

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Presentations	
Employee of the Month Award	Presented
Employee Service Awards	Presented
Proclamation – Olympic Day	Presented
Approval of Minutes	
Approve June 1, 2009 City Council Work Session Minutes.	Approved
Approve June 8, 2009 City Council Meeting Minutes.	Approved
Consent Agenda	
Approve June 3, 2009 Claims in the Amount of \$2,070,466.37; Paid by Check No.'s 56096 through 56229 with No Check No.'s Voided.	Approved
Approve June 10, 2009 Claims in the Amount of \$3,848,576.35; Paid by Check No.'s 56230 through 56347 with Check No.'s 26016, 28521 and 56078 Voided.	Approved
Approve June 5, 2009 Payroll in the Amount of \$1,346,363.73; Paid by Check No.'s 21410 through 21494.	Approved
Acceptance of the Berrywoods Paving Project Starting the 45-Day Lien Filing Period for Project Closeout.	Approved
Approve Interlocal Agreement – Consortium for Negotiation of Transfer of Cable Franchise Agreement from Verizon Northwest, Inc. to Frontier Communications Corporation.	Approved
Review Bids	
Public Hearings	
Proposed Increase to Solid Waste Collection Rates.	Held
New Business	
Adopt an Ordinance of the City of Marysville, Washington, Amending Ordinance 2540 and Chapter 7.08 of the Marysville Municipal Code by Amending MMC 7.08.110 Garbage Collection Rate Schedule and MMC 7.08.111 Yard Waste Collection Rate Schedule to Provide for Rate Adjustments to Take Effect July 1, 2009, January 1, 2010, January 1, 2011, and January 1, 2012.	Approved Ord. No. 2779
Approve Second Amendment to Golf Course Professional Employment Agreement	Approved
Approve First Amendment to Contract for Marysville Municipal Court Commissioner.	Approved
Legal	
Mayor's Business	
Staff Business	
Call on Councilmembers	
Adjournment	8:34
Executive Session	8:45
Litigation – one matter pursuant to RCW 42.30.110(1)(i)	Held
Real Estate – one matter pursuant to RCW 42.30.110(1)(b)	Held
Adjournment	9:05

COUNCIL



MINUTES

Regular Meeting
June 22, 2009

Call to Order / Pledge of Allegiance

Mayor Kendall called the June 22, 2009 to order at 7:00 p.m. and led those present in the Pledge of Allegiance.

Roll Call

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

Mayor: Dennis Kendall

Council: Councilmember Jon Nehring, Councilmember Lee Phillips, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

Absent: None

Also Present: Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, City Attorney Grant Weed, Community Development Director Gloria Hirashima, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Police Commander Robb Lamoureux, Park Maintenance Manager Mike Robinson, Community Information Officer Doug Buell, Financial Analyst Allena Olson and Asst. Admin. Services Director Tracy Jeffries.

Committee Reports – None

Presentations

A. Employee of the Month.

Mayor Kendall presented Tara Mizell, Parks & Recreation Services Manager with the Employee of the Month award.

B. Employee Service Awards.

Jim Ballew presented **Tara Mizell, Parks & Recreation Service Manager** with her 15-year service award.

Kevin Nielsen recognized **Eric Erga, PW Maintenance Worker II** for his 15-year service award. Kevin informed that Eric was not able to make it tonight due to being on vacation.

Kevin Nielsen recognized **Paul Kinney, PW Lead Worker II** for his 10-year service award. Kevin informed that Paul could not be here tonight due to a prior commitment.

Mike Robinson presented **Sam Day, Parks Maintenance Worker II** for his 10-year service award. Mike informed that Sam is ill and was not able to attend tonight.

C. Proclamation – Olympic Day.

Mayor Kendall presented and signed the Proclamation declaring June 23, 2009 as Olympic Day. Debbie Johnson, Vice President with Everett Inline Speed Skating, accepted the Proclamation and presented the Mayor and the Council with a baton and an Olympic Flag.

Audience Participation - None

Approval of Minutes

1. Approval of June 1, 2009 City Council Work Session Minutes.

Councilmember Seibert noted that on page 4 of 6, the third paragraph down should say **square-foot limitation** rather than *height limitation*.

Motion made by Councilmember Wright, seconded by Councilmember Seibert to approve the minutes as corrected. **Motion** passed unanimously (7-0).

2. Approval of June 8, 2009 City Council Meeting Minutes.

Councilmember Wright abstained as she was not present at the June 8 meeting.

Motion made by Councilmember Nehring, seconded by Councilmember Seibert, to approve the minutes as presented. **Motion** passed unanimously (6-0) with Councilmember Wright abstaining.

Consent

3. Approval of June 3, 2009 Claims in the Amount of \$2,070,466.37; Paid by Check No.'s 56096 through 56229 with No Check No.'s Voided.

4. Approval of June 10, 2009 Claims in the Amount of \$3,848,576.35; Paid by Check No.'s 56230 through 56347 with Check No.'s 26016, 28521 and 56078 Voided.
5. Approval of June 5, 2009 Payroll in the Amount of \$1,346,363.73; Paid by Check No.'s 21410 through 21494.
7. Acceptance of the Berrywoods Paving Project Starting the 45-Day Lien Filing Period for Project Closeout.
8. Interlocal Agreement – Consortium for Negotiation of Transfer of Cable Franchise Agreement from Verizon Northwest, Inc. to Frontier Communications Corporation.

Motion made by Councilmember Soriano, seconded by Councilmember Wright to approve Consent Agenda items 3,4,5,7 and 8. **Motion** passed unanimously (7-0).

Public Hearings

6. Proposed Increase to Solid Waste Collection Rates.

Kevin Nielsen presented a Solid Waste Financial Plan and Rate Study PowerPoint.

Mayor Kendall opened the Public Hearing for public input at 7:43 p.m. and solicited public comments. Seeing none, he closed the Public Hearing at 7:43 p.m.

Mayor Kendall then solicited questions from the Council. Councilmember Nehring asked for clarification about the rate of increase. Director Nielsen reviewed this. There was some discussion about the cost of service for new annexation areas. Councilmember Seibert thanked staff for the work they have put into this. Councilmember Soriano asked about assumptions for the solid waste operations expenses increase from 2010 and 2013. Director Nielsen explained this.

New Business

9. An **Ordinance** of the City of Marysville, Washington, Amending Ordinance 2540 and Chapter 7.08 of the Marysville Municipal Code by Amending MMC 7.08.110 Garbage Collection Rate Schedule and MMC 7.08.111 Yard Waste Collection Rate Schedule to Provide for Rate Adjustments to Take Effect July 1, 2009, January 1, 2010, January 1, 2011, and January 1, 2012.

Motion made by Councilmember Nehring, seconded by Councilmember Vaughan, to approve Ordinance No. 2779 an Ordinance of the City of Marysville, Washington, Amending Ordinance 2540 and Chapter 7.08 of the Marysville Municipal Code by Amending MMC 7.08.110 Garbage Collection Rate Schedule and MMC 7.08.111 Yard Waste Collection Rate Schedule to Provide for Rate Adjustments to Take Effect July 1, 2009, January 1, 2010, January 1, 2011, and January 1, 2012. **Motion** passed unanimously (7-0).

10. Second Amendment to Golf Course Professional Employment Agreement.

Mary Swenson stated that the terms are exactly what they discussed last week. This will move the contract out for an additional four years to December 31, 2013. It also includes a 5% COLA that was given to other city employees effective January 1. This would be retroactive to March 1. She commended the job that Mr. Castleberry has done at the golf course and recommended approval of the Agreement.

There was discussion about the terms of termination of the agreement.

Motion made by Councilmember Rasmussen, seconded by Councilmember Nehring, to authorize the Mayor to approve the Second Amendment to Golf Course Professional Employment Agreement. **Motion** passed unanimously (7-0).

11. First Amendment to Contract for Marysville Municipal Court Commissioner.

Mary Swenson explained that this is the start of a transitional change for Commissioner Towers towards becoming an employee when the annexation is complete.

Rasmussen asked Grant Weed asked about the line between being an independent contractor and an employee. City Attorney Grant Weed discussed factors that are considered when making this distinction and reasons for making this change at this time.

Motion made by Councilmember Seibert, seconded by Councilmember Wright, to authorize the Mayor to approve the First Amendment to the Contract for Marysville Municipal Court Commissioner. **Motion** passed (6-1) with Councilmember Phillips voting against.

Mayor's Business

Mayor Kendall reviewed the events of Strawberry Festival.

Staff Business

Jim Ballew:

- Agreed that the Strawberry Festival ran very smoothly this year. He commended Public Works who did an outstanding job and Waste Management who contributed recycling containers throughout the entire route.
- The recreation team began training this week. Camps will begin next week.
- The first Popcorn in the Park movie will happen this Saturday.
- MDOG was up at Strawberry Fields for Rover doing a major project this weekend. He commended the work they have done and Doug Buell for spearheading this effort.
- Passed along greetings and thanks from Eric Katzenbuehler from Spain.

Robb Lamoureux:

- Noted that the Strawberry Festival parade on Saturday ran very smoothly. He attributed this in part to the new incident command system.
- One of the K-9 dogs, Radar, will be retired soon due to some health problems. They are working on obtaining a new dog. They recently got word that they received a \$3,000 grant from Burlington Northern which will go towards another K-9.

Doug Buell stated that the fireworks public education campaign will go into full gear this week. Fire Marshal Tom Maloney will be distributing Light it Up/Clean it Up posters to the fireworks stands along with letters about illegal fireworks from the police chief and fire chief. There will also be a news release with the media this week.

Kevin Nielsen:

- Discussed a recent field trip with the fire department to all of the reservoirs and facilities. They were highly impressed about the information about Marysville's water.
- Gave an update on the wire situation on Grove.
- He noticed a dramatic improvement with the trash at Strawberry Festival this year.

Gloria Hirashima stated that they issued the Downtown Master Plan and the Supplemental EIS last week. The Planning Commission will have a presentation this week followed by another presentation next month.

Sandy Langdon:

- Announced that the auditors are gone and they gave a clean report. The managing auditor even asked if they could use our reports as models for other cities.
- She was a judge for the Strawberry Festival and thought it went very well.
- Noted that the Strawberry Festival events were video-streamed on the Web and they received reports from Paris, Alaska and Utah from people who saw it.

Grant Weed stated the need for an Executive Session to discuss one real property matter and one pending litigation matter, expected to last 15 minutes with no action expected.

Mary Swenson:

- Stated that they are meeting with the County Council to select the date for the joint public hearing on the Interlocal Agreement regarding the annexation.
- A separate Interlocal Agreement was done on the 88th Street and will be coming to Council soon.
- She commended Kevin Nielsen and Public Works on the Solid Waste study.
- She congratulated everyone on the success of Strawberry Festival.
- She announced that Grant Weed was listed as one of the Top 12 Municipal Attorneys in the State of Washington. She praised the work that he does.

Call on Councilmembers

Carmen Rasmussen:

- Asked about the delay between the annexation date and the receipt of the property taxes. Mayor Kendall stated that it would be a year before the city would get the property taxes. There was discussion about other expected revenues.
- Commended Councilmember Seibert's idea to put the cans up and down the parade route for Strawberry Festival.
- Congratulated Tara Mizell for her 15 years of exemplary service to the City.
- Discussed an email she forwarded from the Snohomish County Office of Housing, Homelessness, and Community Development regarding the second phase of the neighborhood stabilization funds. This may be an important revenue source for Marysville's citizens. Mary Swenson commented that the foreclosure list showed a lot of plats that were in the process of foreclosure. Councilmember Rasmussen discussed Mountlake Terrace's work with Home4Good to provide affordable housing for residents.

Lee Phillips:

- Enjoyed the Strawberry Festival. He also noted there was a lot less garbage, but thought that there were more beer cans.
- Will be out of town for five days starting on Friday.

John Soriano:

- Commended the job on the solid waste study by Kevin Nielsen and his staff.
- Attended the Community Transit open house with for the Park and Ride with Donna Wright. The groundbreaking will be on July 1.

Jon Nehring:

- Congratulated Grant Weed on his award.
- Thanked Kevin for the solid waste study.
- Commended everyone involved in the parade and Strawberry Festival.
- Noted that people are looking forward to the Popcorn in the Park events.

Jeff Vaughan also enjoyed the Strawberry Festival. He appreciated the strong presence of the police department.

Donna Wright:

- Congratulated Grant Weed and the other city employees.
- Noted that people staked out their spots for Strawberry Festival very early.
- She noticed an article in the paper in Chelan talking about redeveloping their downtown area using Makers.

Jeff Seibert:

- Thanked MaryFest for putting on the events of the Strawberry Festival.

- Congratulated Sandy Langdon and the Finance department on the auditors' report.
- Congratulated Grant Weed on his award.
- He also appreciated the patrol provided by the police, especially traffic control. He thanked everybody from the city and other cities that helped with Strawberry Festival.
- He thanked staff for implementing the idea about more garbage and recycling cans.

Mayor Kendall recessed the meeting at 8:34 p.m. for a short break before reconvening into Executive Session to discuss one real property matter and one pending litigation matter, expected to last 20 minutes with no action expected.

Executive session started at 8:45 p.m.

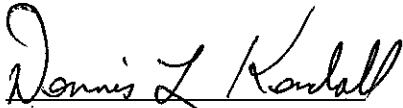
Executive Session

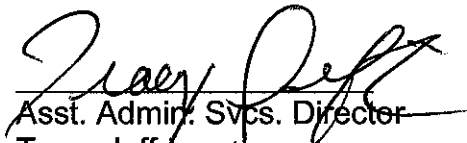
- A. **Litigation** – one matter pursuant to RCW 42.30.110(1)(i)
- B. **Personnel**
- C. **Real Estate** – one matter pursuant to RCW 42.30.110(1)(b)

Adjournment

Seeing no further business Mayor Kendall adjourned the meeting at 9:05 p.m.

Approved this 13th day of July, 2009.


Mayor
Dennis Kendall


Asst. Admin. Svcs. Director
Tracy Jeffries