

**MINUTES RECAP  
MARYSVILLE CITY COUNCIL - REGULAR MEETING  
AUGUST 9, 1999**

CALL TO ORDER/FLAG SALUTE	7:00 P.M.
ROLL CALL	All present
MINUTES OF PREVIOUS MEETING	
1. August 2, 1999	Approved as presented.
AUDIENCE PARTICIPATION	None.
PRESENTATIONS/PETITIONS/COMMUNICATIONS	None.
CONSENT AGENDA	
1. Approve August 9, 1999 claims in the amount of \$424,503.01 paid by check Nos. 47191 through 47329 with check number 46983 void.	Approved.
2. Approval of July, 1999 payroll in the amount of \$843,379.93 paid by check Nos. 35696 through 35986 with check Nos. 35661, 35662, 35664, 35695, 35986, and 35268 void.	Approved.
3. Approval of liquor license application for Taqueria La Jaliscience.	Approved.
4. Approval of Model Home Request on Lot 2 of Cedarcrest Greens, Division 2, PA 9806036.	Approved.
5. Approval of Model Home Request on Lot 6 of Cedarcrest Greens, Division 2, PA 9806036.	Approved.
6. Approval of Special Events Permit for the Homegrown Quilt Show and Marketplace, August 13 and 14, 1999, subject to submittal of proof of insurance.	Approved.
7. Accept the Marysville TV Advisory Committee's recommendation to contract with Sierra Media Services of Everett to produce a Parks and Recreation video.	Approved.
8. Approve Public Works Staff recommendation to reject aerator bids and re-bid in January, 2000.	Approved.
ACTION ITEMS	
<b>REVIEW BIDS</b>	
None.	
<b>PUBLIC HEARING</b>	
None.	
<b>CURRENT BUSINESS</b>	
1. Communication Center Discussion	
<b>NEW BUSINESS</b>	
1. Approve the proposed contract with Waste management for curbside-collected recyclables and curbside-collected yard waste, multi-family and commercial collection processing, marketing and disposal service, subject to correction of two paragraphs under 2.1.10 Liability Insurance to add the names of the elected officials, and subject to adding language agreeable to Waste Management and the city regarding options if Initiative 695 passed.	Approved, subject to conditions as noted.
<b>ORDINANCES AND RESOLUTIONS</b>	
1. An ordinance of the City of Marysville amending Ordinance No. 2218 relating to the 1999 budget and providing for the increase of certain expenditure items as budgeted.	Approved Ordinance 2218.
2. A resolution of the City of Marysville rejecting the petition for formation of proposed LID No. 70 - State Avenue Trunk Sewer Local Improvement District and repealing Resolution No. 1921.	Approved Resolution 1935.
3. A resolution of the City of Marysville granting a utility variance for SGA Corporation/Bob Hart for property located on 31 <sup>st</sup> Avenue South of 6130 (Lots 2 and 3), Marysville, Washington.	Approved Resolution 1936.
4. A resolution of the City of Marysville denying a utility variance for William M. Cross, Sr. for property located at 11825 44 <sup>th</sup> Avenue NE, Marysville, Washington.	Approved Resolution 1937.
5. A resolution of the City of Marysville granting a utility variance for Art Williams Jr. for property located at 6502 19 <sup>th</sup> Avenue NE, Marysville, Washington.	Approved Resolution 1938.
<b>LEGAL MATTERS</b>	
Brief report by Grant Weed on 152 <sup>nd</sup> Street interlocal.	
<b>INFORMATION ITEMS</b>	
1. Mayor's business	
2. Staff's business	
3. Call on councilmembers	
ADJOURN	10:36 p.m.
EXECUTIVE SESSION	To discuss one personnel matter.
RECONVENE	No action taken.
ADJOURN	10:52 p.m.

**MINUTES**  
**MARYSVILLE CITY COUNCIL - REGULAR MEETING**  
**AUGUST 9, 1999**

**CALL TO ORDER/FLAG SALUTE**

The meeting was called to order by Mayor Weiser at 7:00 p.m. in the Council Chambers, and the assemblage joined in the flag salute. A voice roll call was conducted. Attendance was as follows:

Councilmembers Present:  
Dave Weiser, Mayor  
Donna Wright, Mayor Pro Tem  
Shirley Bartholomew  
NormaJean Dierck  
Otto Herman, Jr.  
Mike Leighan  
Donna Pedersen  
Brett Roark

Administrative Staff present:  
Mary Swenson, City Administrator  
Robert Carden, Police Chief  
Ed Erickson, Finance Director  
Gloria Hirashima, City Planner  
Grant Weed, City Attorney  
Ken Winckler, Public Works Director  
Doug Buell, Community Information Officer  
Roger Kennedy, Fleet & Facilities Manager

**MINUTES OF PREVIOUS MEETING**

1. City Council meeting August 2, 1999

**MOTION** by Leighan, second by Bartholomew, to approve the minutes of the August 2, 1999 meeting as presented. Motion carried unanimously (7-0).

**AUDIENCE PARTICIPATION**

None.

**CONSENT AGENDA**

1. Approve August 9, 1999 claims in the amount of \$424,503.01 paid by check Nos. 47191 through 47329 with check number 46983 void..
2. Approval of July, 1999 payroll in the amount of \$843,379.93 paid by check Nos. 35696 through 35986 with check Nos. 35661, 35662, 35664, 35695, 35986, and 35268 void.
3. Approval of liquor license application for Taqueria La Jaliscience.
4. Approval of Model Home Request on Lot 2 of Cedarcrest Greens, Division 2, PA 9806036.
5. Approval of Model Home Request on Lot 6 of Cedarcrest Greens, Division 2, PA 9806036.
6. Approval of Special Events Permit for the Homegrown Quilt Show and Marketplace, August 13 and 14, 1999, subject to submittal of proof of insurance.
7. Accept the Marysville TV Advisory Committee's recommendation to contract with Sierra Media Services of Everett to produce a Parks and Recreation video.
8. Approve Public Works Staff recommendation to reject aerator bids and re-bid in January, 2000.

Councilmember Pedersen requested that she be supplied with information on voucher numbers 47229 and 47290 within two days; staff agreed.

Regarding item 3, Ms. Swenson advised that the video/grocery store, Video Y Zapaterio Mexico, had withdrawn its application. The correct address for the remaining applicant was 409 State Avenue.

**MOTION** by Pedersen, second by Bartholomew, to approve items 1, 2, 3, 6 and 8. Motion carried unanimously (7-0).

Regarding items 4 and 5, Councilmember Dierck asked if this plat would come before Council again. Ms. Hirashima advised that the plat had received preliminary approval with two existing legal lots in the 6-lot plat. The plat would come before Council again for final plat approval. Councilmember Dierck reported there was a pipe draining at the site which could be affecting Allen Creek. Mr. Winckler said Public Works would check on this. Councilmember Dierck stated she would abstain from voting on these two items as she did not have adequate information.

Regarding item 7, Councilmember Dierck asked about the funding for the Parks and Recreation video. Mr. Doug Buell, Community Information Officer, responded the

funding would come from the professional services budget. The total amount budgeted for the year was \$12,500; \$3,285 had been spent to date, and the cost of this project would be \$3,398.73, which had been included in the approved budget.

**MOTION** by Bartholomew, second by Leighan to approve items 4, 5 and 7. Roark and Dierck voted nay on 4 and 5; all others voted aye; Dierck voted nay on 7; all others voted aye. Motion carried.

## **ACTION ITEMS**

### **Review Bids**

None.

### **Public Hearing**

None.

### **Current Business**

#### 1. Communication Center Discussion

Mayor Weiser introduced the topic. Chief Carden recapped the workshop which had been held on Thursday, August 5, noting the Police Department had attempted to provide an objective report that outlined the advantages and disadvantages of the city retaining its dispatch center rather than outsourcing the work or joining Snocom or Snopac. He noted the issue was one of local control and personalized service versus cost. Rapid response to citizens and familiarity with local landmarks were important. He had conducted an informal survey of Police Chiefs in surrounding cities and they all had indicated that if they could afford local dispatching they would prefer it. He closed by stating he favored staying in the dispatch business, as anything else would sacrifice personalized service.

Councilmember Roark asked about selling the existing dispatch center equipment. Roger Kennedy, Fleet and Facilities Manager, responded there would be little salvage value; only some of the money would be recouped.

Commander Carden showed a chart that identified the areas for which the city currently had dispatch responsibility, as well as Snocom's and Snopac's areas. He acknowledged that Marysville was the only city in the county with its own dispatching center.

Councilmember Pedersen questioned Spencer Bonner, 800 MHz Radio Project Manager, regarding the August 23<sup>rd</sup> deadline for making this decision. Mr. Bonner replied that the actual deadline was the last day of September, the date a signed order was required by the radio vendor. This was essential so the manufacturer could schedule production of the equipment. A decision deadline of August 23<sup>rd</sup> would leave one month for establishing the technical details and doing final engineering development work. Missing the September deadline would mean a series of delays in constructing the system, losing our place in the order queue at the factory, and perhaps losing key engineering resources to another project in the U.S.

Mr. Erickson briefly reviewed the material that he had supplied to Council regarding the financial impacts of retaining the dispatch center. He concluded by emphasizing the three conditions which must be met in order to make the dispatch center financially viable: retain the Fire District contract; operate without significant operating budget enhancements, particularly personnel; and require no other major capital improvements (remain adequately housed in the present Public Safety Building). No scenarios had been included for contracting to do dispatch services for surrounding cities. He noted the city still owed 12 more years on the current Public Safety Building. Chief Carden added that initially extra staffing would not be required. Mr. Erickson suggested a conservative estimate for utilizing Snopac's services would be \$50,000 to \$55,000 per month.

Mark Thomas, 1635 Grove Street (work address), spoke on behalf of the Marysville Police Officers' Association in support of keeping dispatch in the city. He stated he was a Police Officer and had been with the city for eight years. He emphasized the quality of service which citizens received now, citing the current use of SCORE to provide information on outstanding warrants. Snopac only provided this information if the situation was an emergency. Local dispatchers stayed on the line with the calling party or were able to call someone back for additional details. The dispatchers were available to officers for additional information or confirming warrants. He cited examples of when

the dispatch center had provided important aid for custody staff, medical assistance dispatch for the courtroom, security for the property and records room and face-to-face help for walk-in citizens. He stated officers in neighboring jurisdictions had expressed a desire to be dispatched out of Marysville.

Councilmember Wright asked about sharing airtime if the city took on dispatching for other agencies; Mr. Thomas replied that a restricted service from the local dispatch center would still be preferable to utilizing the dispatch services of another agency. Councilmember Wright noted that Mr. Erickson's analysis had indicated expenses for the dispatch center would greatly impact the Police Department's budget. Mr. Thomas repeated MPOA's commitment to retaining the local dispatch center; suggesting that grants and donations from the community could be sought for some of the other special programs, such as the canine unit.

Fire Chief Greg Corn, thanked the Police Chief and staff for their detailed reports, but noted that the Fire District was not a satisfied customer of the city's dispatch center. He stated the past 19 months had been fraught with major technical problems that had not been successfully resolved in spite of four previous attempts to do so. He suggested that the Fire District had been patient and shown commitment, but could not commit to a long-term relationship with the dispatch center. He cautioned that the financial analyses which included the Fire District as an ongoing customer of the center were suspect. He concluded by emphasizing four points:

1. An immediate fix of current communication problems was needed.
2. Enhanced training of newly hired dispatchers was required along with continuing education for experienced dispatchers.
3. Speaking to the issue of local control, he suggested the District did not have any more input into the operations side of fire dispatch than if they were using Snopac. A review by a Fire Dispatch Technical Committee would be important and would ensure follow through on any recommendations.
4. The Fire District's annual assessment must be in line with the fee that it would be assessed if it were a Snopac customer.

Councilmember Bartholomew asked about coverage in the Smokey Point area, particularly if the 800 MHz system would address the current "dead spot." Chief Corn suggested the 800 MHz system would address several areas where there currently were communication problems. He noted the District had no trouble with radio communications from Snopac in most areas of the District. This was not the case with Marysville dispatch. One thing being done to address this was the relocation of a transmitter to the Lake Loma Fire Station. This could solve some of the communication problems. He noted that part of the problem was the old communication equipment currently in use; there was a lack of interest in investing in upgrades when it would be replaced in three to five years by the 800 MHz equipment.

Councilmember Leighan asked about the Technical Review Committee. Chief Corn noted there had been one in the past that met every other month, but it had quit meeting approximately two years ago. He noted that one fix which had been tried was using Snopac's antenna, transmitter and tower at Lake Loma. There had been difficulty with the two dispatch centers not hearing one another, so this was abandoned. He added that on top of its assessment, the District had paid approximately \$22,500 towards equipment upgrades in an attempt to be able to communicate in the Lake Loma and Smokey Point areas.

Councilmember Herman asked how much the District would have to pay Snopac for dispatching services. Chief Corn responded that exact numbers had been requested but had not yet been supplied by Snopac. He suggested a close comparison would be Silver Lake, District 11, which was comparable in assessed valuation and volume of calls. They were paying \$116,000 per year. The District had paid \$128,500 for dispatch service so far this year, which included the transmitter just purchased. He agreed to provide council with the information from Snopac when it was received.

Councilmember Pedersen asked about the trial fix of moving the Lake Goodwin antenna to Lake Loma during the weekend. Chief Corn responded that the switch had been tried and partially tested, but a telephone problem had made a complete test impossible. He noted a permanent move would be made this week.

Regarding the issue of training, Councilmember Pedersen noted the Police Department was happy with the way they were being dispatched and wondered if putting the Fire District Technical Review Committee back in action would address the District's dissatisfaction. Chief Corn responded that when a call was received for the Fire District, it could fall under one of many fire response classifications. The units recommended for that type of call come up on the Command Line and the Computer Aided Dispatch system determines which stations need to respond. The dispatcher sees who should be assigned. He noted the radio procedures manual currently in use was based on the Snopac model. Snopac owned and operated the CAD and the city simply

housed the terminal here. Marysville participated in preparation of the radio-users communication manual, as it was important for all fire districts in the county to be compatible, particularly in mutual aid situations. He reviewed how Snopac dispatchers were trained using a simulator, and added that the city's personnel needed to enhance their skills because some fire district calls were low frequency but high risk. He recounted that there had been only five calls of one particular type since 1992, but at those times the dispatch center had not responded correctly.

Councilmember Pedersen observed that the estimated fee to Snopac was not significantly different than what was paid to the city. Chief Corn responded that the city was not in compliance with the current contract.

Chief Corn observed that the direction taken by the Fire Board at its August 18 meeting would depend largely on the council's discussion at tonight's meeting. The firefighters' union had submitted a letter to the Board and their concerns were being addressed. If the radio communication problems were resolved by the 18<sup>th</sup>, he felt that would go a long way towards the city regaining its credibility. He suggested the city could offer a high level, high quality communications center that exceeded the services offered by Snopac, but questioned the affordability of doing so. The current dispatch software was not user friendly; to upgrade it would be a large expense.

Councilmember Roark asked if the Fire District's course had already been determined, which would preclude the city's ability to address the requested changes. Chief Corn responded in the negative, noting that if the Board was not committed to the dispatch center they would already have left. Councilmember Roark asked if the Lake Loma transfer of the transmitter worked well, would Chief Corn recommend staying with the city's dispatch center; Corn replied that if the technical communications were good, he would still need to know what the city planned to do to upgrade its communications services. Councilmember Roark requested some assurance that if the city responded to the concerns presented then the Fire District would make a commitment to staying with the dispatch center. Chief Corn acknowledged the dilemma and pointed out that the Fire Commissioners were in tonight's audience.

Mayor Weiser asked when Snopac was going to change its Computer Aided Dispatch software; Chief Corn responded that he did not know when an upgrade was planned. Most CAD software was written for a large single entity and the one currently in use was the most commonly used in the U.S. One of Snopac's requirements was to deal with a software vendor that had been in business more than five years and most had not.

Councilmember Pedersen asked if the city could levy a tax on its citizens, allowing them to decide if they wanted to have the dispatch center. Mr. Weed responded that it might be a potential revenue bond, but would create issues regarding tax equalization between citizens in the city versus the fire district. The timing would be too tight for the primary ballot and barely doable for the general election. Mr. Erickson agreed to research how such an issue could be structured.

Chief Carden responded that they were working on all the issues that had been raised and would focus on resolving the technical problems during the balance of this week. He felt the dispatchers were well trained and he supported re-instituting the Technical Review committee.

Mayor Weiser called for public comments.

Ken Baxter, 1895 Liberty Lane, said he had been involved since the 50's and 60's and felt having the Police Department in charge of the dispatch system had worked well until it got into a larger system. Inexperienced people were put in charge with inadequate information to do the job. The problems existed at the time the city and Fire District 12 merged and the Board had heard many promises about solutions over the years. He urged the city to stop putting people in charge that were not technical experts in the communications field. He encouraged thorough research into the 800 MHz proposal.

James Maples, 1635 Grove, spoke in support of retaining the dispatch center, noting he had been a Police Officer for the city since 1997 and one reason he chose Marysville was because it had its own dispatch center and jail. He recounted the differences between working in Granite Falls and Marysville, stating having the dispatch center made his job safer and easier. He urged council to consider public safety a priority and not to look at just next year but long term. He added that Lake Stevens and Arlington officers had expressed interest in being dispatched from Marysville.

Debbie Dreyer, 17218 Ironwood Street, Arlington, supported retention of the dispatch center, testifying that she had been a dispatcher with the city for 14 years and was currently serving as supervisor. She felt the service provided to the public was very

good; customer satisfaction was a priority, and the center consistently received high marks on the questionnaires sent to users. She stated she was proud to work for the city and the center's employees were dedicated. Councilmember Pedersen added that the Fire Board reviewed the citizen responses to the questionnaires on a monthly basis and she did not recall ever seeing a negative comment.

Darin Rasmussen, 1635 Grove, spoke in support of the dispatch center, noting he had been a Police Officer for the city for nine years, the last five as Sergeant. He currently served as a contract Sergeant for Arlington, and he recounted some of the difficulties of working with Snopac that he had encountered there. He testified that as an officer and a Sergeant in charge of other officers, safety was an important consideration and he had confidence that the city's dispatchers offered this.

Trenton Galusha, 7525 67 Avenue NE #1, supported the dispatch center, noting he worked for the Tulalip Tribes and had always received a high level of service from the city's dispatchers, particularly in immediate CPR situations. He stated his wife was a dispatcher for the city and she had invested a great deal of time in training. He suggested that disbanding and going to a big agency would not give the citizens the level of service they were used to.

Karolyn Baker, 1635 Grove, spoke in support of the dispatch center, noting she had been with the center almost 16 years. She reviewed the training that was required, adding that consoles were available as a training aid. Marysville's Fire Department personnel have set up response codes that are different from others in the county. Several dispatchers have expressed interest in serving on the Technical Committee. Snopac had not committed to upgrading their software. Taking on additional agencies would not be a problem for the city. If the city went to Snopac, it would only have a fractional vote on their Board. If the city shut down the dispatch center, it would be cost prohibitive to ever revive it.

Jeff Seibert, 5004 80<sup>th</sup> Street NE, supported keeping the dispatch center, citing backup during an emergency and the ongoing need to monitor prisoners at the jail.

Janis Lamoureux, 8316 74 Drive NE, supported the dispatch center, noting she was employed there and the employees were dedicated. They received many compliments from the people they served.

Eric Swobody, Post Office Box 1853, spoke as the representative of Local 3219, Marysville Professional Firefighters. He noted they did not want loss of jobs and agreed public safety was important. Concern for the safety of the firemen drove the Local's concern; it was nothing personal against the dispatch center. He suggested the Fire Department had a different communications situation than the Police Department in that they had to compete with agencies in Skagit, Whatcom and even Thurston County for airtime. The firefighters needed to be able to hear the dispatchers and the dispatchers needed to be able to hear them. He stated he did not want a firefighter death due to a dispatch center that could not relay critical information. Firefighter safety and public safety were both important. He emphasized that the equipment needed to be upgraded, noting he had been required to call on his cel phone on occasion to get through to the dispatcher to receive an address for a medical response. He understood there had been six attempts in the past to upgrade the equipment and solve the communications problems, all without success. The problems still remained and he recounted an incident from today.

The following letter, which was received via fax before the meeting, was also entered as testimony:

Quil Ceda Veterinary Hospital, Inc., P.S.

We would like to express our opinion on the matter of the Maryville Dispatch Center.

We are in favor of keeping the current system with local dispatchers for several reasons.

1. The eleven employees who are currently involved in the Marysville Dispatch Center. Their employment security should be of prime concern to the community that they have served so well.
2. The value of having dispatchers that are familiar with the community and available resources as well as the geography, the people and the officers.
3. We have formed a close working relationship with Officer Vasconi and have found it very easy to reach Officer Vasconi and maintain communication with the cooperation of the local dispatchers.

These are only a few of the reasons we feel this would be the wiser choice to make. Had we known of the situation earlier, we would have had more signatures to add.

Sincerely,

The Staff at Quil Ceda Veterinary Hospital

[signed] Carol Noble, Diane Greene, Valys Mosh, Sarah Lewis, Emi Palm Baxter

There being one further wishing to testify, the Mayor closed the public comment portion of the meeting and declared a five-minute recess.

Upon resumption of the meeting, Mayor Weiser noted no decision was expected this evening, only input from council.

Councilmember Herman suggested that if the city stayed in the dispatch business it would need to address the quality of its service long term, which would involve a CAD upgrade with attendant costs. He stated he would study the information provided and reserve the right to further discussion.

Councilmember Leighan asked Chief Carden if the city would retain the communications channels it already had until Phase 2 of 800 MHz. Chief Carden replied that it would. Commander Winters added that once Phase 2 was in place, the city would relinquish its frequencies.

Councilmember Pedersen noted the number one charge to government was public safety. She encouraged city administration to brainstorm some options for solutions which would allow retaining the dispatch center.

Councilmember Bartholomew asked about the Public Works frequency. Mr. Winckler responded that it was shared with the Police during emergency situations. Their frequency had nothing to do with the 800 MHz system and would be retained when that came into being.

Councilmember Roark suggested it was important to start addressing the Fire District's issues as they had a deadline of August 18. He asked for an immediate update regarding the Lake Loma transmitter when the information became available. Mayor Weiser noted the issue would be brought up on the 23<sup>rd</sup>.

Commander Winters reported that the line for the Lake Loma site was installed at 3:00 p.m. this afternoon. Tomorrow should see good radio service. The Fire District would have several opportunities to test the equipment prior to their meeting on the 18<sup>th</sup>.

#### **New Business**

##### **1. Curbside recyclables and yard waste; Waste Management contract**

Mr. Winckler presented the background materials, noting that only one bid had been received in response to the advertising; staff recommended approval of the contract with Waste Management.

Councilmember Bartholomew noted that 2.1.10 Liability Insurance did not specifically name the elected officials. She questioned if the performance bond amount of \$100,000 (Paragraph 2.1.11) was sufficient. Mr. Weed responded that this was the same amount as had been in past contracts with this vendor; also, it was typical in the industry.

Councilmember Pedersen asked about the liquidated damages (Paragraph 2.1.12) wondering if money paid for a breach of service went to the city or the homeowner. Mr. Weed responded that the contract ran between the city and the vendor. The liquidated damages helped established performance standards and any damages would be paid to the city. Councilmember Pedersen questioned the language about replacing recyclable bins or detachable containers in designated locations.

Jamey DeSoer, 1820 80<sup>th</sup> SW, Bothell, representing Waste Management, responded that the intention was to put containers back where they were found. He was unaware there had been any complaints in Marysville regarding this. The same driver had been in the city two-and-a-half years and was in contact with city staff almost daily. He added that Waste Management had never had to pay the city-liquidated damages for breach of service because its drivers were committed to taking care of the customers.

Councilmember Herman noted the contract embodied a cost increase with provisions for annual increases based on the Consumer Price Index. Because of the unknown impacts if Initiative 695 passed, he expressed concern about the city's ability to cancel the contract if future increases had to go before a vote of the people and were not approved. Mr. Weed agreed this was an unknown, because it could be argued that a raise in recycle, garbage or utility rates would require a vote of the people. He suggested adding language that would help both the vendor and the city understand what would happen in the event that I-695 passed.

Councilmember Bartholomew asked if the rates in the proposed contract needed review by the Utility Committee. Mr. Weed responded in the negative, noting there was a provision in the city code that dealt with yard waste rates and if the agreement was approved, staff would just prepare a short amending ordinance so the code would be current with the contract.

Councilmember Roark asked when councilmembers would be supplied with the analysis of the impacts of I-695. Mr. Weed reported that the Association of Washington Cities had sent out some information and city staff was working on their analysis. The initiative was being studied and analyzed at all levels, including a look at its constitutionality. He noted that AWC recommended cities and counties prepare two budgets. Mr. Erickson added that his analysis was almost complete and would be supplied to councilmembers soon. The immediate impact on next year's general fund revenues would be \$213,000 and would be over \$300,000 in 2001. Councilmember Bartholomew noted the initiative would be voted on in November and go into effect January 1 if passed; this would allow only a few weeks for the city to implement the necessary responses.

Councilmember Pedersen suggested the initiative would be challenged by an Attorney General's opinion then go directly to Supreme Court. Mr. Weed noted that a lawsuit would have to be filed and the process played out, much the same as the library legislation. An Attorney General's opinion did not get the parties into a direct court review.

Jeff Seibert, 5004 80<sup>th</sup> Street, questioned the flat rate for yard waste bins throughout the year, when they were unused during the winter. He asked for a letter detailing the pick-up dates for leaves.

**MOTION** by Roark, second by Dierck, to approve the proposed contract with Waste Management for curbside-collected recyclables and curbside-collected yard waste, multi-family and commercial collection processing, marketing and disposal service, subject to correction of two paragraphs under 2.1.10 Liability Insurance to add the names of the elected officials, and subject to adding language agreeable to Waste Management and the city regarding options if Initiative 695 passed. Motion carried unanimously (7-0).

#### **Ordinances & Resolutions**

1. An ordinance of the City of Marysville amending Ordinance No. 2218 relating to the 1999 budget and providing for the increase of certain expenditure items as budgeted.

**MOTION** by Bartholomew, second by Roark, to approve Ordinance 2218. Motion carried unanimously (7-0).

2. An Resolution of the City of Marysville rejecting the petition for formation of proposed LID No. 70 – State Avenue Trunk Sewer Local Improvement District and repealing Resolution No. 1921.

**MOTION** by Herman, second by Leighan, to adopt Resolution 1935. Motion carried unanimously (7-0).

3. A Resolution of the City of Marysville granting a utility variance for SGA Corporation/Bob Hart for property located on 31<sup>st</sup> Avenue South of 6130 (Lots 2 and 3), Marysville, Washington.

**MOTION** by Wright, second by Pedersen, to adopt Resolution 1936. Motion carried unanimously (7-0).

4. A resolution of the City of Marysville denying a utility variance for William M. Cross, Sr. for property located at 11825-44<sup>th</sup> Avenue NE, Marysville, Washington.

**MOTION** by Herman, second by Leighan, to approve Resolution 1937. Dierck and Roark voted nay; all others voted aye; motion carried (6-2).

5. A Resolution of the City of Marysville granting a utility variance for Art Williams Jr. for property located at 6502-19<sup>th</sup> Avenue NE, Marysville, Washington.

**MOTION** by Pedersen, second by Bartholomew, to approve Resolution 1938. Motion carried unanimously (7-0).

#### **LEGAL MATTERS**

Mr. Weed reported the 152<sup>nd</sup> Street interlocal agreement regarding the exchange of records had been sent to the county and comments had been received back. Staff was reviewing those now and the completed agreement would be ready for the next council meeting.



**DISCUSSION ITEMS**

None.

**INFORMATION ITEMS**

1. Mayor's business

Mayor Weiser reminded councilmembers of the Sensitive Areas Workshop to be held in the council chambers on August 16.

2. Staff's business

Ms. Swenson noted that the Coffee with Council would be 7:30 to 9:00 a.m. on August 11 at the Baxter Senior Center.

Attorney Weed reported on the status of the research regarding the 116<sup>th</sup> Street Master Plan, noting there was a question of whether the city had the authority at all to place the onus for planning onto the property owners. He was continuing his research. Councilmember Pedersen mentioned the access benefit plan for arterials and questioned why the 116<sup>th</sup> Street people would be asked to do a different one. Mr. Weed responded that the access management plan was for arterials only and the comprehensive plan had language that went beyond just streets and right-of-way planning. Ms. Hirashima added that access management was only one aspect; information regarding traffic impacts need to be reviewed.

Mr. Winckler:

- Staff was reviewing utility connection fees, which should be ready for council consideration during September. Utility rates would also be reviewed.
- Marysville Middle School had requested that school buses have access to Grove on 49<sup>th</sup> Drive. In doing so, they would like to have a right turn in and a right-turn out onto Grove. Staff's preliminary review suggested this would be acceptable, but the item would go to the Traffic Safety Committee. He suggested a public meeting to discuss the access change and suggested the August 23<sup>rd</sup> meeting would allow ample time to give notice of hearing. Council agreed.

3. Call on councilmembers

Councilmember Dierck:

- News release from the Washington State Department of Fish and Wildlife reported that \$6.7 Million in funding had already been awarded. Had the city asked for any? Mayor Weiser reported in the negative, noting the city had no projects at the time that were suitable. The city was working on one now by the golf course; it was close to final design stage and could possibly qualify for grant funding.

Mayor Weiser advised a public meeting to discuss the water tower was scheduled for September 20<sup>th</sup>. Councilmember Roark thanked staff for the detailed information that had been supplied on this topic and requested councilmembers to particularly note page 23, maintenance and repairs for the next 20 years.

**ADJOURN TO EXECUTIVE SESSION**

Council adjourned into executive session at 10:36 p.m. to discuss one personnel issue.

**RECONVENE AND ADJOURN**

Council reconvened into regular session, took no further action, and adjourned at 10:52 p.m.

Accepted this 23<sup>rd</sup> day of August, 1999.

*David Weiser*  
Mayor

*Mary Swenson*  
City Clerk

*Ann M. Currier*  
Recording Secretary