working on their annexation. There were no audience or council comments.

Motion made by Councilmember Wright; seconded by Councilmember Seibert to accept the 10% Notice of Intent and authorize circulation of the 60% petition for the annexation boundary. The annexation should be subject to the City's bonded indebtedness and a comprehensive plan land use designation for this area. The applicant should be required to

submit a perimeter legal description for the proposed boundary. **Motion** passed unanimously (7-0).

20. Professional Services Agreement with Perteet Inc. – Smokey Point Master Plan.

Councilmember Rasmussen requested that there be updates on the process for the interested parties.

Motion made by Councilmember Nehring; seconded by Councilmember Rasmussen to approve the Professional Services Agreement with Perteet, Inc. **Motion** passed unanimously (7-0).

21. Professional Services Agreement with Berger/Abam Engineers, Inc. for Lakewood BNSF Railroad Over-crossing Project.

Public Works Director Paul Roberts responded to the questions raised at the Work Session. He noted that legal counsel has reviewed all the documents. Also, regarding the concern about the multiplier factor, he noted that this is well within industry standards.

Councilmember Rasmussen asked about the timeline on this. Mr. Roberts replied that they are expediting this as fast as they can. They are also making sure this project is on the Puget Sound Regional Council's plans.

City Attorney Grant Weed indicated that he had reviewed this agreement and noted that the City is indemnified. He said that the insurance is comparable to what is normally required on a Professional Service Agreement.

Motion made by Councilmember Seibert; seconded by Councilmember Vaughan to approve the Professional Services Agreement with Berger/Abam Engineers, Inc. for Lakewood BNSF Railroad Over-crossing Project. **Motion** passed unanimously (7-0).

22. Property Tax Levy Lid Lift.

Fire Chief Greg Corn stated that they had included the language recommended by Council at the Work Session last week. He added that Fire District 12 will be adopting a concurrent resolution for the residents of the unincorporated area of Fire District 12.

Councilmember Seibert thanked staff for incorporating the changes they had suggested. He clarified that the existing amount is used for general city services, but the additional amount would be used only for fire and EMS services. Chief Corn concurred.

LEGAL

23. Recovery Contract for Sewer; Lakewood Sewer Extension Project.

Motion made by Councilmember Wright; seconded by Councilmember Seibert to approve Recovery Contract #271 for the Lakewood Sewer Extension Project. **Motion** passed unanimously (7-0).

ORDINANCES AND RESOLUTIONS

24. **A Resolution of the City Council of the City of Marysville, Washington, Providing for the Submission to the Qualified Electors of the City of a Proposition Authorizing a Levy Lid Lift to Permanently Increase the Current Property Tax Levy Rate to an Amount Not to Exceed \$2.22 per \$1,000.00 of Assessed Valuation for Collection Beginning in 2007, and to Increase the Property Tax Levy Each Year for General City Purposes, as Allowed by Chapter 84.55 RCW; and Setting Forth the Ballot Proposition Therefore.**

Motion made by Councilmember Soriano; seconded by Councilmember Seibert to adopt Resolution 2186 regarding the Property Tax Levy Lid Lift. **Motion** passed unanimously (7-0).

MAYOR'S BUSINESS

25. **Park Board Appointments.**

Motion made by Councilmember Vaughan; seconded by Councilmember Soriano to appoint Mrs. Dorothy Stanton to the Park Board serving a three-year term, which expires on August 31, 2009. **Motion** passed unanimously (7-0).

Motion made by Councilmember Wright; seconded by Councilmember Seibert to affirm the appointment of Mr. Andy Delegans to the Park Board serving the remaining term of Mr. Childs, which expires on February 28, 2007. **Motion** passed unanimously (7-0).

Other Mayor's Business:

- Mayor Kendall noted that he had received an e-mail from Steve Klein, the Executive Manager of Snohomish County PUD thanking Gloria Hirashima and her staff for their recent planning efforts to create partnerships on power needs.
- He referred to a monthly report from Community Transit that had been distributed to the Council. He had recommended that they institute a monthly update for elected officials and this was the result.
- Touch a Truck last Saturday was a great event.

STAFF BUSINESS**Jim Ballew:**

- Received a call from Snohomish County Parks Department informing him that the Doleshei property will be transferred to the City.
- He distributed a copy of his response to the letter of complaint regarding the golf course.
- Healthy Community events are coming up.
- Staff will be sending a letter out to those adjacent to the golf course.

Chief Corn:

- Noted that there was a significant fire last week, but there were no injuries. He reported that the fire department, police department, the Red Cross and the Department of Emergency Management all worked very well together.
- Touch a Truck was great. He thanked the Parks Department for coordinating this event.

Paul Roberts:

- Thanked everyone for their participation in Touch a Truck.
- Noted that the Council tour would begin at 8 a.m. on Saturday, 9/16.
- Responded to concerns regarding traffic situations at Getchell Road and 84th and State Avenue and 116th.

Grant Weed:

- Discussed a recent attempt by environmental groups to invalidate a bill effecting municipal water rights. He will keep the Council informed.
- Requested a 20-minute Executive Session to discuss 6 pending litigation matters and 1 real estate matter.

Sandy Langdon:

- Reported that I-747 has been issued a stay.

Chief Turner:

- Explained that beginning October 7th, 911 calls will be answered at SnoPac. Fire calls will be answered and dispatched from SnoPac. Police calls will be answered at SnoPac, but dispatched from our site temporarily.

CALL ON COUNCILMEMBERS

Jeff Vaughan:

- Enjoyed the 9/11 memorial this morning. He stated that it was very well done and appropriate.
- Commented that the graffiti at the railroad bridge north on I-5 is getting worse. He suggested bringing it up at the government affairs meeting with the Tribes. He also emphasized that cleanup within 24 hours is necessary to be effective.
- Suggested a sting on matters such as illegal fireworks, graffiti, vandalism, etc. to reduce the number of incidents. Chief Turner replied that they have done drug, liquor and cigarette stings, but they have not done anything specifically regarding vandalism and graffiti. He indicated he would look into this.
- Concurred with Craig Wells about shutting the skate park down to have time to work with kids in the community who are willing to take care of it.
- Expressed support for cameras at the skate park.

CORRECTED: SEE 9/25/06 MINUTES

Donna Wright:

- Said she was glad to be back after the August meeting break.
- Echoed Mr. Vaughan's sentiments regarding the 9/11 memorial. She noted that it had been very touching.

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Jeff Seibert:

- Thanked Paul Roberts for the information he had provided.
- Thanked Jim Ballew for the letter to the golf course residents.
- Discussed witnessing several kids who had gotten over the fence at the skate park while he had been riding along with a police officer. He commended Sgt. Goldman and Officer Buell for their continued work on this issue.

John Soriano:

- Discussed some very nice, informative pamphlets regarding WSDOT Corridor Studies that had been distributed at the Sno-Isle Commissioner Meeting.
- He requested information from Councilmember Phillips and Rasmussen regarding the AWC Roundtable that he had missed.
- Requested a letter of thanks to the agencies that provided mutual aid during the fire incident. Chief Corn indicated that this had already been taken care of.

Lee Phillips:

- Concurred with Councilmember Vaughan regarding the railroad overpass matter. He commented that it is an eyesore.
- Noted that Community Transit had responded with regular-sized trash cans at State and Grove. This had greatly improved the trash problem.
- Expressed appreciation for city garbage service.
- Touch a Truck was a great event. Although the weather was poor, there was a great turnout.
- Expressed appreciation for the police and fire departments at the memorial today.
- Suggested holding an additional meeting to get more citizen input regarding the budget. Councilmember Seibert suggested doing another survey to make sure we are on the right track. Councilmember Phillips concurred and added that the information needed to be dispersed back to the citizens.

Councilmember Rasmussen:

- Suggested having an open house before the budget process to get public feedback.
- Thanked Public Works and Parks staff for the Touch a Truck event. She had a great time.
- Asked if the meeting with the Chamber had been rescheduled. Mayor Kendall indicated that he would check.
- Thanked Mr. Wells for coming and sharing his perspective and ideas.

Mayor Kendall added:

- The TV Advisory Committee meeting was cancelled.
- The well at the golf course has been hooked up.

INFORMATION ITEMS

Marysville Park Advisory Board Meeting; July 12, 2006.

ADJOURNMENT

Mayor Kendall recessed into Executive Session at 8:25 p.m.

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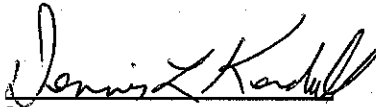
EXECUTIVE SESSION

Council met in Executive Session at 8:30 p.m. to discuss six litigation items and one real estate item.

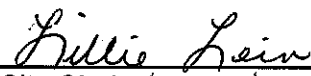
ADJOURNMENT

Council reconvened into Regular Session at 8:55 p.m., and took no further action. Seeing no further business, Mayor Kendall adjourned the meeting.

Approved this 25th day of September, 2006.



Mayor
Dennis Kendall



City Clerk (Deputy)
~~Gerry Becker~~



Recording Secretary
Laurie Huggdahl