

JANUARY 2, 1990

7:30 p.m.

Council Chambers

PRESENT: Rita Matheny, Mayor  
Councilmembers:  
Ken Baxter, Mayor ProTem  
Dave McGee  
Dave Weiser  
Donna Pedersen  
Bob Lashua  
Lee Cundiff  
Administrative Staff:  
Carolyn Sanden, City Administrator  
Phil Dexter, Finance Director  
Jim Allendoerfer, City Attorney  
Dave Zabell, Public Works Director  
Mike Corcoran, City Planner  
Jim Ballew, Parks & Recreation Supt.  
Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Matheny called the meeting to order at 7:30 p.m. and led the flag salute.

OATH OF OFFICE:

Finance Director/City Clerk Dexter gave the oath of office to Councilors McGee, Weiser, Baxter and Pedersen.

ROLL CALL:

Finance Director/City Clerk Dexter called the roll with all members present/absent as indicated above.

MINUTES OF THE PREVIOUS MEETING:

Councilor Lashua moved and Councilor Baxter seconded that the minutes of the 12/11/89 Council meeting be approved as written. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.PETITIONS & COMMUNICATIONS:

1. Letters from the Tulalip Tribes.
2. Memorandum Regarding AWC Training Sessions:
  - A. An Orientation for Newly Elected Officials.
  - B. 1990 City Legislative Action Conference.
3. Letter from Washington State Department of Transportation - FAUS Status Report.
4. Letter from State of Washington Transportation Improvement Board.
5. Letter from Washington State Gambling Commission.
6. AWC Priority Issues for the 1990 Legislative Session.

Councilor Weiser expressed concern/interest in what Class III Gambling is as referenced under Item 5 above. City Administrator Sanden suggested that a representative from the City of Marysville be in attendance at the hearing in Everett 1/16 to gain further information. She also noted that the Tulalip Tribes are not involved in this type of gambling as yet.

Public Works Director Zabell gave a brief amplification of the FAUS Status Report as referenced under Item 3 above.

Councilor Baxter moved and Councilor Lashua seconded that Items 1-6 be approved. Passed unanimously.

PUBLIC HEARING:

1. Northwest Energy Code Model Conservation Standards.

City Planner Corcoran reported that Gerry Becker polled the surrounding cities' building departments with regard to adoption of the NWECC with the following results:

Everett - Hopes to adopt this month.  
Lynnwood - Not interested.  
Edmonds - No.  
Snohomish - Passed 2 weeks ago.  
Arlington - No.  
Mukilteo - Will be discussing further.  
Mill Creek - No.  
Lake Stevens - No.

Jack Smith, 2514 241st Pl. SW, Brier, Residential Program Director with Snohomish County PUD, addressed Council and stated that 100 builders throughout Snohomish County have been building in accordance with the NWEAC and PUD is in favor of this program for many reasons. He itemized some of the reasons as more efficient use of electricity (36% less average use), helps keep PUD rates down, conservation is good business. He noted that Brier has now adopted the code and PUD is making presentations to Monroe, Granite Falls, Mill Creek and Edmonds. He reiterated that if the State adopts this as a statewide mandatory standard, incentives will very probably be greatly reduced and therefore it would be in cities' best interests to adopt the NWEAC before the State does.

Councilor Weiser asked about the time line if/when the State adopts the code and Mr. Smith said if it's adopted in January, 1990 or February, 1990, it would probably not go into effect until July, 1991. He added that if it is a statewide code, there would still be funds available but probably not at the same level. He said also that if the region is not meeting the penetration rate, the NWEAC could be extended.

Councilor Weiser asked about a specific savings figure and Mr. Smith estimated that the NWEAC would result in about 2800 KWH or \$130 per year in savings to the homeowner.

Councilor Pedersen noted that the projected income and savings figures in the packets are based on the assumption that 50% of homes are electrically heated. City Planner Corcoran added that the figures are based on the maximum/total projected buildings, based on the construction history of the past three years.

Councilor Pedersen asked if there would be some risk, basing allocations/projections of income on the projected construction figures and Mr. Smith said no, that the amounts listed are per building, addition, plan check, etc. (allowances/incentives) and are not intended to represent a guaranteed figure, but rather only estimates. He explained that they estimate \$134,000 would be received by the City of Marysville for the first year from the funding, based on projections for the first two years.

Councilor Baxter asked why only electrical heating was considered and Mr. Smith stated that BPA only deals in electricity and they have deemed conservation of electricity a good investment right now, in view of the current cost of electricity as opposed to other energy forms. He added that Brier did adopt the NWEAC for both electrically and gas heated homes, however.

Councilor Baxter pointed out that there is an additional cost to the home buyer to have the home brought up to the NWEAC and Mr. Smith agreed that the home is more expensive but there is a dollar incentive and there are 100 builders building under the Super Good Cents Program in Snohomish County right now. He added that also, the fuel bills are less for the homeowner and a lot of consumers are requesting that their homes be built to these higher standards for energy conservation and lower heating bills.

Councilor Baxter noted that if a homeowner went to gas, that would also constitute conservation of electricity and Mr. Smith agreed, pointing out that the homeowner has the choice of fuel and PUD is simply encouraging energy efficient homes be built.

Councilor Baxter said he wondered if this isn't making the situation even more complex and he cited the burning bans as an example.

Mayor Matheny asked if the NWECC would supersede the Super Good Cents Program and Mr. Smith said it would and noted that a lot of cities are trying to adopt the code before the State in the event of a moratorium. Also, with the State adoption, it would probably mean less dollar incentive with the code being enforced statewide, he said.

Councilor McGee asked about resale values of homes that are built to NWECC code and Mr. Smith assured him that the resale values and appraisal values are higher than homes without energy efficient features.

Councilor Pedersen asked Mr. Smith to point out the differences between a home built to NWECC standards vs. SGCP standards and he noted that there is enhanced caulking, ventilation, weatherstripping, better windows, etc. under NWECC standards.

Mike McCort, 1632 15th Av. SW, Olympia, representing AWC, addressed Council and stated AWC is in favor of NWECC adoption because coal fire plants, hydroelectric plants, etc., have all proved out to be more costly than conservation and conservation is also a much cleaner method of providing energy. He also noted that with other resources of energy, it's very possible that the money does not remain in the community; with conservation it does and homeowners benefit from lower utility bills. He enumerated many utilities bills that have gone before the Legislature addressing the issue of conservation and more cost efficient use of energy and noted that this issue has a very high priority and strong interest among many groups. He concluded it's likely a bill will pass this session and if so, the reimbursement/incentive funding will end up being reduced from what is being offered by BPA now. He gave the reason for this as being basically, because BPA won't have enough money to meet a statewide level of funding; BPA will support the program statewide but does not have the resources. He added there's no specific definition of monetary amounts at this time and as far as a preemption date being set, that could happen anywhere from January 1990 to July 1991.

Mayor Matheny asked if it would take the Governor 90 days to sign a bill into law and Mr. McCort stated 90 days is the longest amount of time; it could be less.

Councilor Weiser asked about continuance of funding and Mr. McCort said AWC would like to see the funding continue even at a declining rate over the next few years.

Councilor Baxter noted that if enough cities sign up, it's going to put pressure on the State with long term dollars solely from BPA and Mr. McCort said he sees a definite possibility of BPA getting out of the program in about five years. He added that the electrical system/situation right now is in balance and it's important to keep it in balance through the use of conservation.

Guy Hughes, 5506 158th Pl. NE, Redmond, representing BPA, Seattle, addressed Council and said they are encouraging cities to adopt the NWECC standards and the BPA is working with the cities who do adopt in the implementation of the program and grant application to BPA. As far as the payments being enough to pay for the expenses of adopting the program, he noted that experience dictates that if the program is operating with reasonable efficiency, the program does cover all costs. As far as availability of funding, BPA is committed to local governments to provide funding as advertised through 6/30/92, he said and what will happen to the level of funding after that, no one really knows. He speculated that the whole program will be evaluated at that time as far as penetration rates, etc. and probably in early 1992, with input from cities, builders, homeowners, etc., as to whether BPA should continue to be involved in the funding. The benefits accrue to all users of energy, he noted, because the rates will be held to a lower amount.

Mrs. ??, a member of the League of Women Voters and who lives on Dubuque Road, addressed Council. She stated that the League of Women Voters took a hard look at this program because it seemed to good to be true with the funds that would be given to cities to help administrate the NWEAC, incentives to buildings and homeowners, etc. Their conclusion was that this is the best program of its kind available and urge adoption of it by the City of Marysville. As a homeowner, she said she and her husband looked for plans for an energy efficient home 40 years ago and none could be found and so they had to develop their own ideas and try and find builders, plumbers, etc. that would build to their energy efficient specifications for an 1800 sq. ft. home. She noted that their first PUD bill (for 2 months service) came to only \$34.00 and they also received \$1200 in rebates. She concluded that she and her husband would certainly like to see Marysville homeowners given the opportunity/choice of building energy efficient homes.

Gene Gunther, 1097 47th Av. NE, addressed Council and said he is also in favor of the adoption of the NWEAC standards/program. He noted that his son built an energy efficient home that has really paid off in lower fuel bills and recommended the City adopt the program as a benefit to everyone involved.

Harv Jubie (Builder), 9905 39th Dr. NE, addressed Council and stated he has built Super Good Cents homes exclusively for the past two years and it involves one additional building inspection but is well worth it because of the rebates he receives in addition to being able to sell the house for a little more money. He said he is in favor of the NWEAC if for no other reason than to have Marysville consistent with the county's standards.

Gary McRory, 7223 21st Pl. SE, Everett, addressed Council and said he has worked with the Super Good Cents Program for about four years and has only seen one builder that changed from the program. He spoke well of the program's practicality, variety of available and non-biased information, savings to consumers of approximately 30% of conventional fuel bills. He said he is in favor of the increased standards and information source for builders.

Councilor Weiser asked how wide-spread the program is and Mr. Hughes from BPA said 117 electrical utilities are involved in the state.

No one came forward against the issue.

Councilor Pedersen asked about the necessity of additional staff time and City Planner Corcoran said it would probably involve about 2-3 more inspections which translates into the need for another building inspector. He noted that an alternative to hiring a building inspector may be to use the grant money to pay a PUD inspector on a contract basis. He noted that Marysville is administering the UBC now and the additional costs for the NWEAC would be paid for out of the BPA funding. He also noted that a surcharge can be levied if people/builders don't meet energy conservation standards.

Mr. Smith confirmed that the use of PUD inspectors by local cities would be a distinct possibility.

Councilor Baxter said he would be interested in knowing exactly what additional inspections would have to take place and Mr. Smith explained that Marysville is under self-certification wherein the building contractor certifies that they have met the requirements and the additional inspections would be for additional requirements for windows, ventilation, insulation, etc. and would be paid for out of the BPA grant.

Harv Jubie explained that insulation by a contractor is certified by the contractor and the city inspector gets that certification under the present inspection process, with another, final, inspection done when the construction is completed.

Discussion followed concerning the present inspection process vs. what would be required under the NWECC Program, and justification of additional personnel that may be hired to accommodate additional inspections. Mr. Smith noted that two years down the road, the State code may require the additional inspections with no additional money/reimbursement and the City will have to hire the additional personnel anyway.

Councilor Cundiff said his concern was with the additional workload after the first two years of BPA reimbursement, as far as additional inspections, eg. and that he would like to see the workload more defined.

There was discussion about the ups and downs of building booms and how difficult it is to predict workload. Councilor Pedersen asked if people could be hired on the contingency of funding and there were comments regarding the "momentum" that seems to exist once a person is hired whereby they don't usually get discharged. City Attorney Allendoerfer noted that if the funding dries up, the NWECC could be repealed off the City's books.

Councilor Baxter asked about the savings using electric vs. gas and it was explained gas costs twice as much as electric to install however costs only half that of electricity to use. Councilor Baxter said he would like to see both forms of energy included in the NWECC Program as is in Brier.

Gary Lans, Snohomish County PUD, addressed Council and explained that Snohomish County has adopted a higher code for natural gas in addition to the NWECC for electricity users. He noted the gas code is not as high as the electric standards however gas is cheaper and the cost effectiveness is met by the NWECC for electricity. He noted there are other considerations, too, besides cost, such as better built homes, a cleaner environment, saving of electricity. He said he felt adoption of the code would retain the already very good Snohomish County utility rates.

City Attorney Allendoerfer reminded Council that Marysville has already adopted the Washington State Energy Code and referred to page 2 of the draft ordinance in the packets.

Councilor Lashua asked about buildings being remodelled and if the 50% rule would apply. City Attorney Allendoerfer said yes, the UBC considers over 50% renovation/remodel as a total new construction and the whole structure would then have to conform to the energy code. If it is less than 50%, only that part of the structure which is being remodelled would have to conform to code and he added that the 50% is included in the conversion code standards.

There was considerable discussion regarding item 8 on page 2, the glass to floor area ratio and Mr. Smith explained that there is a limit of 15% glass to floor area ratio and to increase the amount of glass to 21% (maximum), you would need more insulation. There was discussion regarding the state and UBC glazing ratios.

Mr. Hughes was asked about suggested effective dates and he said 3/15/90 was indicated by the State Legislature and that BPA would need 90 days for processing. There was further discussion about avoiding the "cut off" date, adoption date vs. effective date of the code. Councilor Baxter stated he still has concerns regarding including all residential buildings under the NWECC and would like to see more information regarding construction costs for different forms of energy.

Bob Wicks, Architect, addressed the Council and said he could not answer the question on construction costs but is in favor of conservation of electricity. He noted that people's utility bills will probably still increase on account of simple inflation and rising costs in general and if a builder gets a good appraisal and sells the home at a higher price--the homeowner then ends up paying for the "conservation" by way of a higher mortgage payment over 30 years, which needs to be considered here, also.

There was further discussion regarding the market, financing of homes, NVEC codes, surcharges if homes aren't up to the energy code.

Councilor Baxter moved to continue this public hearing to 1/8/90 for more information with regard to construction/installation costs on all types of energy as well as a staff report regarding additional workload that would be required with additional inspections, etc. Councilor Lashua seconded and the motion passed unanimously.

CONSENT AGENDA:

1. 12/22/89 Claims #18228 thru #18385 (and voided Claims #18231, 18095 & 18199 from 12/11/89 Claims) in the amount of \$235,531.96.

Councilor Baxter moved that the Consent Agenda be approved with the addition of \$1,910.00 to the 11/89 Payroll Claims (due to a typo in the agenda). Councilor Weiser seconded and the motion passed. Councilor Cundiff did not vote.

REVIEW BIDS:

1. Forklift - Utilities Department.

Public Works Director Zabell reviewed the bids received as itemized in the packets and recommended awarding the bid to the low bidder, Puget Sound Lift Truck in the amount of \$17,240.87. He stated that the forklift they propose meets all specifications and requirements of the Utilities Dept. and would be a "Kimatsu" forklift.

Discussion followed regarding whether or not the forklift is a two or three stage mast; regarding buying American vs. Japanese (it was pointed out that it is 75% American, 25% Japanese, i.e. assembled in Japan only); that this is a budgeted item; capabilities of the forklift; possibility of having a trial use.

Councilor Baxter moved that the decision on this purchase be postponed to 1/8/90 in order to give staff more time to review issues brought up this evening. Councilor Cundiff seconded and the motion passed unanimously.

CURRENT BUSINESS:

1. Appointment to Council Vacancy.

Mayor Matheny announced that Mel Schank has withdrawn his name for this vacancy and she then opened nominations.

Councilor Lashua nominated Otto Herman. Councilor Pedersen nominated Donna Wright. The two nominees were then asked to address the Council and give reasons for why they wish to become involved in City government.

Otto Herman addressed the Council and stated he has a strong desire to become a Councilmember and has a real concern about changes in the community and how they will affect the quality of life in Marysville.

Councilor Weiser asked what role he felt City staff should assume and Mr. Herman said he felt they should be responsive to City Council members' requests for information.

Councilor Cundiff asked if Mr. Herman had any other concerns besides growth in the community and Mr. Herman stated that is his main concern, in that it is having a dramatic impact on people's lives in the community. He added that during his campaign, he had an opportunity to knock on hundreds of doors in the area and the main concern is growth. He said he is also concerned about the quality of life--traffic, facilities such as parks & recreation, utilities, senior citizens' concerns with increased rates, eg.

Councilor Pedersen asked by what means he used to keep informed of City business/activities and Mr. Herman stated he has been attending meetings, talks with City Council members and reads the newspapers.

Donna Wright then addressed the Council and stated she has been a resident of Marysville for over 22 years and is active in the business community. She said she feels she would have a lot to contribute as a Councilmember because she is a good listener and feels we need to be in tune with the community's wants and needs.

Councilor Cundiff asked her what her primary concern is for Marysville and Mrs. Wright stated she sees a responsibility on the part of the City Council to manage the growth so Marysville does not become like some areas; we need to maintain our parks and recreation open spaces, affordable housing, welfare of the community, fire and safety, maintain reasonable utility and other services.

Councilor Pedersen asked how she has been keeping informed of City activities/business and Mrs. Wright explained that as a member of the Planning Commission, she has received copies of all the City Council minutes.

Councilor McGee asked what she felt her biggest asset to the Council would be and Mrs. Wright stated her ability to work with people.

Councilor Lashua asked regarding Marysville's problems, if she feels the City Council is addressing these (growth) issues appropriately and Mrs. Wright stated she agrees with most of the areas. She added that, "We need to just keep an eye on things."

Councilor Weiser asked about her concept of the staff's role and Mrs. Wright said she believes it is City Council's responsibility to weight information from the public as well as staff.

The vote was taken and the results were Otto Herman 1 to Donna Wright 5 votes. Donna Wright was then given the Oath of Office by Finance Director/City Clerk Dexter and took her seat as a Councilmember.

## 2. Selection of Mayor Pro Tem.

Councilor Lashua stated he believes this responsibility should "move around" and nominated Dave Weiser. Councilor Cundiff nominated Ken Baxter. The results of the vote were 2 for Councilor Weiser and 5 votes for Councilor Baxter.

## 3. Planning Commission Recommendation - Preliminary Plat of Bayview Summit.

City Planner Corcoran reported that staff met with the proponent and resolved the mitigation concerns, wherein they have volunteered to contribute \$200 per lot for parks and recreation mitigation and \$125 per lot for Diking District #3. He referred to the staff recommendations, findings of fact and conclusions in the packets.

Councilor Baxter moved for approval, to include findings of fact, conclusions and two variances as per staff report. Councilor Lashua seconded the motion.

City Attorney Allendoerfer asked about the TIP contributions and I-5/4th St. ramp assessment under Conclusion #1 and City Planner Corcoran explained the Planning Dept. is hoping to have a TIP set up on the off-ramp and are in the process of putting together money to design the ramp, which will run approx. \$500,000. He said they do not have a per trip cost at this point.

City Attorney Allendoerfer pointed out that the letter from DOT regarding their participation needs to be included in the DNS. He pointed out that the level of serve at the off-ramp is now considered to be "F" which is very poor. City Planner Corcoran agreed

MARYSVILLE CITY COUNCIL MINUTES  
JANUARY 2, 1990  
Page 8

there is a problem with DOT not wishing to participate (they have run out of money) and stated that the City has simply taken the position at this point that something needs to be done and said staff is recommending that the City take the lead in initiating action.

City Attorney Allendoerfer recommended rewording references to the I-5/4th St. interchange to "TIP 3" and added that he does not agree that developers should have to pay \$500,000 for the interchange. He said he also needed clarification on the reason for the lack of contribution on the regional detention pond.

Public Works Director Zabell stated that the capacity can't be increased for Pond J now that it's completed and pointed out that there is really nothing for the developer to contribute towards now.

City Attorney Allendoerfer asked about the possible need to amend the MMC regarding slopes, noting that it would eliminate the necessity of all plats having to request the change from 10% to 15% slopes with regard to being allowed to construct roads at that grade.

Public Works Director Zabell stated he recommends establishing guidelines for each road and added that it's pretty consistent that 15% is requested, for example, on the hillside.

City Attorney Allendoerfer stated he was not comfortable with Conditions 1 and 2 and there was discussion about the easement amendment, soils, drainage.

Dick Martin, 5621 Rockefeller, Everett, developer, addressed the Council and stated that using the drainage/detention pond vs. on-site detention was discussed but there is no place on the plat for on-site detention. He added that as far as funding, Pond J was in place already so it was understood they were not required to contribute.

Councilor Baxter stated he believes the developer should still be paying for maintenance, for example of the drainage pond.

Mr. Martin stated that would be a reasonable request and that they did not intentionally expect to be exempted from the drainage/retention pond costs.

Public Works Director Zabell then recommended \$400 plus \$25 per lot plus latecomer fee to Belmark Industries. He noted that this will decrease the capacity of the pond by 14 lots worth and added that a storm water utility program does need to be implemented. Discussion followed regarding bookkeeping, administrating utility programs and fees.

City Administrator Sanden suggested the wording, "subject to participation in latecomers agreement and/or to provide onsite detention (underground)." She mentioned that the proponent's engineer did wish to be in attendance this evening and suggested the final decision be postponed until the engineer could be in attendance.

There was further discussion regarding capacity of the retention pond, diking problems, mitigation fee increase, mitigation fees for I-5/4th St. off-ramp (Snohomish County collecting), TIP or interlocal agreement with State, getting more information, staff clarifications.

Councilor Cundiff moved to continue until clarifications can be made, to the 1/22/90 meeting. Councilor Weiser seconded and the motion passed unanimously.

REVIEW BIDS:

As an addendum (see page 6 of these minutes), Public Works Director Zabell stated he had found out the height of the forklift is 6'3"



which is appropriate for the Utilities Dept. He said he was satisfied that the forklift would meet their needs and recommended approval of the bid without continuance to next week as previously decided.

Councilor Baxter moved that the issue had been reconsidered and the bid awarded to Puget Sound Lift Truck in the amount of \$17,240.87. Councilor Lashua seconded and the motion passed unanimously.

NEW BUSINESS:

1. Revisions to Community Transit Route.

Public Works Director Zabell explained that CT had to change their route for road repairs some time back and they have now grown used to the change and wish to make the route change permanent. It is also agreeable to the seniors who use the buses, it was noted but Public Works Director Zabell did express a concern for the condition of 10th St. possibly deteriorating and said he would keep an eye on it.

Councilor Weiser noted that people are still running the stop signs at 10th & Alder Public Works Director Zabell stated the Street Dept. will be painting the word "Stop" at the intersection once the weather allows. He recommended a six month trial approval on the transit route change.

Councilor Pedersen moved that the CT route revisions be approved on a six month trial basis as recommended by staff. Councilor Cundiff seconded and the motion passed unanimously.

LEGAL MATTERS:

1. City Attorney Retainer Agreement - Calendar Year 1990.

After a brief discussion, Councilor Lashua moved and Councilor Baxter seconded to approve the agreement for the Mayor's signature. Passed unanimously.

ORDINANCES & RESOLUTIONS:

1. Ordinance Incorporating Transportation Improvement Programs into the City's SEPA Policies.

City Attorney Allendoerfer explained that this concerns TIPS 89-1 and 89-2.

Councilor Cundiff moved and Councilor Baxter seconded that Ordinance #1750 be approved/adopted. Passed unanimously.

2. Ordinance Relating to Applications for Business Licenses.

City Attorney Allendoerfer explained that this would ensure that a business has their "professional" license status in place prior to being issued a City of Marysville business license and extends the time limit for issuance of the City license in order to run checks.

Councilor Lashua moved that Ordinance #1751 be approved/accepted. Councilor McGee seconded and the motion passed unanimously.

3. Ordinance Relating to the Required Width of Private Easements.

City Attorney Allendoerfer explained that this ordinance amends road width to 50' for over eight dwelling units; currently the ordinance reads that if there are more than 4 lots the road width should be 50' and it was explained that 30' is adequate for private roads of this type.

Councilor Baxter moved and Councilor Pedersen seconded that Ordinance #1752 be adopted/approved. Passed unanimously.

4. Ordinance Relating to Licensing of Day Care Centers.

City Attorney Allendoerfer explained this would repeal the MMC and bring it in line with the State RCW.

Councilor Weiser moved and Councilor Lashua seconded to approve/adopt Ordinance #1753. Passed unanimously.

5. Amendment to Ordinance #1740 increasing Utility Taxes to 6% effective 1/1/90.

City Attorney Allendoerfer explained no tax increase can be effective for 60 days and so the effective date needs to be changed to 1/26/90.

Councilor Baxter moved and Councilor Weiser seconded to approve/adopt Ordinance #1754 with an effective date of 1/26/90. Passed.

6. Resolution Amending the City's Cost Sharing Policy for Voluntary Sidewalk Construction and Repair by Private Property Owners.

Councilor Baxter moved and Councilor Weiser seconded to approve/adopt Resolution #1399 at \$12.50 per lineal foot for residential sidewalks and \$15.00 per lineal foot for commercial sidewalks. Passed unanimously.

7. Resolution Waiving the Public Bidding Requirements for the Acquisition of a Computer System for the Marysville Municipal Court.

City Attorney Allendoerfer explained that there is only one purveyor of this particular computer system, the County.

There was discussion regarding leasing vs. purchase, budgeted amount, need to possibly hire another person. Finance Director Dexter pointed out that \$21,000 per year was budgeted for three years and it now appears that the actual will be \$17,000 per year for three years. He added that the City has also budgeted \$50,000 for a computer upgrade at City Hall but that system would not be able to accommodate the Municipal Court because of their (the Court's) need for confidentiality as well as other needs unique to that department.

There were questions about differences in printers, training, support, fees, powerhouse, more information needed, the uniqueness of the system.

Councilor McGee moved that a decision on this item be postponed to 1/8/90 in order to obtain more information in answer to questions raised by Council this evening. Councilor Weiser seconded and the motion passed unanimously.

8. Resolution Waiving the Public Bidding Requirements for hiring Contractors in the event of an Emergency.

City Attorney Allendoerfer explained this resolution was necessitated when the Stilly well chlorinator malfunctioned and caused a state of emergency to the water supply and the City had to hire out repairs as well as a clean up crew. He noted that the waiver of the bidding process would be supplemented with a notice in the Globe explaining the process.

Councilor Lashua moved and Councilor Weiser seconded that Resolution #1400 be approved/adopted. Passed unanimously.

9. Jones/Belmark Public Hearing regarding Annexation 1/22/90.

Councilor Weiser moved and Councilor Pedersen seconded approval/adoption of Resolution #1401 setting the public hearing date. Passed unanimously.

10. Weiser 6th St. Vacation Public Hearing 2/5/90.

Councilor Baxter moved and Councilor Cundiff seconded to approve/adopt Resolution #1402 setting the public hearing date as above. Passed. (Councilor Weiser did not vote.)

11. Sagebrush Development Water & Sewer Recovery Contracts.

Councilor Baxter moved and Councilor Cundiff seconded to approve Recovery Contract #147 regarding an 8" water line for Sagebrush Development. Passed unanimously.

Councilor Baxter moved and Councilor Wright seconded to approve Recovery Contract #148 regarding an 8" sewer line for Sagebrush Development. Passed unanimously.

12. Appointments to the Parks Board.

Councilor Baxter moved and Councilor Weiser seconded to confirm the Mayor's appointments of Mike Elmore and Gene Luppold to the Parks Board, as per the recommendation of Parks & Recreation Supt. Ballew. Passed unanimously.

13. Appointment to the Planning Commission.

Councilor Baxter moved and Councilor Cundiff seconded to confirm the Mayor's appointment of Otto Herman to the Planning Commission. Passed unanimously.

14. P.U.D. Lawsuit Update.

City Attorney Allendoerfer explained that a court hearing was originally scheduled for 1/12/90 however P.U.D. has withdrawn the lawsuit and the calendar date has been pulled. There is a "settlement" meeting this Thursday he noted and it was suggested that the Mayor, Councilor Baxter, Bill Roberts and City Administrator Sanden be in attendance, in addition to the City Attorney.

15. Marysville-Arlington RUSA Agreement.

City Attorney Allendoerfer explained he needed clarification before drawing up the agreement and after a short discussion, it was decided to have another meeting defining specific terms of the agreement such as boundaries, ownership of water and sewer lines, water sources, control/enforcement of payment of utilities, etc.

CALL ON COUNCILMEMBERS:

Councilor Cundiff said that after travelling some 13,000 plus miles on his vacation and visiting many other cities, he feels fortunate to live in Marysville and it's good to be back.

Councilor Pedersen mentioned the possibility of funding for the AWC training sessions, asked if a PA system for the Council Chambers could be given higher priority (as approved already), mentioned the fact that 3rd & State is still operating with temporary 4-way stop signs and noted there will be a report at next Council meeting regarding what was discussed in committee regarding the hearing examiner.

Councilor Baxter said the business people should be thanked for closing everything down in Marysville Christmas Day this year. He reported that at the last Golf Board meeting it was recommended that greens fees be increased in order to start paying for the building at Cedarcrest and should bring in about \$45,000 to \$50,000 per year income. He noted City Hall renovation vs. move is still unresolved and reported that he had heard about some good (demos) automobiles that can be acquired for about \$8,000 as a possibility for the City Administrator's vehicle purchase. He noted that the Mall employees are still using 1st St. and the police are saying they cannot enforce parking violations which is creating problems for businesses and others in the vicinity. He noted that the thermostat in Council Chambers has a lock box on it and asked if

the City Administrator could check into the necessity of that.

Councilor Weiser said he was sorry to hear that Veda Ferdinand had left the City's employ. He noted that he has also received complaints regarding the unauthorized parking on 1st St.

ADJOURNMENT: 11:15 p.m.

Accepted this 2nd day of January, 1990.

Rita Matheny  
MAYOR

Mary D. Swenson  
CITY CLERK Deputy

Wanda A. Swenson  
RECORDING SECRETARY