

MARYSVILLE CITY COUNCIL MINUTES

DECEMBER 4, 1995

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
 Donna Pedersen, Mayor Pro Tem
 John Myers
 Ken Baxter
 Donna Wright
 Mike Leighan
 Otto Herman



Administrative Staff:
 Dave Zabell, City Administrator
 Steve Wilson, Finance Director
 Gloria Hirashima, City Planner
 Grant Weed, City Attorney
 Ken Winckler, Public Works Director
 Jim Ballew, Parks & Recreation Director
 Ernie Berg, City Engineer
 Janet Berg, Asst. to Finance Director
 Lt. Dennis Peterson, Marysville Police Dept.
 Bob Dyer, Marysville Police Chief
 Larry Larson, Utilities Supt.
 Sue Jensen, Court Administrator
 Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Weiser called the City Council meeting to order and led the pledge of allegiance, at approximately 7:00 p.m.

ADJOURNMENT INTO EXECUTIVE SESSION: 7:01 p.m.**1. Real Estate. (No Action)**

RECONVENED: 7:11 p.m.

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

MINUTES OF PREVIOUS MEETINGS:

Councilmember Wright moved and Councilmember Leighan seconded to approve the City Council Minutes of November 27, 1995. Passed unanimously.

Councilmember Myers moved, Councilmember Bartholomew seconded to approve the City Council Retreat Minutes of October 27-28, 1995. Passed unanimously.

Councilmember Leighan moved and Councilmember Wright seconded to approve the Joint City Council/Park Board Workshop Minutes of November 20, 1995 as written. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Steve Bodine addressed Council, stating he had made an application for a water connection variance and was told to be here tonight.

Public Works Director Winckler stated that hearing is scheduled for next week and apparently Mr. Bodine was contacted in error. He apologized for the miscommunication.

CONSENT AGENDA:**1. Public Works Fee Schedule Revisions - Information Only.**

Public Works Director Winckler reviewed the agenda bill, noting some fees are 5 years old and this puts them all in one location on the fee schedule. He added that the schedule included in the packets also identifies fees Marysville does not charge but other

cities charge, with recommendations as to reimbursement for actual cost. He asked Council to feel free to call staff with any questions or for more information. He noted this is actually the basis for revenue in the 1996 budget; this item is to be continued next Monday.

There was considerable discussion with regard to shutoff and turn on fees, Public Works Director Winckler to check to see what Everett charges, unauthorized water and sewer connections fine of up to \$1000 a day, water/sewer locator after hours, water use violation fine of \$50 a day (Public Works Director Winckler to check further on this also), photocopies at 15¢ a copy, vegetation abatement with removal first requiring written notice to owner.

STAFF BUSINESS:

Finance Director Wilson asked that Council approve claims and payroll in advance as the third meeting in December is usually waived.

Councilmember Herman moved and Councilmember Pedersen seconded to approve claims and authorize payroll that would normally be presented the third Council Meeting of December, 1995. Passed unanimously.

Finance Director Wilson commented on the Washington State Auditor's 1994 Report. He stated Marysville has received an unqualified/clean opinion on everything including fixed assets, personnel, etc.

Councilmember Bartholomew extended congratulations and noted how important a clean report is when a City is applying to the Bond Market and reflects the financial integrity of the community.

City Administrator Zabell reminded Council of tomorrow evening's BRB deliberation on the Arlington/Smokey Point Annexation.

City Attorney Weed spoke about the letter from Senator Mary Margaret Haugen regarding decriminalization of certain issues and stated a large portion of the criminal laws on Marysville's books are state statutes so we have no authority to decriminalize or change those. We could, however, change those that are not governed by the state statutes which has not been reviewed as yet, he said.

Public Works Director Winckler stated the Traffic Advisory Committee will meet 12/7 at 10:30 in the Public Works Conference Room when the State is to make their presentation to the Downtown Merchants Assn. regarding the Delta C-curbing, detour routes, etc.

MAYOR'S BUSINESS:

1. Railroad testing of signals must be done once a week throughout the system, Mayor Weiser reported.
2. Also, BN has shifted some of their schedules and eliminated one AM trip and one PM trip, he reported.
3. Mayor Weiser gave a welcome to the Navy speech at Everett Mall on the occasion of the USS Paul Foster being docked and each city mayor/representative received a plaque (which he showed Council).

CALL ON COUNCILMEMBERS:

Councilmember Myers asked about the "Do Not Park on Tracks" signs all facing the same direction at the Grove St. crossing and Public Works Director Winckler stated this refers to the fact that west bound traffic would not have the same problem or "holding pattern" that east bound traffic has and so BN and the State felt it only necessary to have the signs warning motorists going eastbound.

Councilmember Myers asked about the Denny Youth Center letter regarding a public hearing with the City of Everett and City Administrator Zabell stated Marysville will be responding to that issue.

Councilmember Myers extended congratulations to all involved in "Marysville for the Holidays" -- parade, etc. last Saturday night.

Councilmember Bartholomew also commended the Parks Dept. and others involved in "Marysville for the Holidays" on a job well done.

Councilmember Leighan asked about widening of 88th, especially with regard to the Lashua Plat, and coordination with the county.

City Planner Hirashima stated there is coordination east of 67th.

Public Works Director Winckler stated there is coordination west of 67th also and City Administrator Zabell stated with regard to right of way width, there is to be a minimum of 4 lanes and potentially 5 lanes, which was agreed years ago by Council.

Councilmember Herman referred to the Comp Plan wording with regard to right of way on 88th and there was considerable discussion with regard to involving the county in the planning, 88th considered to be eventually a through arterial, the City having to buy property/right of way on the south side of 88th in order to widen it, developing a linear park, discussion about having a plan for buying existing houses along 88th, putting this issue on a future agenda, Comp Plan wording, options and proposals for extension of 88th/alignment to be brought back to Council, City Council needs to develop policy.

Councilmember Leighan asked about additional work on Grove St. and Public Works Director Winckler stated the City discovered they have water rights to a well and are putting a line in that will be of use to the Cedarcrest Golf Course improvement in the future.

Councilmember Leighan asked about keeping the Navy informed of activities in Marysville, getting gasoline and diesel during a power outage in Marysville and Arlington for City vehicles.

It was noted installation of a generator will be completed by February and Public Works Director Winckler will be getting the county to participate in the Pacific Pride project to get them set up to be able to provide gasoline and diesel during power outages.

Councilmember Pedersen asked about the Streetscape Committee and Parks and Recreation Director Ballew stated the first meeting will probably be the 2nd Tuesday of January.

Councilmember Pedersen asked about the Purchasing Policies & Procedures Manual and Finance Director Wilson said he will follow this up, that he has been extremely busy finalizing the budget.

Councilmember Pedersen asked about the bids on the old library and City Administrator Zabell stated they are due Dec. 20 or 21.

Councilmember Baxter asked when the next RUSA meeting will be and Public Works Director Winckler stated 12/14/95 and will go to once a month after Jan. 1.

Councilmember Baxter talked about the Minimum Design Standards lengthy meeting he recently attended and said the county is to have their portion completed soon.

PUBLIC HEARINGS:

1. Budget Hearings; continued from November 27, 1995.

Finance Director Wilson reviewed three items that were brought up at the Nov. 27 meeting: With regard to hotel/motel taxes and disbursement of funds, the Executive Dept. is putting together policies and procedures. He added the auditor's office is looking very closely at use of these funds. With regard to the Growth Management Fund and future project funding, under Chapter 13 of the Marysville proposed Comp Plan, Capital Facilities Plan, it sets out the primary sources and uses for funds. Finance Director Wilson stressed this is a balanced budget which has been presented but revenue sources may have to be looked at again, such as the arterial street fund, water and sewer fund, etc. which all have a revenue source. Questionable areas might be in the areas of mitigation fees and grants because we don't always have a revenue history, he said.

He said his main concern is to keep track of projects, how much they are costing and future funding.

There was discussion about Tribal Gaming Funds and it was noted an agreement was drawn up between the Tulalip Tribes, Marysville and the State. Other jurisdictions have attempted to renegotiate with adjacent Tribes but there is no clear wording with regard to mitigation beyond law enforcement. City Attorney Weed noted the Gaming Commission seems to be reluctant to buy into any change from the original contracts for mitigation of law enforcement only.

There was discussion about payroll, police activities, handout from Finance Director, General Fund unreserved funds, relying on gaming funds for salaries, having a handle on profits from casino, not wanting to become dependent on gaming funds, more and more competition having an impact on Tulalip Tribe profit, traffic mitigation, reopening negotiations, not getting into a pattern of using the funds for salaries, federal law enforcement bill, matching funds required.

Councilmember Baxter asked about funding of new garbage trucks and Finance Director Wilson stated he believed \$30,000 to \$40,000 in revenue would be generated, enough to purchase a new truck in 1996.

There was further discussion about not having a spare truck, recycling and renegotiating with Waste Management to reduce fees for recycling and Snohomish and Seattle are doing this, Waste Management stating they are going to hold their prices for this year, City Administrator Zabell to check further with a comparison of rates in other cities, for example.

a reduction of fees for transportation to the landfill in Eastern Washington.

Councilmember Baxter moved and Councilmember Leighan seconded to approve the 1996 Budget as presented in the amount of \$44,282,571.00 and adopt Ordinance 2055. Passed unanimously.

NEW BUSINESS:

1. Surplus Property.

City Administrator Zabell reviewed the agenda bill and there was discussion about future needs vs surplus property this year, some of the items being surplus, seizing property, liability issues, waivers of "as is" property.

Councilmember Bartholomew moved and Councilmember Myers seconded to adopt Resolution 1768 surplus property as described. The motion passed 6-0 with Councilmember Pedersen abstaining.

COPIED TO SEE 12/11/95

Councilmember Herman left Council Chambers at 8:36 p.m.

There was further discussion about surplus property, shelving, etc., whether the City Administrator can hold some pieces out.

Councilmember Herman returned at 8:37 p.m.

2. Discussion on Mayor's Duties/Compensation.

City Administrator Zabell referred to a handout comparing other jurisdictions and he reviewed the various responsibilities, for example 25-30 hours a week spent on mayoral duties, other functions with a compensation of \$800 per month as per an ordinance passed in Jan. 1989. It was noted the Mayor's responsibilities have increased considerably since then but he does get an additional \$50 per meeting attended.

There was considerable discussion about involvement in labor negotiations, the AWC survey for other mayors in cities similar to Marysville (Mount Vernon, Anacortes, Wenatchee, Arlington, Oak Harbor, Mukilteo), discussion about full time and part time mayors, city managers, who elects/appoints them, city administrators, additional compensation for being a full time mayor, comparative populations, full service cities, per meeting fees vs. a salary that includes meeting fees, budget meetings to be compensated for, 5-6 meetings compensated for a month, some meetings are longer and require more prep than others, mayor and City Council to have different rates, additional time not at meetings but on City business.

After several figures were proposed, Councilmember Myers moved that the Mayor's position continue as part time, to be paid at the rate of \$2,000 per month with no per meeting expense to be paid except for mileage and out of pocket expenses for out of town meetings, effective 12/1/95. Councilmember Herman seconded the motion.

There was discussion about bringing back information about full time mayors before Council the second week of January, information to be brought back also about other cities in this transition, phasing in information, how transition was done, etc.

The motion passed 6-1 with Councilmember Bartholomew against.

Councilmember Herman then moved to have an agenda item to look at merits of a full time and part time mayor, other cities going through transition, considerations, etc. To be brought back to Council 1/8/96 or 1/22/96. Councilmember Baxter seconded and the motion passed unanimously.

LEGAL MATTERS:

1. Contract for Recovery of Utility Construction Costs for Water; William Cross.

Public Works Director Winckler reviewed the agenda bill noting this is for an 8" sewer line to serve a potential of 4 additional lots at \$6.34 per lineal foot frontage. He showed a map describing the location.

Councilmember Herman moved and Councilmember Leighan seconded to approve Recovery Contract #181. Passed unanimously.

ADJOURNED INTO EXECUTIVE SESSION: 9:25 p.m.

1. Litigation. (No Action)

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RECONVENED & ADJOURNED: Approx. 9:45 p.m.

Accepted this 11th day of December, 1995.

David Weiser
MAYOR

Mary J. Sverson
CITY CLERK

Wanda A. Sverson
RECORDING SECRETARY