

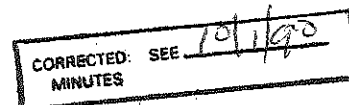
MARYSVILLE CITY COUNCIL MINUTES

SEPTEMBER 24, 1990

7:30 p.m.

Council Chambers

Present: Rita Matheny, Mayor  
Councilmembers:  
 Ken Baxter, Mayor Pro Tem  
 Dave McGee  
 Dave Weiser  
 Donna Pedersen  
 Donna Wright  
 Bob Lashua  
 Lee Cundiff  
Administrative Staff:  
 Carolyn Sanden, City Administrator  
 Jim Allendoerfer, City Attorney  
 Dave Zabell, Public Works Director  
 Mike Corcoran, City Planner  
 Doug Ronning, City Fire Chief  
 Wanda Iverson, Recording Secretary

CALL TO ORDER:

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

ROLL CALL:

City Administrator Sanden called the roll with all members present/absent as indicated above.

MINUTES OF THE PREVIOUS MEETING:

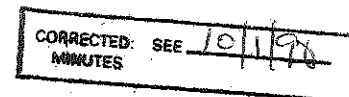
Councilor Lashua noted in the minutes of the 9/10/90 meeting that he was against the motion to excuse Councilor Weiser from that meeting (ref. page 1, under Roll Call).

Councilor Pedersen asked about Snohomish County Tomorrow being continued from last meeting and not being on tonight's agenda and Councilor Lashua stated he would be covering this subject under Call on Council later this evening.

Councilor McGee moved and Councilor Wright seconded to approve the minutes of the 9/10/90 meeting as corrected. Passed unanimously.

AUDIENCE PARTICIPATION:

Bernie Sigler, 626 128th St. SW, Everett, addressed the Council, stating he owns 16 acres on 67th in Marysville, known as the Frazier Annexation. He explained that he was referring to something that Bud Darling had been discussing with the Mayor but Bud Darling could not be here tonight and so Mr. Sigler was here on Mr. Darling's and other developers behalf. About the time of the sewer moratorium, he explained, several developers became interested in alternatives and contacted Biosearch Technologies. Hammond, Collier & Wade were made aware of the alternatives but they have not been in touch with Biosearch Technologies, he said. When Marysville received the high BOD test results in August, another developer said he would advance \$20,000 for the City to conduct more testing with the product from Biosearch Technologies but there was no response from the City, Mr. Sigler explained. He said he thought the City has the duty to look into these alternatives which it is felt have substantial merit and especially with the view that Biosearch's methods may solve Marysville's sewer problems. He noted that the engineering firms/consultants do not seem to want to pursue this method but that there should at least be some kind of trial of the product because several cities in California were in the same situation as Marysville and they ended up in compliance with the alternative method from Biosearch.



Mr. Sigler stated his 16 acres represents \$5,000 per month in fines and we need to solve the lagoon problems as quickly as possible.

Councilor Cundiff asked which cities in California Mr. Sigler was referring to and Mr. Sigler said the City of Tehachapi and the Utility District of Strathmore.

Councilor Weiser asked precisely what method is used and Mr. Sigler stated it is a liquid product that's added to the waste stream (influent) and it helps the waste to be cleansed faster in the lagoon. In California, he said they found they did not need the lagoon capacity they had--they only needed about half as a result of the product. If Marysville introduces this, he continued, he said he was told the time in the lagoon will be cut in half. He added there is a real frustration trying to get some action on the part of the City of Marysville. The estimate of cost is about \$300/day with no capital expenditures whatsoever.

Councilor Weiser asked about Tehachapi's outfall--where it goes--and Mr. Sigler stated it dissipates through a percolation and evaporation system but he was told there is no damage to the destination whatsoever. There is also less odor than present conventional methods and as far as DOE approval, he said he understands they would not have to be involved because there's no changes to the plant.

Public Works Director Zabell addressed Council and admitted recall of getting communications from Biosearch which he passed along to Larry Wade and Bill Persich. He added that staff and the consultants have discussed this matter and there is a concern with adding another chemical into the system. He said it was felt the City would have to go to DOE with this method and he added that we still have the problem of meeting maximum amounts of sewage criteria. He pointed out that an engineer from California could make a presentation to the RUSA committee but that he would prefer to see prior approval from the DOE on the product.

Rolly Bolack, Biosearch Technologies, Bellevue addressed the Council and said he spoke with a Mr. Dawda of the DOE or EPA and he told Mr. Bolack this whole issue is a matter between Biosearch and the City of Marysville.

Councilor Pedersen asked about the composition of the product and Mr. Bolack said it contains food nutrients, herbs, trace elements and is strictly organic. He reiterated how well the cities of Tehachapi and Strathmore are doing and said in fact, sometimes they do not need to use the additive because they are doing so well and in fact, sometimes the effluent can even be allowed to drain off into citrus orchards because it is harmless to growth and has no adverse affect, he said.

Councilor Pedersen asked how soon after first introduced into the system would results be seen and Mr. Bolack said it would take about 30 to 60 days and added that it is completely biological, 100% safe and actually enhances the action of the lagoon. He conceded to having had a lot of problems trying to convince consulting engineers about the product but Biosearch Technologies have sold the product to 31 dairies around the country who have used the product for 7-10 years and it works!

Councilor Cundiff expressed a concern about having nothing in writing from the DOE regarding acceptance of this method and he said he did not want to see any problems develop down the road.

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City Administrator Sanden said staff had spoken with DOE about this product and the consensus was our lagoon is already overloaded with organics--we need more oxygen at this point, she said. It would be very risky to add this in an already overloaded lagoon and the DOE would be very reluctant to approve something not included in Marysville's original formal presentation, she added.

Mr. Bolack responded that the product eliminates the need for oxygen and expensive aeration equipment and he said Tehachapi is now at 150% capacity right now and in full compliance, there is no odor, the product does a better job than aeration, it's a completely natural process. He added that if there is a problem with the DOE or EPA, he will gladly go to them and explain his product and clear away any "red tape" so to speak.

Councilor Weiser asked how long the California cities have been using the product and Mr. Bolack said Tehachapi has been using it about 5 years and Strathmore about 3 years.

Public Works Director Zabell asked about maintaining the 30/30 BOD and other criteria and Mr. Bolack said no problem. He added that the product reduces sludge also and any sludge is digested most effectively over a period of time and does not have to be removed as is the present method. He said he felt this would represent a tremendous cost savings to Marysville.

Mayor Matheny asked the population of Tehachapi now and Mr. Bolack said it is now 11,000, which is comparable to Marysville's size.

Councilor Cundiff expressed appreciation for Mr. Bolack coming before the whole City Council but said he still has a concern about getting DOE approval first.

Councilor Pedersen said she agrees and added that she would be in favor of the trial use of the product, using the \$20,000 donation offered.

Councilor Weiser said he would like to see some testimonial letters from the cities of Tehachapi and Strathmore first.

Councilor Baxter said he felt the product has merit and would hate to see the whole idea dropped just because the City's engineering firm is not familiar with it. He referred to another \$22,000 to be paid in tonight's vouchers for aeration equipment and speculated that if the City could quit buying equipment and electricity, it could add up to quite a bit of savings. He concluded that he would like the use of this product looked into further, specifically as it would relate to Marysville's needs.

Noel Seigren, 7229 73rd Dr. NE, addressed Council, noting that he had just sent a 5 page letter to the Mayor. (Mayor Matheny indicated the letter had been turned over to the police department.) Mr. Seigren explained they sold their house and moved here 1/1/90 into a new Belmark home and have since had their home vandalized several times--he's sure by the Maffia from Ohio. Unknown persons have messed with electronics in the house (there is interference on the TV which no one else in the neighborhood has), there's has been acid thrown on his car, the locks of the house forced, flooding in the property. He stated Michael Sigmund did come to the house but the vandalism continues and he's pretty sure it's the Maffia and he's in desperate need at this point of police protection. He expressed a concern that these things would be allowed to happen in this country and was very emphatic that he would be back before Council if something is not done to resolve the situation soon, because he's 69 and just can't take it much longer.

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PRESENTATION:

Mayor Matheny presented Public Works Director Zabell with a ten year service plaque. City Administrator Sanden explained this is part of a new employee recognition program.

PETITIONS & COMMUNICATIONS: None.

PUBLIC HEARINGS: None.

REVIEW BIDS: None.

CONSENT AGENDA:

1. 9/24/90 Claims Check Nos. 21355 thru 21513 and voided Check Nos. 21316 thru 21368 in the amount of \$486,705.78.

Councilor Lashua questioned the voucher payable to Reid Middleton and Public Works Director Zabell explained it is for services with regard to Grove St. between 47th & 51st.

Councilor Lashua questioned \$1700 for office furniture and City Administrator Sanden explained this is an accumulation of items each under \$250, for expansion of the office, and was put under office supplies and furniture (non-budgeted items).

Councilor Baxter questioned 3 or 4 items and was responded to to his satisfaction.

Councilor Baxter then moved and Councilor Weiser seconded to approve Consent Agenda Item #1. Passed unanimously.

2. Personnel Report.

Councilor Lashua asked about the civil service testing process and if the applicants are receiving a different test each time. He also noted that he recalled the City having a problem with the tests before--where the wrong test was given to entry level applicants.

Charlene Bye addressed Council and explained the problem which recently occurred is not the same problem as before. She said she used a brand new test, based on Snohomish County's data base but it was too difficult and not all appropriate for the entry level applicants so the Civil Service has redeveloped a test to be administered. Chief Ronning added that they have changed the method of hiring also and need to test the firefighting skills.

City Administrator Sanden explained Item #3 on the agenda bill-- restructuring of the Executive Office. She noted that a City Clerk Grade XI, Administrative Secretary Grade VII and Business License/Computer Coordinator Grade III were budgeted for in 1990. A comparable worth study showed the Administrative Secretary more as a management asst. and this was covered in a past consultant's report also, she said, especially with the recent growth in the City. The comparable worth study also resulted in a secretary/clerical position and a systems coordinator (including records management) she stated and these positions were reviewed prior to the total re-evaluation of secretarial positions because these positions are all interrelated with the City Clerk position.

When asked about the comparable worth process, City Administrator Sanden explained the committee is made up of all department heads and unfortunately, the process is taking longer than expected. The process attempts to take the salary review and get it more in

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synch with the market, she noted and as far as a time line for completion of the non-salaried employees, the majority of it will be completed within the next two days. She added that the Systems Coordinator position (Grade V) would not be effective until 1991, however the Administrative Asst. Grade X and Secretary Clerk Grade I would be effective October 1. She explained a little about the scoring system used by the comparable worth committee, establishing baselines, averaging scores, etc. and noted that the salary survey has provided guidelines, also. She stated the Administrative Asst. X and Systems Coordinator Grade V are upgrades of existing positions, the Secretary/Clerk Grade I is a new position. She added that the City Clerk duties are performed (in addition to Phil Dexter) by deputy city clerks, the administrative assistant, the systems coordinator, and others.

Councilor Cundiff asked about "equal pay for equal work" and City Administrator Sanden explained the comparable worth process reviews and assesses the job description with a point scoring and assignment of a grade and does address equal pay for equal work.

Councilor Pedersen moved and Councilor McGee seconded that Consent Agenda Item 2 be approved. Motion passed unanimously.

CURRENT BUSINESS:

1. Variance to Ordinance No. 1795 - Leifer.

Steve Leifer, 13127 Old Highway 99, addressed Council and referred to the five page letter in the packets. He said they feel they comply with the requirements of the variance process.

City Attorney Alledoerfer explained that his interpretation is that the applicant has two vested connections but Mr. Leifer is asking for 17 connections now. He explained that paragraph 2.1 of Ordinance 1795 superseded Ordinance 1763 and we are under this total ban right now because of chemical imbalance and the City can't honor the request at this time. The City would have to take some emergency measures towards resolution of the sewer lagoon problem and once the sewer lagoon is within compliance and after the 2.1 ban is over, would be a better time to submit these requests, he stated.

Mr. Leifer pointed out that the City was well aware of the applicant's plans previously, for 17 connections and asked if they would be allowed to continue with construction of the facilities in the meantime.

City Attorney Allendoerfer said yes, if there is an alternate way to dispose of sanitary waste, eg. a septic system. He said a proper and bonafide septic design would have to be submitted to the county and the City cannot guarantee sewer at this point, for any definite point in the future.

Mr. Leifer pointed out that, as a participant in ULID #3, a lot of money has been paid toward a sewer system that they cannot use and asked if they could get their money back from the City.

City Attorney Allendoerfer pointed out that a ULID is separate from the City, that a ULID is a group of neighbors who are making payments towards a bond that was taken out to pay for the installation of the line.

Councilor Weiser asked if the DOE has actually enforced a ban on the City of Marysville and City Attorney Allendoerfer stated the DOE has stated they would not impose any further ban than is in

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effect under 2.1 of Ordinance 1795.

Mr. Leifer went on to say he didn't understand why they couldn't be allowed to construct the buildings, that he saw this in no way excepted in the Consent Order between the DOE and the City, that they should still be allowed to build (but not use) a sanitary sewer during the moratorium.

City Attorney Allendoerfer pointed out that the Consent Order does exclude any sewer extension.

Mr. Leifer asked if it would be OK to build a drain field/septic system and City Attorney Allendoerfer said yes, as long as there are no dry sewers built. A whole business park could be opened if it is set up on an approved septic system but there is too much liability for the City to allow dry sewer lines, he said, or at least this is the position the City Council has taken to date.

Mr. Leifer noted his family has a very unique hardship situation and would like to see it where they could build the dry sewer lines. He noted that Centex had been approved to do this but City Attorney Allendoerfer stated Centex already had lines in the ground.

Councilor Pedersen asked if a hold harmless agreement were signed by the developer/owner, if that would protect the City enough to allow the developer/owner to go ahead and build dry sewer lines.

City Attorney Allendoerfer stated several other developers have asked to sign hold harmless agreements but DOE has encouraged the City not to allow this, noting that bootlegging of sewer service is much easier with lines already installed.

Mr. Leifer stated that as far as bootlegging, use of the sewer lines is very easy to determine and the Leifer family would be willing to sign a hold harmless agreement with the City.

Councilor Baxter reminded everyone that Steve is Wayne Leifer's son and Wayne has come before City Council many times regarding this property and regarding their unique hardship.

City Attorney Allendoerfer stated that the City had no inkling of a sewer moratorium situation until February, 1990.

Councilor Baxter said he agrees this is a unique situation and as far as he could see, everything as stated in Mr. Leifer's five page letter is an accurate account of what has happened with their property, leading up to the present situation.

City Attorney Allendoerfer said if Marysville were not under the 2.1 ban, Mr. Leifer would have 2 vested connections, but not 17 as they are now requesting.

Councilor Baxter asked Mr. Leifer if two connections would help their situation and Mr. Leifer said yes, that would get them through the construction stage at least and keep them "alive" until after the sewer moratorium. He added that it would eliminate the pump station that Marysville wants to get rid of, also.

Councilor Baxter said he would have a problem if construction weren't allowed to continue and he said he agreed with Mr. Leifer's statement that bootlegging is very simple to detect.

Councilor Pedersen said she sees this as two issues: dry sewer lines being constructed and the variance issue.

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City Administrator Sanden stated the issue of whether or not to allow dry sewer lines to be built could be put on next meeting's agenda.

Councilor Cundiff moved to deny the Leifer Variance without prejudice, to allow for the discussion at next Council meeting. Councilor McGee seconded and the motion passed with Councilor Baxter opposing.

Councilor Weiser moved that the dry connection issue be put on the agenda for next meeting (10/1/90), Councilor Cundiff seconded and the motion passed.

NEW BUSINESS:

1. Vine Street Group Sewer Service Request.

Brent McKinley, representing the Vine Street Group, addressed Council and said they were interested in the alternatives encouraged under Section 4 of Ordinance 1795 with regard to helping the City during the sewer moratorium. He explained their proposal (as written up in the letter in the packets) of utilizing a ULID line to the City of Arlington, making a diversion from a Marysville manhole. He noted there are three alternatives:

- a. shopping center sewage only could be identified and piped to Arlington;
- b. all sewage from Marysville manhole could be diverted to Arlington;
- c. a certain percentage of the sewage could be diverted.

Mr. McKinley expressed the desire that negotiations between Marysville and Arlington continue with regard to sewer and water and said he had been given to understand that Arlington is only using 65-85% of their sewer capacity at this point. He added that they have assured Vine St. Properties Arlington has no problems accepting the sewage from the shopping center as proposed.

Councilor Lashua asked if the proposal includes extending the Marysville 14" line and Mr. McKinley said yes, approx. 200' on Arlington property.

Councilor Lashua asked how the Marysville manhole comes into play and Mr. McKinley explained that would be where the diversion can take place, that there is an existing outflow line there into Marysville's system now.

Councilor Lashua asked if the shopping center would be on Marysville water and Mr. McKinley said yes. Mayor Matheny asked if they would sign a no protest to annexation agreement and he said yes.

Councilor Lashua asked about the sewer diversion being referred to as temporary and Mr. McKinley confirmed that is the intention.

Public Works Director Zabell referred to his memo regarding the upgrade to the sewer line and said staff feels there should be an interlocal agreement between Arlington and Marysville to cover the sewer to Arlington with the monthly bill paid by Marysville. He noted that Arlington has a higher rate but Mr. McKinley is willing to pay the difference; design would have to be approved by the DOE, which would take about 2-3 weeks, he said. He added that DOE will be looking closely at Arlington's capacity, which fluctuates just like Marysville's, depending on the time of the year.

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Councilor Pedersen asked what elements would be included in the interlocal agreement and Public Works Director Zabell cited rates, annexation agreement, sewer and water customers, term of agreement.

Councilor Pedersen referred to the "temporary" status again and Mr. McKinley said Arlington has agreed to accept the shopping center's sewage, they have received the same letters as in the packets and it is the intention that this be a temporary arrangement.

Public Works Director Zabell noted that as far as RUSA committee meetings are concerned, it would be better to get some jurisdiction agreement reached with regard to water and sewer. He said they could get a meeting scheduled for early next week with the interlocal agreement having to come out of that, to be drawn up by the two attorneys.

Councilor Pedersen said she did not want to see Mr. McKinley's project held hostage to the RUSA negotiation meetings but City Attorney Allendoerfer pointed out that the RUSA committee could focus first on sewer and as far as holding projects hostage, he said he felt Island Crossing is holding everyone hostage at this point. He pointed out that it would be most advantageous to have Island Crossing's sewage go to Arlington--advantageous for Leifer, Bayview Crest, McKinley, all projects being held back because of the sewer moratorium/ban.

Councilors Baxter and Pedersen noted they would be available early next week for a RUSA committee meeting.

Mr. McKinley said time is of the essence with this project because they have entered into several lease agreements and have come forward in good faith with this request. He said he didn't particularly agree that an interlocal agreement is the solution; they would like to put a diversion device up in a Marysville manhole--what they feel is a simple solution to a simple problem. He said he didn't think this should have to go through the RUSA process.

Councilor Baxter said he feels past discussions with Arlington would facilitate discussions going very smoothly at this point and said he didn't think it would be a very lengthy process at all.

City Attorney Allendoerfer said he agreed and discussion followed about setting up a meeting as soon as possible. Councilor Lashua said he sees the request as simply being Mr. McKinley asking for a letter from the City of Marysville to the City of Arlington at this point.

Councilor Baxter said there's been enough information and effort put into this, with the contract basically written, so a complete diversion vs. a partial diversion could be made. He said probably one meeting will give a very good indication of Arlington's position.

Councilor Lashua said he felt Mr. McKinley's resolution very innovative and Mr. McKinley said they felt they were proposing a non-complex way of solving the problem but he sees Councilor Baxter's proposal as a political process and he said he didn't feel they need to be caught up in that process.

After further brief discussion, Councilor Lashua moved to continue this to next meeting (10/1/90) with staff to try and continue negotiations with Arlington through the RUSA process and advise at next meeting. Seconded by Councilor McGee and the motion passed.



**2. Request for Specialized Signing - Marysville Jr. High School.**

Public Works Director Zabell referred to the information in the packets and in response to Councilor Cundiff's question about the impact on residents on Columbia, he said there would be no problem.

There was discussion about school parking, widening of road for buses, staff parking, tennis courts, this being a temporary situation, junior high population to drop next year, changing times on signs, school to pay for the signs, no curb painting.

Councilor Baxter moved and Councilor Cundiff seconded to approve the request for signing only (no curb painting). Passed unanimously.

**3. Establish Public Hearing Date for Griffore Annexation.**

(Councilor Pedersen stepped down.)

City Attorney Allendoerfer explained that the City prevailed in the lawsuit and Ferrucci now has 30 days to file an appeal (10/19 deadline). He said he would recommend the public hearing date be the Monday following the 10/19 deadline but noted that time would have to be allowed for Mike Corcoran to do a SEPA analysis for the public hearing.

There was discussion about advertising of the public hearing, adequacy of posting, public hearing process.

Councilor Baxter moved that the public hearing be set for 11/5/90 for the Griffore Annexation with the City Attorney and City Planner input at the meeting. Councilor Wright seconded and there was more discussion about the process and the expanded boundaries of the annexation. The motion passed. (Councilor Pedersen did not vote.)

**4. Establish Public Hearing Date for Watershed Management Area.**

Councilor Wright moved that the public hearing be set for 10/22/90 and Councilor Baxter seconded. The motion passed unanimously.

ORDINANCES & RESOLUTIONS:

**1. Ordinance Relating to the Name of the Third St. Extension.**

Councilor Pedersen asked if all people affected had been notified of the changes and Chief Ronning said he believed they had been.

Councilor Wright moved and Councilor Pedersen seconded to approve/adopt Ordinance #1800. Passed unanimously.

**2. Ordinance Amending the Personal Service Section of the 1990 Budget Relating to the Executive Dept. and Finance Department.**

Councilor Cundiff moved and Councilor McGee seconded that Ordinance #1801 be approved/adopted. Passed unanimously.

**3. Ordinance Amending the Table of Permitted and Provisional Uses in Section 19.16.010 of the Marysville Municipal Code.**

Councilor Weiser clarified that "GI" stood for General Industrial.

Councilor Wright moved and Councilor Lashua seconded to approve/adopt Ordinance #1802. Passed unanimously.

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4. Resolution Adopting a 6-Year Transportation Improvement Program.

Councilor Baxter moved and Councilor McGee seconded to adopt/ approve Resolution #1445. Passed unanimously.

5. Resolution Regarding Intent to Study Joint Operating Venture with Fire Protection District #12.

Councilor Baxter moved and Councilor Pedersen seconded to adopt/ approve Resolution #1446 with a Joint Operating Board to be formed within 90 days. Passed unanimously.

MAYOR'S BUSINESS:

Mayor Matheny announced a Joint Workshop Meeting for Planning Commission and City Council, to be held Monday, 10/15/90 at 7:30 p.m. in Council Chambers.

Councilor Pedersen moved to approve same and Councilor McGee seconded. Motion passed unanimously.

Mr. W. R. Christianson, 17227 35th Av. NE, asked if Dave Zabell had the results from the second month of testing for the lagoon.

After explaining that the tests are now being run as of the first of the month, rather than the 15th, Public Works Director Zabell stated the effluent BOD was down but influent was about the same. He said he attributed improvement to the aerators but without the influent readings decreasing significantly, the ban is still in effect.

STAFF'S BUSINESS:

City Administrator Sanden noted that the budget process will begin about the second or third week of October. As far as Marysville's future water service area, she explained the City is required to resolve any conflicts and would like to propose a letter to PUD. She said staff plans to have the boundaries consistent with those proposed and discussed by City Council and the letter could be circulated to City Council prior to sending it out, but that they wished to have it sent out prior to next Council meeting. She said the letter would suggest an alternative to the overlap of Marysville and PUD lines.

With regard to the Firstmark Annexation, City Attorney Allendoerfer said it received approval from the Boundary Review Board and the only opposition was from the Snohomish County Council. He explained that they used the excuse that their opposition was based on protection of Munson Creek and that they felt the environmentally sensitive area would be better protected if left in the county vs. City of Marysville however City Attorney Allendoerfer pointed out that Marysville has more strict wetlands/environmentally sensitive protection than does the county.

With regard to the Sewer Lagoon Violators (3), City Attorney Allendoerfer reported that the City has written to them and Larry Wade has summarized the responses (in the packets?). One of the violators is reducing BOD with pre-treatment, the other two are still looking for solutions with one of them not being very positive. He said he had considered shutting them off but then realized the City is doing additional sampling and perhaps this should be done prior to a shutoff letter, he noted. He said a shutoff letter would probably be most effective with the "foot-draggers".

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Public Works Director Zabell noted it takes 5 days to run the BOD tests and City Attorney Allendoerfer noted that to fix the problem, the violators are having to come up with some very expensive fixes and perhaps the City needs to give them some motivation in this regard. It was noted that Quil Ceda Tanning does have a permit from the State to take water out of Quil Ceda Creek.

There was discussion about proper permits, how long they have been in business, permit requirements, City has completed sewer survey with these three the only significant non-compliance users. Public Works Director Zabell noted that 300 to 400 users were checked and there will be more testing done.

City Attorney Allendoerfer then presented a proposal from Bill Persich, Consultant with Brown & Caldwell. He explained that Mr. Persich wishes to be paid an additional \$18,000 for the work being done with regard to tracking down non-compliant industries and working on other City crises. This breaks down to \$103.84 per hour and Public Works Director Zabell explained the additional projects, helping staff, the fact the contract would be paid on a month to month basis based on a specific number of hours, not to exceed \$18,000.

After brief discussion, Councilor Baxter moved and Councilor McGee seconded to authorize the Mayor to sign the contract with Bill Persich, Engineering Consultant with Brown & Caldwell, for an amount not to exceed \$18,000. Passed unanimously.

CALL ON COUNCILMEMBERS:

Councilor McGee asked about tomorrow's session with the communications consultant. City Administrator Sanden stated it would be at 7 p.m. in Council Chambers.

Councilor Weiser asked about the Park & Ride Lot at 3rd & Ash and Public Works Director Zabell stated it is still in the design process. Discussion followed about the \$10,000 donation from Ray Thorsen, parking in the mall, parking on 1st St.

Councilor Baxter said he wished to solve the problem of night time dispatch and security at the Public Safety Building, that there had been another incident last week where the person felt as though they were not in a safe place because they could not come inside the Public Safety Building. Councilor Baxter suggested the possibility of allowing people to come in the first door only until security of the situation is cleared/checked out.

There was discussion regarding this "perceived" unsafe situation of having to stand outside speaking into a camera-surveilled intercom, the problems association with keeping the Public Safety Building open (reception area), emergency situations, logistics of not having an intercom in the stairwell, City policies in general, having someone in the PSB lobby until midnight (a volunteer?). City Administrator to check further with the police and/or fire chief.

Councilor Pedersen followed up about the Crowley complaint of last meeting and Public Works Director Zabell reported the grass has been cut, a light has been put in and the property is now on a maintenance program.

Councilor Pedersen asked about a stop sign at the intersection of 66th & 73rd and Public Works Director Zabell said this situation would be taken before the Traffic Advisory Committee and brought

back before City Council with their suggestions.

Councilor Baxter mentioned a sign on the northwest corner of 4th & State that needs checking--it may be turned around--and Public Works Director Zabell said he would check into it.

Councilor Cundiff asked about the committee that was set up to bring suggestions/guidelines back to Council regarding excused absences from Council meetings. He recommended having a definition of an excused absence before Council does any more voting on same. Councilors Weiser and Lashua to meet again soon on this.

Councilor Lashua gave an update on Snohomish County Tomorrow, stating he ran off copies of City Attorney Allendoerfer's concerns and gave them to Klaus Schilde. Mr. Schilde ran the concerns by a county deputy prosecutor and they apparently took exception to Item 10 (regarding construction of infrastructure and the resulting potential of lawsuits), where they thought there might be a problem but Councilor Lashua said he would review it further with Bob Overstreet in the morning.

CORRECTED: SEE 10/1/90  
 MINUTES

City Planner Corcoran commented that Snohomish County Tomorrow has no legal jurisdiction, is an ad hoc group only, and the policies were developed by elected officials of different cities with a lot of direction for management of Snohomish County. He added that if Marysville City Council wishes to attend the upcoming SCT public hearing, it will have to be advertised as a public meeting.

Councilor Lashua outlined the process, to include public hearings and City Planner Corcoran stated the public hearing will probably be in October to adopt their goals and mission statement, etc. and cities can then use these as a guideline if they wish. He said there will be a general assembly meeting 10/11.

Mayor Matheny noted that there will be a meeting of the mayors before 10/11.

Councilor Lashua said he was looking for City Council direction at the Wednesday SCT meeting and City Planner Corcoran commented that the SCT document is a growth management tool and he recommended Councilor Lashua vote in favor of the document, with City Attorney Allendoerfer's memo being a minority opinion.

City Attorney Allendoerfer said basically, his memo was advise to City Council, constructive recommendations, and was not intended to necessarily represent City Council's opinion outside of this forum. Councilor Pedersen stated she had some comments to give to Councilor Lashua and would pass them along to him tomorrow evening. The consensus was that Councilor Lashua use his own discretion with regard to the voting on the SCT document.

ADJOURNMENT INTO EXECUTIVE SESSION: 10:45 p.m.

1. Real Estate.                    2. Personnel.

RECONVENE AND ADJOURN: Approx. 11:30 p.m.

Accepted this 1<sup>st</sup> day of October, 1990.

Kita Matheny  
 MAYOR

Phillip E. Dexter  
 CITY CLERK

Manda A. Iverson  
 RECORDING SECRETARY