

MARYSVILLE CITY COUNCIL MEETING

July 9, 2007

7:00 p.m.

City Hall ORIGINAL

Call to Order / Invocation / Pledge of Allegiance

Mayor Dennis Kendall called the July 9, 2007 meeting of the Marysville City Council to order at 7:00 p.m. The invocation was given by Pastor Jeff Barnes of Turning Point 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.

Present: Councilmember Lee Phillips, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

Absent: Councilmember Jon Nehring

Also Present: Community Development Director Gloria Hirashima, Recording Secretary Laurie Hugdahl, City Clerk Tracy Jeffries, Mayor Dennis Kendall, Finance Director Sandy Langdon, Public Works Director Paul Roberts and Chief of Police Rick Smith

MOTION made by Councilmember Soriano, seconded by Councilmember Rasmussen to excuse Councilmember Nehring. MOTION passed unanimously (6-0).

Committee Reports

Presentations

Audience Participation

Carl Hall, 8106 B 43rd Avenue NE, Marysville, WA, spoke regarding neighborhood concerns involving drug dealing, prostitution and issues regarding pit bulls. They have had some response from police, but it has not resolved the problems. He pointed out that there was an incident with a pit bull last week and the dog is already back in the neighborhood.

Steve Marlo 7314 68th Avenue NE, Marysville, complained about noise from fireworks. He requested that the City ban fireworks. He discussed an article in the *Seattle Times* regarding traffic congestion related to Costco. He complained that the stores came in without adequate planning for traffic.

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Gerry Schleiff, 4213 81st Place NE, Marysville, WA, echoed Carl Hall's comments. He complained about high traffic speeds and dangers to children. They have had to repeatedly pick up beer cans and request folks to slow down.

Nick Change, 4229 81st Place NE, Marysville, WA 98270, spoke regarding a neighborhood disturbance that has been ongoing for more than a year. He is very disappointed about the quality of life that has been rapidly disappearing from their neighborhood. Most of the issues stem from one address on the street and involve drug deals, prostitution, fast cars, booming music, loud mufflers, and pit bulls on the loose. They are very concerned that the police seem unwilling to act and residents want more done to enforce the current laws to keep the peace.

Chief Smith stated that they are aware of the situation. He asked the residents to be aware that they have certain procedures that have to be followed. They want to deal with the problem at the root cause and there has to be a well thought-out plan before they act. He pointed out that the traffic issue is something that is common throughout the city and they are trying to move their patrols around and do the best they can. They will continue to work on the drug dealing and the traffic issues and will keep the Council posted.

Councilmember Vaughan encouraged citizens in their efforts. He asked what more they could do to be involved in this. Chief Smith discussed the fear that is citizens to be careful about their involvement. The police department's focus is to deal directly with the bad influence and root that out.

Councilmember Seibert asked for an estimate of how long residents might need to put up with this kind of situation. Chief Smith replied that they are dealing with it, but he was unable to give a timeframe. He noted that the traffic issue will be the one they are able to focus on first.

Mayor Kendall pointed out that there are two types of fireworks that are in the city – legal and illegal. Safe and Sane fireworks are the kind that do not go above your shoulders and are the kind sold in the City. The kinds of fireworks sold on the reservation are the kinds that are most likely the ones he is complaining about. The City has no control over those being sold. He discussed their response to incidents and prevention efforts. They will continue to work on enforcement. The city is very concerned with the fireworks issue and will continue to work on enforcement. Banning the limited fireworks that are sold in the city will not do much to help the problem.

Mr. Marlo asked about improvements to the Costco situation. Community Development Director Hirashima explained that a consultant is currently reviewing options and funding for this area. She discussed some interim projects that may be done to improve the area. Mr. Marlo questioned why this was not done before the stores went in.

Approval of Minutes

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1. Approval of June 25, 2007 City Council Meeting Minutes.

MOTION made by Councilmember Wright, seconded by Councilmember Wright to approve the minutes as presented. MOTION passed unanimously (6-0).

2. Approval of July 2, 2007 City Council Work Session Minutes.

Councilmember Jeff Vaughan made a MOTION to approve the minutes as presented. Councilmember Jeff Seibert SECONDED. MOTION passed unanimously (6-0).

Consent

Councilmember John Soriano made a MOTION to approve the Consent Agenda items #3-7 as follows. Councilmember Carmen Rasmussen SECONDED:

3. Approval of June 27, 2007 Claims in the Amount of \$416,111.66; Paid by Check No.'s 40098 through 40273 with Check No. 39959 voided.
4. Approval of July 4, 2007 Claims in the Amount of \$832,670.66; Paid by Check No.'s 40274 through 40449 with Check No. 39876, 40035, and 40250 voided.
5. Approval of June 20, 2007 Payroll in the Amount of \$654,941.18; Paid by check No. 180347 through 18115 with Check No. 15837 voided.
6. Acceptance of the Jennings Park Irrigation System Installation Project and begin 45 day Lien filing period.
7. Approval of Eagle Taxi to Operate as New For-Hire Taxi Business.

MOTION passed unanimously (6-0).

Review Bids

Public Hearings

Current Business

New Business

8. Approval of Professional Services Agreement with CH2MHill to Complete Alum / Ammonia Study for the Wastewater Treatment Plant.

Councilmember Carmen Rasmussen made a MOTION to approve Professional Services Agreement with CH2M in the amount of \$99,685. Councilmember Jeff Vaughan SECONDED. MOTION passed unanimously (6-0).

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9. Approval for State Avenue 136th Street NE to 152nd Street NE Corridor Improvements – Condemnation Ordinance.

Councilmember Donna Wright made a MOTION to approve Ordinance 2704. Councilmember Jeff Seibert SECONDED. MOTION passed unanimously (6-0).

10. Authorize the Mayor to Sign Professional Services Agreement with Systems Interface for Telemetry Upgrade.

Paul Roberts responded to Councilmember Vaughan's question from last week regarding the technology that might be used.

Jeff Seibert asked if this would be incorporated into radio system that we are building. Director Roberts said they are reevaluating whether they will be moving ahead with the radio system at all. He was not sure if or how this would interface with the AMR system.

Councilmember Soriano asked about a timeline for implementation of a wireless system. Director Roberts suggested that it might be in 2009, but could not state for sure. It really depends on the results of the study.

Councilmember Jeff Seibert made a MOTION to authorize the Mayor to sign the Professional Services Agreement with Systems Interface for Telemetry Upgrade. Councilmember John Soriano SECONDED. MOTION passed unanimously (6-0).

Legal

Ordinance and Resolutions

11. An Ordinance of the City of Marysville, Washington Amending Ordinance No 2655, 2685 and 2703 to Add Property Rights to be Acquired from Beta – Marysville Warehouse, LLC and Midway Development, LLC to Property Authorized to be Condemned, Appropriated, Taken and Damaged.

Approved above on item 9 - Ordinance No. 2704.

12. A Resolution of the City of Marysville Accepting Donation from Nike Incorporated and Affiliates.

Councilmember Carmen Rasmussen made a MOTION to approve Resolution 2218 accepting the donation from Nike Incorporated and Affiliates. Councilmember Lee Phillips SECONDED. MOTION passed unanimously (6-0).

Mayor's Business

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- Mayor Kendall reminded everyone about the Governmental Affairs meeting on Thursday at 7:30 a.m.
- He noted that the Army Band concert on Friday night was great.

Staff Business

Jim Ballew agreed that the Army Band concert was great. There were about 400 people in attendance.

He discussed an opportunity for possible IEC Youth Grant funding for the drainage project at Strawberry Fields. Under the guidelines of the grant, this project would qualify at a level of 50% or approximately \$50,000 of funding. The project manager thinks they would be a good candidate for funding. They Marysville Youth Soccer Club has also been approached regarding funding in the amount of \$25,000, but they have not made their decision yet. The City needs to make a decision about whether or not they will proceed with this project or not. The recommendation from staff is to hold off on the project for a year to see if the IEC grant would be approved. There was consensus from Council to hold off on this project.

Director Ballew remarked that there would be concerts this Thursday at 12:00 and Friday at 7:00. The summer programs are up and going and staff is working very hard.

Tracy Jeffries gave an update on the option to pay utility bills online. This option is being used more and more. Staff is still working with AFTS to enable citizens to pay utility bills over the phone.

Paul Roberts commented that because of the weather they may be dispatching some street crews earlier than planned to get some work done.

Gloria Hirashima responded to Donna Wright's earlier question regarding car sales at K-Mart. Staff looked into the issue and did not locate a license. They notified the store manager that they would need to get a license for temporary sales in the future.

She also discussed Councilmember Seibert's earlier concern about the mitigation fees for the boat dealership at 152nd and State Avenue. She explained that they are conditioned to pay whatever mitigation fees apply to the actual tenant. This is currently being evaluated. Councilmember Seibert asked for the amount for a car dealership since that is the amount he was quoted by the tenant. Ms. Hirashima was not sure. She explained that with the traffic manual there is not a specific use category for boat dealerships so the rate for auto dealerships may have been provided to them. They chose to hire a consultant to determine appropriate rates for boat dealerships and this is currently being determined.

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Director Hirashima stated that PSRC's Vision 2040 Presentation and two public hearings will be held at the July 24 Planning Commission meeting. This is expected to be a very well-attended meeting so they will be contacting PSRC to see if they can begin at 6:30.

Grant Weed stated the need for an executive session concerning pending litigation and lasting approximately 10 minutes.

Sandy Langdon stated that the Hotel/Motel meeting would be held tomorrow at 11:00.

Chief Smith discussed fireworks activity. He informed Council that there was an arson incident on July 4, which will be followed up with the fire marshal's office. The 4th of July was very busy. The police and fire department worked very well together. He discussed the possibility of having legal fireworks be a civil infraction which would enable police enforcement.

He noted that there will be some restructuring recommendations coming forward in the next couple weeks. He hopes to move from a reactive approach toward a more proactive type of policing. He discussed "Proactive Policing" which is making an area a project and then following through with as many resources as possible.

Councilmember Seibert thought that civil infractions had already been approved when Chief Carden was here. Grant Weed said he would review this and get back to Council.

Chief Smith explained that the 12 citations that were issued were all criminal citations, which would be a misdemeanor conviction. He explained that he would be more comfortable with a civil infraction and he believed they would achieve greater results at curtailing fireworks at times other than the 4th of July and New Years. Councilmember Seibert hoped that this would get some media coverage that there have been citations issued. He wants people to take this seriously.

Donna Wright asked if and how neighbors were reporting. Chief Smith said the police department was notified and went out to areas which stopped fireworks in those areas. In addition to the citations there was a lot of education that was done. Dispatch refused to take calls on the 4th so calls went directly to the police department. Councilmember Wright agreed with having it a civil penalty and suggested to having a separate number for reporting fireworks. Chief Smith thought that was a good idea.

Jeff Vaughan asked for clarification in Chief Smith's recommendation. Chief Smith stated that illegal fireworks would continue to receive a criminal citation, but illegally shooting off legal fireworks at non-prescribed times would be a civil infraction. Councilmember Vaughan agreed with this. He urged them to get the story out there that people have been caught and cited with illegal fireworks. He felt that this would be very effective in getting the message out.

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Jeff Seibert asked if SnoPac kept track of the calls that they rejected Chief Smith said they did not. They just kept track of the ones that were sent to the police.

Carmen Rasmussen discussed signs she had seen in another city that notified residents that they were leaving the reservations and explaining what fireworks are illegal. She stated that many people are not aware of which fireworks are illegal and there needs to be more of an education effort. Chief Smith agreed and suggested utilizing the school districts and private schools in an educational effort.

Jeff Seibert asked if there was an after-hours number. Chief Smith said people could call into the 24-hour records line, although some non-urgent calls would still need to be routed through 911.

Jeff Vaughan asked what types of calls should be used for 911. Chief Smith explained that right now all kinds of calls are going to 911, but he hopes to reevaluate this in the future.

Call on Councilmembers

Carmen Rasmussen noted that there is a substantial amount of graffiti on 67th Avenue between 52nd and Grove. Some property owners have cleaned this up, but most of them have not. Gloria Hirashima thought that notices had been mailed to the residents, but she said she would check on it. Jim Ballew explained that MSAC is pretty constrained right now with their resources. He remarked that Mary Swenson had asked the parks department to develop a budget utilizing seasonal personnel to deal with this issue. He estimated that this could be a 12-14 hour job per week year-round. He hopes to report at the next meeting on their efforts. He explained that Wal-Mart has donated substantial amounts of paint to help clean up graffiti. He explained that the parks department is working on this issue every single day.

Lee Phillips thanked everyone for putting the budgeted amounts and the actual amounts in the agenda items.

John Soriano asked about a signup sheet for the HomeGrown Festival. Sandy Langdon said they are in the mailboxes. Mayor Kendall encouraged all councilmembers to volunteer for the event.

Donna Wright enjoyed the music of the 133rd Army Band. She appreciated that all ages were in attendance.

Jeff Seibert said he would be out of town for the HomeGrown Festival. He discussed an incident where his wife had obtained a license plate number of someone fleeing from a crime scene at a grocery store and the storeowners did not want it because they did not believe that the police would do anything about it. Chief

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Smith said he had not heard of anything like this. He said that their policy is to follow up on that type of incident, but he would look into this.

Mayor Kendall commented on some missing flower baskets from the poles in the north end. Director Ballew explained that some had been stolen. Mayor Kendall said he would like to see the rest of State Avenue with baskets next year. Donna Wright agreed that the baskets looked great. The rest of council concurred.

Information Items

13. Marysville Park Advisory Board Meeting Minutes; July 11, 2007.

Adjournment

Mayor Kendall recessed at 8:27 into Executive Session, which began at 8:35 p.m.

Executive Session

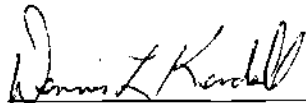
Council met in Executive Session at 8:35 p.m. to discuss one item under litigation.

Council reconvened into Regular Session at 8:45 p.m. Motion by Councilmember Seibert, second by Councilmember Wright to authorize the Mayor to sign the settlement release proposal concerning Vine Street, LLC claim as discussed in Executive Session. Motion passed unanimously.


Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 8:46 p.m.

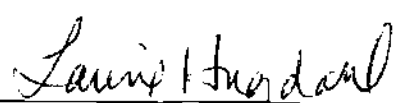
Approved this 14 day of August, 2007.



Mayor
Dennis Kendall



Asst. Admin. Svcs. Director
Tracy Jeffries



Recording Secretary
Laurie Hugdahl