

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

MARCH 22, 1993

00377

CALL TO ORDER:

7:00 p.m.

ROLL CALL:

Councilor McGee excused

MINUTES OF PREVIOUS MEETING:

3/8/93 Approved

STAFF'S BUSINESS:

1. Refurbishing of Street Christmas Decorations Approved - \$11,231 + tax
2. Ord. Authorizing Sale of Water & Sewer Refunding Rev. Bonds and Limited Tax General Obligation Bonds Ordinance 1943 Approved
3. ISTEPA Grant Application Priority listing approved

MAYOR'S BUSINESS:CALL ON COUNCILMEMBERS:AUDIENCE PARTICIPATION:Mrs. Hall, Phyllis
McKenziePRESENTATIONS:

None

PUBLIC HEARINGS:

None

CONSENT AGENDA:

1. 3/22/93 Claims - \$139,295.58 Approved
2. Liquor Lic. Renewals - Conto's, Hereth Red Apple, Las Margaritas, Payless Drug #2732 & 2734 Approved
3. Marysville Strawberry Festival Proposal - Approved

REVIEW BIDS:

1. Sanitation Truck Presentation Approved for 2 Trucks
- cont. from 3/8/93

CURRENT BUSINESS:

1. Keen/Brenmar Builders exten. of Utility Variance Approved Res. 1574 (6 mo.)
2. Final Plat of Cedarcrest Place - Belmark Ind./Gary Petershagen Approved with conditions

NEW BUSINESS:

1. Utility Maint/Solid Waste Supervisor; Job Description Approved (Grade XII)
2. Construction Inspection Supervisor; Job Description Approved (Grade XII)
3. Carlson/Graham Rezone from RS7200 to Community Business Approved
4. Forest Park Realty Variance to Private Road Standards Approved

LEGAL MATTERS:

1. Sparling Standby Power Generators for 2 lift stns. - revised contr. Mayor authorized to sign
2. WWTF '92 Construction Services Contr.-Hammond, Collier, Wade Mayor authorized to sign
3. Dept. of Natural Resources Aquatic Lands Lease No. 20-013424 Mayor authorized to sign
4. Recovery Contract - Lee Benton Rec. Contr. #166 Approved
5. LeDuc Concrete Contract Mayor authorized to sign
6. Library Architectural Services To have a presentation from architect 4/5/93

ADJOURNMENT INTO EXECUTIVE SESSION:

10:59 p.m.

1. Personnel
2. Real Estate
3. Pending Litigation

RECONVENED AND ADJOURNED:

Approx. 11:30 p.m.

MARYSVILLE CITY COUNCIL MINUTES

MARCH 22, 1993

6:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
 Donna Pedersen, Mayor Pro Tem
 Dave McGee (excused)
 John Myers
 Ken Baxter
 Donna Wright
 Mike Leighan
 Otto Herman
Administrative Staff:
 Grant Weed, City Attorney
 Steve Wilson, Finance Director
 Gloria Hirashima, City Planner
 Dave Zabell, City Administrator
 Ken Winckler, Public Works Director
 Jim Ballew, Parks & Recreation Director
 Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Weiser called the meeting to order at 7:00 p.m. and led the flag salute.

ROLL CALL:

Finance Director Wilson called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilor Pedersen referred to the 3/8/93 minutes, page 4, 8th paragraph. She stated her intent was to inquire how many had been done of each, rather than how many were in favor of each.

Councilor Herman referred to page 5, 4th paragraph from the bottom of the page and said he wished to make a clarification: That "the LID has to be done in the most equitable way" should be that "he would like it to be done in the most equitable way."

There being no further corrections or comments, Councilor Wright moved and Councilor Pedersen seconded to approve the 3/8/93 minutes as corrected. Passed unanimously.

STAFF BUSINESS:

1. Parks & Recreation Director Ballew referred to a handout regarding a proposal for new and/or refurbished **Street Christmas Decorations**. He stated he has met with the gentleman who initially sold the decorations to the City and to refurbish the existing lighted pole decorations would cost \$5400 plus new banners with a lighting system to 116th. He noted there was no budget for this for 1993 but the business community has shown some interest in financing the banners but they would need to get lighting standards. He added that if the order is placed by April 1st, the City could get a 30% discount. He said he had looked into a couple groups who had indicated an interest in helping refurbish the decorations--a group of 3rd graders and the Private Industry Council, neither of which were deemed able to do the job adequately. He added that the idea was to change out the color scheme from white and red to green, red and gold in order for the decorations to last longer and not fade so fast. The City can also save on the lighting 30% if ordered by April 1st, however banners would not be reduced, he said. 33 light frames would be \$5775 (we have 28 banners), he explained.

Councilor Pedersen asked what new fixtures would cost and Parks & Recreation Director Ballew stated they would be about the same as refurbishing, about \$275 to \$335 per decoration. With the banners, you could use the standards year round, he said, for

example during Maryfest and also, with a large order, they would give the City 11 unlit strawberries.

Councilor Wright asked for a definite quote here and Parks & Recreation Director Ballew said it would be about \$11,200 with light standards plus tax.

Councilor Pedersen asked where we would get the funds and Finance Director Wilson stated it could come from the 1992 carryover and he said he could have that total at next Council meeting; that he thinks it was over \$170,000.

Councilor Baxter said he thinks this is a good program and the businesses don't seem to be inclined to help the City out.

After different color combinations were discussed, Councilor Baxter moved to approve the order for \$11,231 plus tax, as per the presentation. Councilor Pedersen seconded.

Councilor Herman said he is glad the City is looking at solutions however there was not much time to process this information.

The motion passed 5-1, with Councilor Herman against.

2. Ordinance Authorizing the Sale of City of Marysville Water & Sewer Refunding Revenue Bonds, 1993 and an Ordinance Authorizing the Sale of City of Marysville Limited Tax General Obligation Bonds, 1993.

Finance Director Wilson introduced Steve Gaidos of Seafirst. Mr. Gaidos said they had hoped to bring a purchase offer today for the refinance of the water and sewer bonds however on the pricing of the bonds they were set fairly low but when the underwriting proceeded there was a Seattle University issue also on the market. The City bonds were taken off the market, the interest rate was raised slightly and then they were put back on the market the next day but the market slowed down and consequently the Seattle U did not sell out and the City of Marysville bond issue was taken off the market in order to sell it another time, he said. The General Obligation bond issue was put on the market at the same time, however Snohomish County was competing with the City, he explained. He distributed handouts and stated they have now committed to rates on the \$3.7 million bond issue. He noted the interest rate is a very attractive 5.79% and the annual surplus is now greater and has therefore improved the interest rate originally offered. This is very good for a 20 year bond, he noted and he added the service fee will be 1.2% of the par value.

Mr. Gaidos noted also that the bonds are insured and are being offered at the same rate as the County's however he noted the market is too soft for large bond issues such as Snohomish County's, at this time. He said the request is that the purchase order be signed by the Mayor and the ordinance passed.

Lee Voorhees, Bond Counsel, addressed the Council. He noted that the ordinance is very similar to the one in February, the only changes are in the maturities, interest rates and bond amounts, as well as the inclusion of some term bonds, all maturing in 2012. He noted that Section 18 reflects the fact that the bonds are now insured and as far as the limited tax general obligation bonds are concerned, the City will levy taxes in order to pay the (councilmanic) bonds. He stated he has reviewed the purchase contract with Seafirst and the ordinance and recommends approval of same.

Councilor Baxter asked if this guarantees sale of the bonds and Mr. Voorhees said yes, once the ordinance is approved.

Councilor Leighan asked if it is normal to redeem the bonds prior to maturity and Mr. Voorhees said probably 9 out of 10 municipal bond issues go for 20 years before being redeemed.

In response to Councilor Herman's question, Mr. Voorhees explained that once the ordinance/purchase order is approved, they are obligated to sell the bonds and it's a contract between Seafirst and the City.

Councilor Baxter asked about how this will affect taxes and Mr. Voorhees stated the people are not being taxed extra; grants, bequests, uncommitted funds could be used to pay debt service on these bonds.

Councilor Pedersen moved and Councilor Myers seconded to approve/adopt Ordinance 1943 and authorize the Mayor to sign the sales contract with Seafirst. Passed unanimously.

3. City Administrator Zabell reminded Council Friday is the retreat, starting at 9 AM. Also, Don Mike is retiring 3/31 and there will be an open house in his honor at the Public Works Bldg. from 11:30 to 1 p.m. City Administrator Zabell thanked Jim Ballew for doing an excellent job in presenting our block grant projects. He also reminded Council of the upcoming Cities & Towns meeting and said a minutes recap of Council meetings is being looked at as far as putting it on the access channel the day after a Council meeting. On a final note, he said they are working on an ISTEAA grant application.

4. City Attorney Weed stated the Central Puget Sound Growth Management Council has now rendered a decision regarding GMA planning policies as has the King County Planning Council but it is 43 pages long. He said if anyone would like a summary, he would be happy to do that.

Mayor Weiser also noted that a decision is to be made soon also regarding wetland buffers and City Attorney Weed said when the decision comes out he will keep Council apprised on that also.

It was the consensus to have a periodic legal briefing for Council on issues such as this.

5. Public Works Director Winckler reported that a Precon Meeting for Phase III for the WWTF was held last week. He noted the construction trailer/office has been set up and also this past week, Everett invited Marysville to view their WWTF at Lake Champlain, including lab facilities.

Councilor Baxter concurred this was a very informative tour and he said he would have pictures for the next Council meeting.

Councilor Herman asked about the possibility of sharing Everett's lab facilities and Public Works Director Winckler said that that is definitely one of the things being considered so as not to duplicate testing in both labs. He said the Lake Champlain construction is to be completed in four months and we can have a follow up tour at that time. He added that Marysville is in the process of requesting some grant money from ISTEAA and STP, with 4 programs identified. He distributed handouts listing these four projects and introduced Jim Kresge, consultant, to talk about the prioritizing of the projects on the funding application.

6. Jim Kresge, Grant Writer/Consultant, addressed Council. He explained that he has 7 years' experience looking for and getting grant money and the process has now changed so that there is more competition for the ISTEAA funds. One of the criteria is that the City be current as far as WSDOT requirements, he explained and he said there is an opportunity for some peripheral funds, however you must still meet all the criteria, for example, the project must be buildable within the next two years. In other words, the right of way has to be already purchased and ISTEAA funds are now authorized but given out on a piecemeal/phase by phase basis, he

said. He explained these things were taken into consideration when developing the list and the request is that the Mayor give authority to request the funding. As far as STP matching funds, the City has to have the 20% in hand when applying for funding.

He then reviewed the list of 4 projects, noting the first one on the list (and it was his recommendation that it be prioritized number 1) already has funding with a match from Marysville as well as possible gas tax funds. He noted the grant application is 9 pages long but these are ongoing and some applications can be used more than once.

Councilor Herman noted that if Marysville receives one of the four we are probably doing quite well, i.e. not to expect all four to be funded. Mr. Kresge said yes, there is only \$4 million for the Snohomish County area and a lot of competition for that money.

Public Works Director Winckler pointed out that the City of Marysville, is however, a very likely candidate at this time, as we have not been considered for other funding recently. There is a meeting in Bellevue regarding this and we will be keeping up with this situation, he reported.

Mr. Kresge noted that TIP funds will be coming up again in December, so will UATA funds, gas tax money, etc., but there are going to be a lot of applications for the \$4 million.

Mayor Weiser noted that at Thursday's City & Towns meeting Puget Sound Regional Council Traffic Committee members will be there so this might be a wise meeting for Council to attend. He asked about Mr. Kresge's recommendation for prioritizing.

Mr. Kresge stated the list as presented is based on meeting the requirements, eg. he talked with Community Transit and the more agencies you get involved, the more points you get towards a project. He noted that 109th to 136th is the old Smokey Point Blvd. county project, the Navy is locating there with its commissary on 136th, so there is a lot of need to get this project funded.

As far as the 2nd project listed, he said 88th is in with the 88th St. interchange but there is a left turn lane that needs funding at 94th--TIP funds, Community Transit, Boeing funds.

As far as the 3rd project listed, he said 116th is also part of the old Smokey Point Blvd. project but there's no WSDOT or CT interest, very little commitment, but there's a very low dollar amount needed and so they might grant this one.

The 4th project listed, 67th & Grove to 88th, the City is looking for CT funding and this one should fit well with TIP funding later in the fall. He said there is enough environmental information, ROW information, etc., which is available on all these projects.

Public Works Director Winckler added that the City is following up on #4 with the county and it's possible the City can get at least \$5,000 which would enhance our chance to get ISTEA funding.

Councilor Pedersen noted she had a discussed also with Ross Kane on this project and apparently the county is in a reevaluation process and there may be more money for that project on 67th.

Public Works Director Winckler assured her the county knows how much we are looking for, the projects and circumstances there did change and the City is just trying to bring this to the county's attention.

Councilor Pedersen asked about the City's 20% match money and Mr. Kresge said that's only for STP grants; also, HEF funds are re-

stricted and can only be used for one project, for example.

Councilor Pedersen referred to project #4 and Mr. Kresge stated 20% is the minimum they will allow you to match and you do get more points the more you match.

Public Works Director Winckler noted there is a considerable amount of development on 67th but standing alone, #4, they feel, would not attract grant money. He added they do want to show county and private participation.

Councilor Baxter asked about the park and ride lot on 116th as far as CT participation and Mr. Kresge said the signal grant could be applied for but the park and ride lot is not within City limits and therefore would not be eligible, even though it may be affected.

There was discussion about CT commitment on various projects, the limited amount of time for submitting the grant application, the Navy and Tribes contribution. Mr. Kresge said if the Navy doubles traffic, they will contribute funding, eg. on the 136th St. signal but doubling is the criteria.

City Administrator Zabell added that there have been regular DAR meetings with Everett, Marysville and the Navy and figures are still being developed regarding the Navy facility. He added they serve a limited clientele so it's difficult to predict trips, etc. and he reiterated the Navy's criteria is doubling traffic; he said there might be large numbers at the 116th ramp, eg., but you have to prove they caused the numbers to double before the Navy will contribute funding. There was further discussion about the consultant already having placed strategy in his priority choices.

Councilor Myers moved and Councilor Baxter seconded to prioritize the ISTEPA grant application requests as per the presentation:

1. 109th to 136th State (Smokey Pt. Blvd.) improvement
2. 89th to 94th State Avenue improvement
3. 116th St. & Smokey Point Blvd. improvement
4. 67th from Grove to 88th improvement.

The motion passed unanimously.

MAYOR'S BUSINESS:

1. Mayor Weiser gave a quick update on what happened at the last GMCC meeting where potential UGB, Planning Area 13, ag land and the 1992 Interim Comp Plan were discussed. He noted the next meeting is the 3rd Monday in April.

2. Mayor Weiser reported on the recent Executive Committee meeting of the Countywide Youth Gang Task Force he attended, noting they are looking for a budget of approx. \$200,000. They have collected \$96,000 so far and instead of hiring 3 people they only have enough to hire 2 now, with a small office. The next meeting of this group is Apr. 15.

3. He noted April 10th will be the Jennings Nature Park Grand Opening and Easter Egg Hunt.

CALL ON COUNCILMEMBERS:

Councilor Myers noted that staff is usually very good at distributing information to Councilmembers, however he did not receive his DARE graduation invitation until it was too late to attend. Also, he asked about the Adopt-A-Street program that was approved about a year ago. Public Works Director Winckler stated he would follow up on that.

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Councilor Baxter reported he attended the preconstruction meeting for Marysville's WWTF and lab last week and he found it very informational as was the tour of the Everett WWTF/Lake Champlain. He said he was impressed by the cleanliness and efficiency in the operation and is looking forward to the completion of Marysville's facility as well as the possibility of sharing Everett's lab facilities. He encouraged the whole Council to attend the tour once the Everett facility is completed in about 4 months.

Councilor Pedersen followed up on the two properties that she referred to at last Council meeting--the ones with the junk and old vehicles on them.

City Planner Hirashima stated they expect something by next Council meeting. The Planning Dept. has been in touch with the property owners, she said.

Councilor Pedersen asked about the possibility of having a plaque made up, to be placed in Council Chambers, itemizing the City's adopted Mission Statement. She reported that the Health District will be holding a public hearing 4/2/93 regarding a possible needle exchange program in Snohomish County. She also noted that the county is considering reopening the Cathcart Landfill for municipalities only and she suggested the possibility of the City using this facility for our vector grit, which would be classified as medium hazardous waste. She concluded her remarks by asking about reviewing previous Council retreats' goals at the upcoming one.

Mayor Weiser said that's a good idea and possibly they could be reviewed after dinner 3/26. City Administrator Zabell said he would follow up on this.

Councilor Wright report the CHP meeting is coming up Apr. 21. She said the Navy would be glad to put on a presentation for Council any time.

Councilor Leighan asked about model homes in the Northpointe subdivision as well as street improvements and City Planner Hirashima explained that Final Plat was recently approved so the model homes are to be permanent homes and the improvements to the streets would be in compliance with the conditions of the Final Plat.

Councilor Herman said he too felt bad about not going to the DARE graduation, having also received his invitation too late to attend. He followed up on the Smokey Pt. Church of Christ utility variance that was delayed by the county. He said he would like to add on the letter to the county a query as to a reasonable time frame for county utility variances. He followed up on the change order ~~and~~ policy and said he would be interested in what other municipalities do to satisfy the state auditor requirements.

City Attorney Weed said staff has been meeting on this and has some draft procedures written up. Finance Director Wilson added that these items/policies & procedures will be put into effect during the WWTF construction process, mainly.

Councilor Herman said he would like to see the policies and procedures brought before Council as well as policies and procedures regarding consultant services, giving information to help Council understand how the City is getting the best deal "for our buck." ~~He made an analogy about hanging on to his older truck, even though it doesn't get very good gas mileage, waiting for mass transit soon.~~ He said he agrees with Councilor Pedersen about putting our Mission Statement on a plaque in Council Chambers. He added that he also has a scheduling problem for Sat., 3/27/93.

CORRECTED.
MINUTES SEE 4/5/93

CORRECTED.
MINUTES SEE 4/5/93

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Mrs. James (Ruth) Hall, 22 172nd St. NE, Arlington, addressed Council and asked about the decision on her utility variance from last Council meeting.

Public Works Director Winckler explained a test from a doctor is the only criteria under which the City can grant a variance at this time. He said the recommendation is that a complete test be done and/or to approve a statement from a doctor. He noted the City can't recommend granting of the variance based on established criteria.

Councilor Baxter said he thought the Council talked about changing the criteria and Public Works Director Winckler said that's something Council would need to do. He said staff went back and reviewed the minutes of the previous meeting and they were to determine the options available; it was not clear to them that they were to develop a change to the ordinance, he said.

Councilor Baxter pointed out that with a change in water source, there is a change in circumstances so the Council needs to decide if we still need the variance process for resolving this issue.

Mayor Weiser noted the property is outside the CWSA however and staff was to get further information which Public Works Director Winckler did.

Mrs. Hall said the problem is not bacteria--the water has ruined all their fixtures.

Councilor Herman added that it's an unpleasant vs. unsafe question and there was discussion about criteria, the definition of "potable", "pleasant" being subject to interpretation, mineral content, development of policy, depth of analysis that the City wants the applicant to go, possible differing test results, whether they are within any service area, in the past no variance would be granted based on present criteria, Marysville now having no problem with quantity, how we can say "no" under the circumstances, there have been other circumstances where the City has originally granted only one hookup and then the applicant subdivided, whose service area the Halls are in, the City needing more time to change present criteria, looking at the effects of changing the criteria, this being something the City has to do.

Mrs. Hall told a story about her son's dog not drinking their water because it smells so bad.

City Administrator Zabell said this should be put on the agenda for the next RUSA meeting.

Phyllis McKenzie, a neighbor of the Halls, addressed Council. She pointed out that the water rights out there are all owned by the City of Marysville and with the exception of the McKenzie well, all wells are bad in that area, now.

CONSENT AGENDA: (Councilor Baxter left Council Chambers at 8:55)

1. **March 22, 1993 Claims in the Amount of \$139,295.58.**
2. **Liquor License Renewals for Conto's Pizza, Hereth Red Apple, Las Margaritas, Payless Drug Store #2732 & #2734.**
3. **Marysville Strawberry Festival Proposal.**

Councilor Leighan disclosed he sits on the Maryfest Board and he will not be voting on Item #3.

Councilor Wright asked to separate #3 out and moved that Item #1 and 2 be approved. Councilor Myers seconded and the motion was passed unanimously.

Under Item #3, Councilor Wright asked about funding/costs.

Leah Crombie, Co-Managing Director, Maryfest, 9908 64th Dr. NE, addressed Council. She reviewed the proposal in the packets and said she had discussed this with Jim Ballew today. She said they are trying to identify costs and it's possible different certified people will donte their time.

Councilor Herman asked about street closures, such as 4th from Cedar to Quinn.

Councilor Baxter returned to Council Chambers at 8:58 p.m.

Public Works Director Winckler noted this is pretty much a repeat of what we have had before with no unresolved issues and the Public Works Dept. sees no problems.

Councilor Pedersen moved and Councilor Herman seconded to approve Maryfest's Parade and Festival requests for assistance from the City, as proposed. Passed with Councilor Leighan abstaining.

REVIEW BIDS:

1. Review Bid for Sanitation Trucks; continued from 3/8/93.

Public Works Director Winckler reviewed the one bid with two options for loading systems--he passed out brochures and showed a video depicting the Heil Half Pack with advantages of a right hand driven front loader system, both in time and energy savings. He referred to a memo written by Gary Olsen and noted this system has proven experience with the Heil Half Pack being serviced locally, its total weight 2600 lbs. less than the Dempster unit. It was noted that Option 2 includes an engine air cleaner and Option 3 includes a fuel water separator. He said a third unit could be guaranteed at the same price as these two: the total price for 2 vehicles would be \$303,979.24 including the two options.

Councilor Baxter said he was most satisfied that the Heil Half Pack would do the job, that it has ease of use and ease of maintenance; the only possible problem he sees is with the height of the vehicles, hitting overhead wiring, signs, etc.

Public Works Director Winckler explained that has been considered and there are going to be route changes as well as the possible discontinuance of driving up and down alleys because of risks and poor maneuverability but this is going to reduce it to a one person per truck system.

Councilor Baxter reiterated he is very impressed with the system. He asked about the sturdiness of the forks for lifting garbage containers and asked how easily they can be broken if they run into something and the cost to replace the forks.

Public Works Director Winckler said it could run from \$900 to \$9,000 for replacement, worst case scenario.

Councilor Herman asked about the experience of others using this system in the area and a man in the audience ("Charlie") stated Waste Management Northwest and Rubatino have had very minimal problems with the Heil Half Pack.

Councilor Baxter said the overhead utilities could be a major concern and Councilor Herman agreed, adding his concern was the price difference but that has since been answered and he would be in favor of the Heil Half Pack with all the options, as discussed.

Councilor Baxter moved and Councilor Herman seconded to approve the purchase of two Heil Half Pack systems, with options, as discussed. Passed unanimously.

CURRENT BUSINESS:

1. Extension Utility Variance; Alexander B. Keen; Brenmar Builders, Inc.; West of 1210 Lakewood Rd.

Public Works Director Winckler reviewed the agenda bill and stated Mr. Keen expects to obtain the building permit within the next 4 months from the county. He noted this is beyond the applicant's control and staff is recommending approval of the request.

Councilor Myers moved and Councilor Wright seconded to approve/adopt Resolution 1574, extending the utility variance for 6 months. Passed unanimously.

2. Belmark Industries/Gary Petershagen; Final Plat of Cedarcrest Place.

City Planner Hirashima reviewed the agenda bill, noting that part of the preconditions would be frontage improvements on 67th and the City Attorney and applicant are working on an agreement to cover this. She reviewed the other four pre-recording contingencies listed on the agenda bill:

2. Completion of landscaping improvements;
3. Posting of performance & maintenance bond for road and storm sewer;
4. Submittal of completed final plat checklist including items above;
5. Submittal of a mylar copy to the Planning Dept.

Gary Petershagen of Belmark Industries addressed Council and stated the agreement looks OK to them; they are in full agreement.

Councilor Baxter moved and Councilor Myers seconded to approve the Final Plat of Cedarcrest Place, including the 5 conditions. Passed unanimously.

NEW BUSINESS:

1. Utility Maintenance/Solid Waste Supervisor; Job Description.

Public Works Director Winckler explained that following the recent retirement of Duke Carrier, the Public Works Dept. has made some changes, transferring some of the duties of the foreman, combining some duties under a Utilities Maintenance/Solid Waste Supervisor position to include some crew and WWTF responsibilities. He noted a comparable worth evaluation was done, justifying the request from a Grade X to Grade XII classification and the net monthly increase to the City budget will be \$110.67. He said staff recommends Council approve the job description at a salary grade XII.

Councilor Pedersen asked for clarification and City Administrator Zabell explained this is combining Duke Carrier and Gary Olsen's position; secretarial support staff will be shared as it is now.

Councilor Baxter asked about rating specs for trucks and Public Works Director Winckler stated the City works jointly with Fleet Management Services and he would like to see the City maintenance people have some input into the job description. He added it's very important for the supervisor to give his recommendation based on crew input; the wording can be modified somewhat to include maintenance staff, he said.

After brief discussion, Councilor Baxter moved and Councilor Pedersen seconded to accept Public Works Director Winckler's recommendation for the Job Description and Pay Grade for Utility Maintenance/Solid Waste Supervisor. Passed unanimously.

2. Construction Inspection Supervisor; Job Description.

Public Works Director Winckler reviewed the agenda bill and noted that currently this position is being covered within the department however the need is to have someone on the operation crew in the engineering division for Phase III of the sanitation sewer system. He said approximately 10% of the total project cost is usually set aside for engineering costs and that can be lowered to 7% staff feels if done internally, as per this job description. He noted there are a lot of areas that can be reduced in cost; a comparable worth evaluation was completed, justifying a salary grade XII and this would be paid for out of the project budgets. He added the net additional would amount to \$104.03 and the person who would be filling this position would be Tom Loughlin. This position would supervise equipment operators who will be transferred to the engineering division, as will summer help be supervised by this position, he said.

Councilor Baxter asked if it would work out to about 50% of his time being devoted to the WWTF and Public Works Director Winckler said no, it won't be that much time this year. He added the City will be inspecting projects internally plus it is felt a good portion of the salary of the Construction Inspection Supervisor will be picked up in savings to the City realized by these changes.

City Administrator Zabell added that the City's capital improvements have escalated to the point where we need a Construction Inspection Supervisor.

Councilor Baxter moved and Councilor Herman seconded to approve a Construction Inspection Supervisor as presented and recommended by staff.

Councilor Herman said he would like to see feedback on how these jobs work out. The motion passed unanimously.

3. Rezone from RS7200 to Community Business; Carlson/Graham; PA 9211051.

City Planner Hirashima reviewed the agenda bill, noting the hearing examiner recommends approval with 10 conditions, there have been no appeals and the applicant is to participate in TIPS 1, 2 and 3; make improvements to the alley; provide paved parking areas; make landscaping improvements; provide erosion and siltation measures as well as a site obscuring fence or hedge.

Councilor Pedersen asked about handicapped parking; she noted they are only providing for one space.

City Planner Hirashima stated the Planning/Building Dept. will be reviewing this further at the building permit stage but they are required to have one regular parking space per 400 sf of office space. She added they will not be using the basement, they are proposing office space only (2 stories).

There was discussion about requirements for dental/physician offices being one parking space per 200 sf vs 400 sf for regular office space.

Councilor Wright moved and Councilor Myers seconded to approve the rezone request. Passed unanimously.

4. Variance to Private Road Standards; Forest Park Realty; PA 9212068.

City Planner Hirashima reviewed the agenda bill and noted that one letter has been received in opposition which is listed in the hearing examiner's report. She stated one of the issues raised

in the letter of opposition was that this was a self-imposed hardship but the hearing examiner found in the applicant's favor, she said. She reviewed the conditions of a 32' wide street with paved turnaround, providing a turnaround of 40' x 30', providing raised buttons. She stated there were no appeals.

City Administrator Zabell asked about the storm sewer.

Bill Roberts, 4129 76th St. NE, representing Forest Park Realty, addressed Council. He said with regard to the storm sewer the applicant is hoping they will be able to use a thickened edge system. He added that the plat was only recently formed a couple of months ago.

City Administrator Zabell asked if frontage improvements would be done on Lots 2 & 3 on 75th St. and Mr. Roberts said yes.

Councilor Myers asked about the applicant stating they would only widen the road to 30' and Public Works Director Winckler said he believed the total road width including sidewalks/walkway would be 50'.

Mr. Roberts pointed out that traditionally, private roads are 22' wide (paved surface) and the 30' is to allow for a walkway as well as MFD requirements.

City Administrator Zabell agreed, stating normally it is 50' right of way, with 22' of paved width.

Mr. Roberts said 30' would include a walkway and they are putting in a turnaround for emergency fire vehicles also, with a 40' radius, which is what the MFD has approved in the past, he said.

Public Works Director Winckler pointed out that the MFD does have to approve the turnaround, in addition to the Public Works Dept.

Councilor Pedersen asked about the wording in the hearing examiner report stating the variance would become "null and void" in the event conditions are not met and she asked what would happen in that case.

City Attorney Weed said he was not sure of the intent; the applicant would have to come back and renew the variance request possibly or maybe the hearing examiner is citing an outer limit as to when it must be completed.

Councilor Pedersen moved and Councilor Wright seconded to affirm the hearing examiner's recommendation to approve the variance as requested/presented.

Councilor Baxter said he would like to have it verified about the 40' radius for the turnaround and Public Works Director Winckler said he will check with the Fire Dept. on that.

5. Preliminary Plat of Waterford East; Jess Darling; PA 9212058.

City Planner Hirashima reviewed the agenda bill, noting the hearing examiner has recommended approval, there have been no appeals and the staff is recommending approval with 8 conditions:

- participation in TIPS 2 & 3
- frontage improvements on 70th St. NE
- Parks & Recreation mitigation fee of \$200 for Lot 2
- Marysville School Dist. mitigation of \$2141 for Lot 2
- compliance with sewer availability ordinance
- to meet all requirements for final plat approval per MMC
- permanent black ink to be used on final mylar
- developer to submit original plus mylar copy to Planning Dept. at the time of recording the final plat.

City Administrator Zabell asked about driveway access to Lot 2 and Councilor Leighan asked about the fire dept. requirements as per the hearing examiner minutes and Mr. Roberts stated they will do whatever is required.

Councilor Wright moved and Councilor Herman seconded to approve the Preliminary Plat of Waterford East as recommended by the hearing examiner. Passed unanimously.

LEGAL MATTERS:

1. Sparling, Inc.; Standby Power Generators for Two Lift Stations - Revised Contract.

Public Works Director Winckler reviewed the agenda bill and noted the contract became necessary as a result of the recent power outage; it is for generator power for two lift stations.

Councilor Baxter asked about putting the generator on a trailer so the City would not have to build special rooms for the units and Public Works Director Winckler said the units are going to have to be adapted to the specific situation and cannot easily be portable.

It was also noted (Larry Larson) that Sparling recommends permanent mount locations because of the size, fuel storage needs, etc. He also said that with the third one being a portable, Sparling has the experience that we would have an overflow in 15 minutes and the City needs the automatic start, permanent location as it would be very difficult to get personnel out in time to man a portable unit.

City Administrator Zabell added if we expand our area we may need another lift station, too.

Councilor Baxter asked how many kilowatts they would use and Mr. Larson said he didn't have any details; the contract is per Sparling's recommendations and they did the original design work. He added that the City contracted Sparling vs. using Hammond, Collier, Wade.

Councilor Herman said he would appreciate this type of information in the agenda bill. He asked about a professional services contract amendment--if that would come back before Council and City Administrator Zabell said it would.

Councilor Baxter asked about costs and City Administrator Zabell said this is based on current cost estimates; the City had applied for Centennial Clean Water money but it didn't meet their criteria.

Councilor Baxter moved and Councilor Myers seconded to approve the professional services contract for Sparling, Inc., as recommended by staff. Passed unanimously.

2. Wastewater Treatment Facilities 1992.

Public Works Director Winckler reviewed the agenda bill, noting this is a professional services contract with Hammond, Collier, Wade-Livingstone Associates with a matrix of work developed that does include some aggressive internal inspections, supervision, etc. The total of \$762,000 would include a wide variety of services, as listed in the agreement, and is based on salaries of their resident inspector, construction engineer and field inspector, he said.

Traditionally, Councilor Pedersen noted, the City gets changes and/or additions to the contract about half way through and she said she would like to eliminate that. She asked if there was

any further information as to what will take how long and City Attorney Weed stated the contract was based on a list of rates per hour and how many hours different things would take. He said he could supply that information to Council.

Councilor Herman expressed concern about blanket check signing and the need for some kind of cost control Public Works Director Winckler showed Council a ballpark estimate that he had in his records.

There was further discussion about internal inspections and how that will reduce Hammond, Collier, Wade's expenditures. It was noted that 10% is a rule of thumb for engineering and design fees, internal inspections, supervision, overseeing, hiring summer engineers, precon meeting(s). Public Works Director Winckler added that Hammond, Collier & Wade have a high degree of quality and Larry Wade is being very cooperative as far as concurring in wanting to keep costs down and the City has a very good working relationship with Hammond, Collier & Wade who are doing an outstanding job for the City. He added there are so many unknowns that may develop during a contract period but Public Works Director Winckler stressed the fact that the City does not want any "surprises" and Hammond, Collier & Wade is aware of this.

City Attorney Weed added that he has reviewed the agreement and made minor changes, which have been accepted by Hammond, Collier & Wade.

Councilor Pedersen asked about putting a "Not to Exceed" clause in the agreement and City Attorney Weed said that's negotiable.

There was more discussion about engineering fees being as much as 10% and as little as 6%, contracting on a monthly basis, bargaining power or lack of it, the trust factor, cooperation with staff, gaining some control, HCW being very cooperative, high level of professionalism, they are going to try and reduce Brown & Caldwell's fee, restructuring City staff, cost control, progress reports to be submitted to Council, savings in time and money also to be reported to Council, showing how many hours of consultant time have been saved.

Councilor Herman asked that cost control concerns of Council be passed along to Larry Wade.

Councilor Herman then moved and Councilor Myers seconded to approve the contract and authorize the Mayor to sign it. Passed unanimously.

**3. Washington State Dept. of Natural Resources Aquatic Lands
Lease No. 20-013424.**

City Administrator Zabell reviewed the agenda bill, noting this is for the .66 acres needed for the relocation of the outfall into Steamboat Slough. The term of the lease is 12 years, which is the normal length of time for a state lease, he said.

City Attorney Weed said he would like to see added into the lease: "Subject to renewal of a like term"; he said he has reviewed and doesn't see much negotiating power with the state, however there are some high indemnification/liability/risk situations that Council needs to be aware of.

It was noted the lease was effective from 7/1/92.

Public Works Director Winckler reviewed City Attorney Weed's comments and recommendations with regard to monthly monitoring reports and the concern regarding renewal for another term of 12 years.

Councilor Myers moved to authorize the Mayor to sign the lease subject to negotiation of a provision to extend the lease beyond 12 years. Councilor Baxter seconded and the motion passed unanimously.

4. Recovery Contract - Lee Benton - 8" Water line at \$17.40 per lineal foot.

Councilor Herman moved and Councilor Wright seconded to approve Recovery Contract #166. Passed unanimously.

5. LeDuc Concrete Contract.

City Attorney Weed stated he has reviewed the contract, which was approved at the last Council meeting, and recommends the Mayor be authorized to sign it.

Councilor Baxter moved and Councilor Wright seconded to authorize the Mayor to sign the contract with LeDuc Concrete for the City's Curbs, Gutters & Sidewalks as per previous discussion/approval. Passed unanimously.

6. Library Architectural Contract.

City Administrator Zabell stated it is getting close to the time for developing a design and feasibility study for the Library and the City needs to have a contract with a consultant/architect.

Councilor Wright left Council Chambers at 10:55 p.m.

Councilor Myers explained the current architect has done several municipal facilities/library buildings in the Pacific Northwest.

City Administrator Zabell stated there is a unanimous motion from the Library Board to continue on with the same architect.

Councilor Wright returned to Council Chambers at 10:58 p.m.

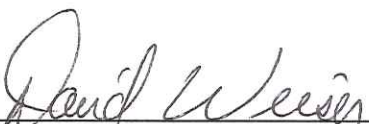
There was further discussion and the consensus was to have a presentation from the current architect 4/5/93 and City Administrator Zabell said he would arrange that.

ADJOURNED INTO EXECUTIVE SESSION: 10:59 p.m.

1. Personnel.
2. Real Estate.
3. Pending Litigation.

RECONVENED & ADJOURNED: Approx. 11:30 p.m.

Accepted this 5th day of April, 1993.



MAYOR



CITY CLERK



RECORDING SECRETARY