

MINUTES RECAP

103

MARYSVILLE CITY COUNCIL MEETING

FEBRUARY 26, 1996

CALL TO ORDER:

7:00 p.m.

ROLL CALL:Councilmember Bartholomew  
arrived 8:10 p.m.MINUTES OF PREVIOUS MEETINGS:

- |                                     |          |
|-------------------------------------|----------|
| 1. City Council Workshop 1/29/96    | Approved |
| 2. Spec. City Council Mins. 2/6/96  | Approved |
| 3. Spec. City Council Mins. 2/6/96  | Approved |
| 4. City Council Meeting 2/12/96     | Approved |
| 5. Spec. City Council Mins. 2/20/96 | Approved |

AUDIENCE PARTICIPATION:

Rocky Yunge &amp; Jamey deSoer

CONSENT AGENDA:

Approved:

1. Approval of Liquor License Renewals for Smokey Pt. Blvd. Chevron & 7-Eleven Food Store No. 29536.
2. Approval of 2/26/96 Claims in the amount of \$547,038.47; paid by check nos. 27950 through 28165.
3. Authorize the Closure of Seventh St. from Quinn Av. to Columbia Av. & Alder Av. from 6th St. to 7th St. for Safety Fair.

STAFF'S BUSINESS:MAYOR'S BUSINESS:

1. Planning Commission Vacancy Appointment - Brett Roark Approved

CALL ON COUNCILMEMBERS:PETITIONS & COMMUNICATIONS:

1. Petitions in Favor of a Marysville Senior Center.

PRESENTATIONS:

None

PUBLIC HEARINGS:

- |  |  |
|--|--|
| 1. Pretreatment Ordinance; cont.<br>from 2/12/96 | Changes to be made & Ord.<br>to be brought before CC |
|--|--|

NEW BUSINESS:

- |   |  |
|---|--|
| 1. Parks & Recreation Dept. Facility Use Fee Schedule   | To be developed & brought back before City Council |
| 2. Util.Var. Bert St. Jean; 2832 169th St. NE, Arlington  | Approved   |
| 3. Prof. Services Contract for 1996 Water System Improvements; Hammond Collier Wade-Livingstone et al | Approved   |
| 4. Prof. Svcs. Contract for 3rd St. Lift Station; Hammond Collier Wade                                | Approved   |
| 5. Process for Disposition of City Hall   | - Task Force formed, to bring recommendations back |

CURRENT BUSINESS:

- |                                 |                  |
|---------------------------------|------------------|
| 1. Discussion of Mayor's Duties | Cont. to 3/25/96 |
|---------------------------------|------------------|

ORDINANCES & RESOLUTIONS:

1. Res. 1783 Approved Declaring Certain City-Owned Property Surplus to the Needs of the City & Directing the Sale Thereof.
2. Res. 1784 Approved Granting Conditional Use Permit & Variance for Property Owned by Steve Muller, Subject to Conditions.
3. Res. 1785 Approved Granting Conditional Use Permit & Variance for Property Owned by the City of Msvl., subject to conditions

LEGAL MATTERS:

- |                                 |  |
|---------------------------------|--|
| 1. Waste Management NW Contract | 6 Mo. Extension, to be reviewed in 30 days |
|---------------------------------|--|

ADJOURNMENT INTO EXECUTIVE SESSION:

- |                |                           |
|----------------|---------------------------|
| 1. Real Estate | 10:47 p.m.<br>(No Action) |
|----------------|---------------------------|

RECONVENED:

- |                                 |  |
|---------------------------------|--|
| 1. Update on City Hall Project. | 11:15 p.m.<br><u>ADJOURNMENT:</u> 11:17 p.m. |
|---------------------------------|--|

MARYSVILLE CITY COUNCIL MINUTES

FEBRUARY 26, 1996

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor  
Councilmembers:  
 Donna Wright, Mayor Pro Tem  
 John Myers  
 Ken Baxter  
 Donna Pedersen  
 Mike Leighan  
 Otto Herman  
 Shirley Bartholomew (8:10 p.m.)  
Administrative Staff:  
 Dave Zabell, City Administrator  
 Steve Wilson, Finance Director  
 Thom Graafstra, City Attorney Pro Tem  
 Ken Winckler, Director of Public Works  
 Dale Thayer, WWTF Superintendent  
 Larry Larson, Utilities Superintendent  
 Jim Ballew, Parks & Recreation Director  
 Wanda Iverson, Recording Secretary

CORRECTED: SEE 3/4/96  
MINUTESCALL TO ORDER:

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

ROLL CALL:

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

MINUTES OF PREVIOUS MEETINGS:**1. City Council Workshop; January 29, 1996.**

Councilmember Herman noted on page 4 in the second line, it should be clarified: "This sewer trunk is fairly new and therefore has negligible depreciation."

There being no further corrections, Councilmember Herman moved and Councilmember Leighan seconded to approve the 1/29/96 minutes as corrected. Passed unanimously.

**2. Special City Council Minutes; February 6, 1996.**

Councilmember Herman noted on page 3 in the second full paragraph from the bottom, where it discusses the 3 tests regarding refunding of bonds, the paragraph should be replaced using the following wording: "He explained that Marysville's bond covenants require three calculations to determine the sales price of the Smokey Point utilities and the calculation providing the highest price must be used. So, at this point, it appears that depreciated replacement value of Smokey Point divided by depreciated replacement value of the entire system, multiplied by the amount of water/sewer bonds outstanding would be the calculation to use."

There being no further corrections, Councilmember Herman moved and Councilmember Wright seconded to approve the 2/6/96 minutes regarding bond refunding as corrected. Passed unanimously.

**3. Special City Council Minutes; February 6, 1996.**

Councilmember Leighan asked that the second paragraph on page 5 be reworded: "Councilmember Leighan said he feels the present relationship between Marysville Fire Dept. and Fire District 12 is excellent but merger with another entity could provide improvement of service over what either one alone could provide."

There being no further corrections, Councilmember Leighan moved and Councilmember Myers seconded to approve the Jt. Meeting Minutes of 2/6/96 as corrected. Passed unanimously.

FEBRUARY 26, 1996  
 Page 1

CORRECTED: SEE 3/4/96  
MINUTES s/b joint

**4. City Council Meeting; February 12, 1996.**

There being no corrections, Councilmember Myers moved and Councilmember Leighan seconded to approve the Council Minutes of 2/12/96 as written. Passed unanimously.

**5. Special City Council Meeting; February 20, 1996.**

Councilmember Herman noted on page 3, second paragraph, the word "commercial" should be inserted between "all" and "property owners". Also, the words "from 36th Avenue" should be added at the end of the sentence.

On page 4 in the 3rd paragraph, he noted the motion passed 5-2 rather than was defeated.

On page 6, in the last line of the paragraph second from the bottom, "definite" should be "definitely" and in the first sentence of the last paragraph on page 6, "enfironmental" should be "environmental."

There being no further corrections, Councilmember Pedersen moved and Councilmember Wright seconded to approve the minutes of 2/20/96 as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Jamey deSoer, representing Waste Management Northwest of Bothell, addressed Council. He stated their contract is going to be discussed under Legal Matters later on the agenda but he just wished to thank the community for making their recycling program a success over the past five years. He gave statistics, including the fact that they had a total of 661 tons the first year and 1076 tons last year and that participation has grown from 27% to 42% in five years. He noted they have an option of a three year renewal and would like to expand their services to include Ace Septic containers, juice containers and milk jugs. Also, he said they would be maintaining the existing rates with the exception of yard waste which will have to be increased nominally. He added they would also be continuing with the recycling school programs, their regular newsletter and some expansion of the program depending on the market for recyclables. He thanked the community again for making this a very successful recycling program.

Councilmember Leighan asked about resale value of recyclables and whether there might not be a decrease in rates.

Mr. deSoer explained that the market was tough when they first got into recyclables here in Marysville in 1991 but then showed a significant increase. However, since that time the market has recently taken a nose dive and is back at about the 1991 level, so prices they can get for recyclables are very market driven. One factor that has come into play is that a lot of new companies have come into the field and he said he understands they will probably never see the high prices again but believes they will stabilize. If the prices do go back up, they can review this situation again and offer a reduction of rates as well as a risk sharing with the community, which is another possible program.

Rocky Yunge, 8112 67th Av. NE, addressed Council. He stated he was here in January regarding his request for a variance from the mandatory garbage pick up and was told to come back tonight for the continuance of that. He noted he did not see this item on tonight's agenda.

After discussion by Council, it was noted that this was an oversight and that Mr. Yunge should have been notified that his case will be discussed at the upcoming Solid Waste Meeting. Mayor Weiser assured him that he will be kept informed of the progress and disposition of this.

Mr. Yunge noted that his garbage bill now has a late fee on it and he asked what he should do.

City Administrator Zabell said he would check on this for him and let him know.

CONSENT AGENDA:

1. **Approval of Liquor License Renewals for Smokey Pt. Blvd. Chevron & 7-Eleven Food Store No. 29536.**
2. **Approval of 2/26/96 Claims in the amount of \$547,038.47; paid by check nos. 27950 through 28165.**
3. **Authorize the Closure of Seventh St. from Quinn Av. to Columbia Av. & Alder Av. from 6th St. to 7th St. for Safety Fair.**

Councilmember Myers moved and Councilmember Leighan seconded to approve Consent Agenda Items 1, 2 & 3. Passed unanimously with Councilmember Baxter abstaining on Voucher #28089 under Item #1.

STAFF'S BUSINESS:

Finance Director Wilson announced that the final budget has been distributed to Council and will be available to the public at City Hall tomorrow.

City Administrator Zabell updated the Council on some of the recent bills that have failed: The 3% cap on impact fees bill, the building code bill, watershed planning bill, sidewalk repair and responsibility bill, firearm range bill and a bill to do with gambling taxes/pull tabs.

Public Works Director Winckler reported there will be a Solid Waste Committee Meeting Wed. at 1 p.m. and he also referred to a memo distributed regarding questions Council had at last Council meeting regarding Circa Design and the building and wash rack to be installed at the Public Works Building complex.

MAYOR'S BUSINESS:

Mayor Weiser stated that after due consideration, he wished to appoint Brett Roark to the Planning Commission to fill the vacancy that was created a couple months ago. He gave some of Mr. Roark's background.

Councilmember Pedersen commented on the importance of involvement and attendance at Council and Planning Commission and keeping informed about what's going on in the community prior to being appointed to the Planning Commission.

Councilmember Herman noted that there is something to be said for a body such as the Planning Commission not to have all one gender.

Councilmember Myers said he would like to see a business owner on the Planning Commission.

After discussion, Councilmember Baxter moved and Councilmember Leighan seconded to affirm the Mayor's appointment of Brett Roark to the Planning Commission. The motion ended in a tie with Councilmembers Herman, Pedersen and Myers against.

Councilmember Myers moved and Councilmember Leighan seconded to continue the discussion and revote once Councilmember Bartholomew arrives later this evening. This motion passed 4-2 with Councilmembers Herman and Pedersen against.

It was reported that Ken Winckler, Gerry Becker and Charlie Anderson (all of the Public Works Dept.) have all recently had surgery but are all doing fine now.

CALL ON COUNCILMEMBERS:

Councilmember Herman commented positively on parked trucks in Marysville that make use of red reflective tape/reflectors at night for safety and he said he would like to have a study done on this and possibly input from the trucking industry. He commented on the memo from Finance Director Wilson regarding financing costs if another municipal were to buy infrastructure from Marysville. He noted that at 9% per million dollars, the rate increase would work out to 72%.

Councilmember Leighan asked about streetlights on 528 and the possibility of requesting same from the state. He said he also likes the idea of red triangles or tape on the parked trucks along Marysville streets at night. He announced there will be a Fire Board Meeting tomorrow at 5:15.

Councilmember Wright said she will probably be attending the AWC legislative meeting 3/14/96.

Councilmember Baxter commented on the announcement of where the police memorial plaque is going to be placed when the decision should be first approved by Council.

Parks & Recreation Director Ballew said he has been meeting with the group and they were told they would have to appear before Council before choosing a site. He said he would be talking with them further about this.

PETITIONS & COMMUNICATIONS:

**1. Petitions in favor of a Marysville Senior Center.**

City Administrator Zabell referred to petitions in the packs regarding having a Marysville Senior Center.

Mayor Weiser explained Mrs. English is a member of the Mayor's Advisory Committee and is interested in forming a Marysville Senior Center. He had told her to get a petition going as he didn't know the exact procedure, funding, process, etc.

Councilmember Pedersen asked if the majority of the people who signed the petitions are seniors and the Englishes responded that yes, the majority are seniors and the total number of signatures is over 400.

Councilmember Leighan noted the Parks Board has been looking for buildings/facilities that can be used as a community center, for example one that can be used for seniors during the day, by teens in the late afternoon and evenings.

Councilmember Herman noted this is something Community Transit is concerned about and he invited the Englishes to give CT some information about needed services.

Mrs. English (from the audience) said they have been trying for 10 years to get transportation!

Mayor Weiser suggested the people in the audience interested, may want to stay to hear what is discussed under New Business later on the agenda: "5. Process for Disposition of City Hall" as a lot of people have indicated a senior center could be located at the old City Hall.

PUBLIC HEARINGS:

**1. Pretreatment Ordinance; Continued from February 12, 1996.**

Consultant Larry Wade of Hammond, Collier, Wade-Livingstone,

addressed Council. He referred to memos he passed out regarding grease, RV and dental waste. He explained disposal costs \$200 per 1000 gallons of interceptor capacity and there are two contractors: Baker Commodities of Seattle and Northwest Cascade of Puyallup. He reviewed restaurant/interceptor sizes and cost of grease waste management, installation and maintenance costs.

He talked about existing establishments that may not have room for grease tanks, variances, waivers, more frequent disposal of grease, overflow tanks that could be used in lieu of a 5000 gallon tank. He talked about other wastes, eg. from car washes, dental offices, radiator and auto body shops, auto dealerships, photo labs.

Councilmember Bartholomew arrived at 8:10 p.m.

Mr. Wade referred to publications from various entities referring to these wastes and how to dispose of them, keep logs, state regulations, etc.

He went over the proposed edits and changes. He noted an addition of a category under the pollutants section for RV Waste. Another new item proposed is setting a limit of 2% of the existing average influent flowrate without written permission of the Director.

City Administrator Zabell noted this is 24,000 gallons and the possibility that when the 6 million gallon reservoir is completed, the 2% is going to represent more user flow.

Mr. Wade noted there is an addition of capping BOD or TSS at 750 mg per liter. He reviewed special agreements, surcharges, user group classifications, discharge pollutants references. He noted that Section 2.10(G) needs to be rewritten by legal counsel and there will be another new section 2.15(A) regarding RV Waste Water to be added.

Another new section regarding multiple grinders is to be added (2.16) as is (2.17) regarding dangerous wastes.

Councilmember Pedersen asked about the change from 250 mg per liter to 220 mg per liter for household/residential waste. Mr. Wade said at the proposed rate structure there would be different levels of pretreatment and different rates that reflect the user's BOD/TSS. He added there may be a surcharge if they are above 750 mg per liter, for example.

Joe Crawford, Pacific Coast Feathers, 14524 40th Av. NE, addressed Council. He stated they have gone through the book and know this is an important step for Marysville. On the 350 mg per liter drop down to 220 mg per liter, he said he knows National Food Corp. is committed to 300 to 350 and to go to 220 will represent an additional significant cost either in capital investment or monthly operating fee. He said one of the things he sees as a motivator might be to give a reward for going below 220 which would help pay back the higher costs when you are above 220. He asked about the 2% limit included in the proposed pretreatment ordinance.

Mr. Wade said he would guess that's for new users unless it's in an existing contract as 2%.

Mr. Crawford said he knows none of this is free; somebody has to pay and he would urge Council to be sensitive on the burden to the businesses in the community. There are many people the treatment facility benefits, maybe only a few can be measured, but everyone should share in the rates and he said he trusts the rates in the end will be fair.

Councilmember Leighan asked him to expand on his concept about getting BOD & TSS below 220 mg/l.

Mr. Crawford said he understands 220 is the normal household waste BOD and the City basically has two concerns: 1) the volume of flow into the wastewater treatment facility and 2) the amount of solids contained in that flow. He said it seems to him that if the City gave an incentive to a user who has made a large capital investment that will then offset the heavier user, both in cost and in use of the WWTF. He said he would like to see an encouragement for everyone to go to 220 if possible because to get their BOD down that low would be a large capital investment for the user.

Councilmember Baxter brought up the fact that when policing the businesses, they had to stop announcing when they would test the system because the tests were always good.

Mr. Crawford agreed that random testing is appropriate. He said he anticipates it to be very difficult to reconcile the City's needs for pretreatment with the user's ability to meet requirements.

There being no one further from the audience wishing to give testimony, this portion of the public hearing was closed at 8:43 p.m.

Councilmember Leighan asked about the 2% limit and his concern that as the City's total capacity increases so does the amount that 2% represents.

Mr. Wade suggested the possibility of putting in a maximum number of gallons, say 100,000, per day with anything above that at the approval of the Director.

There was considerable discussion about current users, commercial users, service businesses, industrial users, household/residential discharge, need to review changes, fee structures for inspections and utility rates, time line for revision of ordinance, compliance with regard to grease traps, hardships to small businesses that might come about as a result of the requirement of grease tanks.

Public Works Director Winckler noted there were only 2 restaurants out of 150-160 in the system that were represented at the public hearing: Marysville Bakery and Fanny's Restaurant. There were 9 industrial users out of 15 major industrial users who turned out.

There was discussion about mailing lists and the notification process.

Dale Thayer, Wastewater Treatment Facility Operator and Superintendent, addressed Council and noted he and some of the others in his department went out to restaurant owners and informed them of the public hearing coming up. They said they would talk to the manager about the hearing, so staff definitely made an effort to tell people about this. He noted about 24 businesses are already on the monthly grease trap inspection list and he added that existing grease traps have to be in accordance with the plumbing code. If the grease traps are not large enough, they will have to be cleaned more frequently; he noted restaurants are the biggest problem right now with the grease but this is going to affect other areas, eg. vehicle facilities, car washes, laundromats.

Councilmember Pedersen moved to close the public hearing and have the ordinance brought back as soon as revisions are done and after legal counsel review. Councilmember Bartholomew seconded the motion.

Councilmember Bartholomew asked if there are enough changes and whether they are substantial enough to require another public hearing.

City Attorney Pro Tem Graafstra said no. The motion passed unanimously.

Councilmember Baxter left Council Chambers at 9:00 p.m.

MAYOR'S BUSINESS, continued:

City Attorney Pro Tem Graafstra briefed Councilmember Bartholomew on what had previously transpired with regard to the way the voting went on the Mayor's appointment to the Planning Commission.

Councilmember Baxter returned to Council Chambers at 9:02 p.m.

Councilmember Pedersen made her comments again about participation in Planning Commission and City Council issues.

Mayor Weiser explained he had nominated Brett Roark because of his work experience, dealings with crews and practicality that would be brought to the Planning Commission with regard to studying issues and ordinances under the GMA. He noted Brett has lived in Marysville 8 years, the greater Marysville area 10 years.

Brett Roark made himself available for questions.

It was noted that other issues that had been brought up in Councilmember Bartholomew's absence were conflicts of interest on the Planning Commission, having all one gender and no business owner representation on the Planning Commission at this time.

Councilmember Baxter moved and Councilmember Leighan seconded to affirm the Mayor's appointment of Brett Roark to the Planning Commission. The motion passed 4-3 with Councilmembers Herman, Pedersen and Myers against.

Councilmember Bartholomew commented that she would also like to see more business owners represented on the Planning Commission and perhaps we could contact the Chamber of Commerce, Downtown Merchants Assn. and general business community in the future.

Councilmember Leighan summarized that it seems to be the selection process that needs to be reviewed.

NEW BUSINESS:

**1. Parks & Recreation Dept. Facility Use Fee Schedule.**

Parks & Recreation Director Ballew referred to the rental fee schedule and other information in the packets. He also referred to the RCWs and WACs with regard to use of public facilities. He noted Friends of the Library were to be charged \$45 per day for their upcoming 4 day used book sale at the library but they have asked that the fee be waived in view of the fact all their proceeds go to the library.

Parks & Recreation Director Ballew noted he does not have the authority to change the current regulations and charges for the library; mainly this \$45 per day fee is for custodial services and the Parks & Recreation Dept. would recommend a contract be drawn up that would identify compensation for the use of city facilities. He noted there is a value there but the City also recognizes the fact that the Friends of the Library do contribute considerable amounts of money to the library.

Councilmember Bartholomew asked about advice from the state examiner/auditor regarding fees and Finance Director Wilson stated that he had heard nothing from them.

Councilmember Bartholomew asked about non-profit organizations using public facilities and City Attorney Pro Tem Graafstra said basically there needs to be a connection between the government entity and the user. He noted in the case of the Parks & Recreation facilities, the City is open to liability if there is a



charge but if you don't charge, then you risk the state auditor coming down on you with a fine.

Councilmember Baxter suggested another way might be to consider what percentage of the Friends of the Library proceeds go to the library in order to gauge how much to charge them. He noted non-profit organizations should be given special consideration.

City Attorney Pro Tem Graafsta stated the exemptions for organizations not to be charged are if there is public benefit, if public funds are being used and if the people involved are indigent but being a profit or non-profit organization is not a factor.

Parks & Recreation Director Ballew explained the criteria used now for renting out the City facilities is if it's a garage or book sale, the organization must be a non-profit.

Councilmember Myers noted that with Friends of the Library, all of their proceeds go to the library as opposed to the local garden club, for example but in playing the "Devil's Advocate", Parks & Recreation Director Ballew asked if that was documented and what proof the City has of that information.

Discussion followed about public benefit and purpose of use, buildings for public benefit, drawing up an agreement showing that public benefit, providing a public meeting room if there is a public benefit and no fund raising event.

Councilmember Herman noted that if the fund raising event is of public benefit then the room should be at no charge and also in the case of any group where it's non-profit and clearly for public benefit.

Councilmember Baxter pointed out that cleaning of the room is going to be done whether there are groups meeting there or not; he noted these groups are very important to the community and should not be charged. He added that the local citizens are already paying for the library and the City should provide meeting rooms, etc. unless damages get out of control, like the restrooms at Comeford Park. If they mistreat the library then that group is no longer welcome but until then, the City should allow local groups to use it free of charge, he said.

Parks & Recreation Director Ballew said he agrees, however there are costs such as getting the piano tuned, miscellaneous expenses such as that, that need to be covered and the fees currently charged have been kept at a minimum.

Councilmember Bartholomew noted the state examiner is saying it has to be market value that is charged for room rental.

Parks & Recreation Ballew noted the City has not exceeded costs in consideration of the fees charged; it's a breakeven situation. He reviewed revenues and activities not charged for in the last year or so, noting there are a lot of staff meetings, for example. He said what is really needed is a contract drawn up taking into consideration contributions such as the Friends of the Library's \$14,000 worth of art, making the buildings available for community uses.

Councilmember Leighan moved and Councilmember Wright seconded to have staff (including Parks Board and legal counsel) draft a use contract allowing the Friends of the Library to use the library at no charge for 4 days, said contract to be previewed by the Parks Advisory Committee and brought back to Council. The motion passed unanimously.

**2. Utility Variance for Bert St. Jean; 2832 169th St. NE,  
Arlington; UV 96-002.**

Public Works Director Winckler reviewed the agenda bill, noting this property did not participate in ULID 10 but would have to pay equivalent assessment charges. It was also noted this property is west of the pending Arlington annexation area.

Councilmember Baxter moved and Councilmember Bartholomew seconded to approve the utility variance subject to the applicant's ability to meet recommendations of the RUSA Committee and staff as per the agenda bill. Passed unanimously.

**3. Professional Services Contract for 1996 Water System Improvements; Hammond, Collier, Wade-Livingstone, Assoc. Inc.**

Public Works Director Winckler reviewed the agenda bill, noting Public Works staff recommends approval. City Administrator Zabell explained the process and there was brief discussion.

Councilmember Baxter moved and Councilmember Bartholomew seconded to authorize the Mayor to sign the professional services contract as recommended by staff. Passed unanimously.

**4. Professional Services Contract for Third St. Lift Station; Hammond, Collier, Wade-Livingstone, Assoc. Inc.**

Public Works Director Winckler reviewed the agenda bill, explaining why there was no RFP process in this case. He noted the replacement system will provide at least the same capacity or more than the City presently has.

Councilmember Baxter added this is the same lift station that needs to be fairly regularly pumped and is settling.

Councilmember Pedersen left Council Chambers at 9:48 p.m.

Councilmember Baxter moved and Councilmember Myers seconded to authorize the Mayor to sign the professional services contract as recommended and outlined in the agenda bill. Passed 6-0.

**5. Process for Disposition of City Hall.**

City Administrator Zabell reviewed the agenda bill.

Councilmember Pedersen returned at 9:51 p.m.

City Administrator Zabell stated this is mainly to get direction as far as the process and to make a decision about the future use of the old City Hall.

There was lengthy discussion about eligibility of groups that would be allowed to use a public building, a fair market value for rent, public need, benefit to the community, renting it out to various groups vs. just one group, what it's going to cost to make the building usable, who is going to pay for the renovations, donations in lieu of rent, ongoing City use of the facility in some way and a continuing legal right to use the facility.

There was discussion about a City museum use, fair market value, the fact that there is lots of demand for a facility of this type, making the decision as to options, setting up a committee to recommend different uses that would be compatible, the need for new wiring and HVAC system in the building, parking considerations, putting out an RFP, looking at what the county does in the case of Monroe Fairgrounds, Paine Field, etc. It was noted a community center might be a less costly proposition vs a permanent tenant and perhaps it should be reviewed as to what groups/uses can go in with a bare minimum of an upgrade, eg. does the use really warrant a new HVAC.

Councilmember Wright recommended a Council task force which would study the possibilities further and pass along recommendations to the Parks Board for their input and then bringing it back to Council. Councilmember Myers agreed and there was further discussion about weddings, receptions, use as a senior center, talking with Stillaguamish Sr. Center, discussion about revenue producing ability of senior centers and others.

There was consensus to appoint a task force and Mayor Weiser asked for those interested. Councilmembers Myers, Baxter and Leighan were chosen to serve on the task force.

CURRENT BUSINESS:

**1. Discussion of the Mayor's Duties, Continued from 1/22/96.**

Mayor Weiser outlined the previous discussion and indicated the possibility of having a City Manager and/or Council President.

There was discussion about duties of the city administrator not changing, duplication of attendance at meetings, mayor pro tem filling in for the mayor, need for a full time mayor in the future, continuing this matter.

Councilmember Pedersen moved and Councilmember Myers seconded to continue this discussion to 3/25/96 with a review of the time spent in the mayor's position to include information from staff as outlined.

Councilmember Herman noted there are basically three options to consider: 1) No change; 2) Go to a full time Mayor; 3) Transition phase between 1) & 2). He said he would like some kind of input from the Mayor and staff, pros and cons about each of the three possibilities/options.

Councilmember Bartholomew said she would like to look at the City Administrator's workload and whether ~~that~~ can be transferred to the Mayor or someone else.

*a portion*

The motion to continue this to 3/25/96 passed unanimously.

CORRECTED: SEE 3/4/96 MINUTES

ORDINANCES & RESOLUTIONS:

**1. Resolution Declaring Certain City-Owned Property Surplus to the Needs of the City & Directing the Sale Thereof.**

Councilmember Myers moved and Councilmember Bartholomew seconded to approve/adopt Resolution 1783. Passed unanimously.

**2. Resolution Granting Conditional Use Permit & Variance for Property Owned by Steve Muller, Subject to Conditions.**

Councilmember Baxter moved and Councilmember Wright seconded to approve/adopt Resolution 1784. Passed unanimously.

**3. Resolution Granting Conditional Use Permit & Variance for Property Owned by the City of Msvl., subject to conditions.**

Councilmember Myers moved and Councilmember Baxter seconded to approve/adopt Resolution 1785. Passed unanimously.

LEGAL MATTERS:

**1. Waste Management Contract.**

There was discussion about including plastic jugs, juice containers, having a new agreement vs an addendum, shorter term, 6 month extension with the current contract expiring tomorrow, developing a new contract, going to the state utilities commission

to get a new contractor, 3 year option for renewal, revision of the contract significantly may require going out to a full competitive process, staff to review.

Councilmember Leighan moved and Councilmember Bartholomew seconded to extend the Waste Management contract 6 months and to bring the matter back for review within 30 days. Passed unanimously.

ADJOURNMENT INTO EXECUTIVE SESSION: 10:47 p.m.

1. **Real Estate.** (No Action)

RECONVENED: 11:15 p.m.

City Administrator Zabell updated City Council on the City Hall project.

ADJOURNED: 11:17 p.m.

Accepted this 4<sup>th</sup> day of March, 1996.

David Weiser  
MAYOR

Mary D. Swenson  
CITY CLERK

Wanda A. Swenson  
RECORDING SECRETARY