

**MINUTES RECAP
MARYSVILLE CITY COUNCIL - REGULAR MEETING
MARCH 12, 2001**

01C16-INT-4
000137

CALL TO ORDER/FLAG SALUTE	7:00 p.m.
ROLL CALL	Brennick absent.
MINUTES OF PREVIOUS MEETING 1. City Council Regular Meeting, March 5, 2001.	Approved as presented
AUDIENCE PARTICIPATION None.	
PRESENTATIONS/PETITIONS/COMMUNICATIONS 1. Introduction of Finance Department personnel 2. Update of Police Department Accreditation - Sergeant Dean Rasmussen	
CONSENT AGENDA	
1. Approve March 12, 2001 claims in the amount of \$612,657.10; paid by check Nos. 57574 through 57749.	Approved
2. Approval of Agreement to Provide Medical Review Officer Services; Virginia Mason Medical Services.	Approved.
3. Approval of Golf Course Restaurant/Pro Shop Professional Services Agreement Amendment; CNJA Architects.	Approved.
4. Approval of Skateboard Park Professional Services Agreement; Purkiss Rose.	Approved.
5. Set a public hearing date for April 9, 2001 for Scott Ray Annexation 60% Petition.	Approved.
6. Approve of Allied Contract Renewal.	Approved.
ACTION ITEMS	
REVIEW BIDS None.	
PUBLIC HEARING None.	
CURRENT BUSINESS 1. Approval of restaurant lease agreement proposal, Northwest Golf Management, Inc. 2. Strawberry Fields, scope of work and fee proposal, Hough Beck & Baird, Inc.	Approved. Approved.
NEW BUSINESS 1. Amendment of Marysville Municipal Code 11.16.010 relating to establishment of regulatory signs and zones	Approved Ordinance 2367
LEGAL MATTERS 1. Contract for recovery of utility construction costs, Robert G. Aldridge	Approve Contract #229.
ORDINANCES AND RESOLUTIONS	
1. An ordinance of the City of Marysville amending MMC Chapter 2.20 relating to Parks and Recreation	Approved Ordinance No. 2368
2. A Resolution of the City of Marysville declaring certain items of personal property to be surplus and authorizing the sale or disposal thereof.	Approved Resolution No. 2028
INFORMATION ITEMS	
1. Mayor's business: 2. Staff's business Motion to have staff determine retreat topics and time allotted, based on councilmember input.	Approved
3. Call on councilmembers Motion to amend the budget and allocate \$75,000 to the skateboard park project.	Approved.
ADJOURN INTO EXEXECUTIVE SESSION	11:00 p.m.
RECONVENE INTO REGULAR SESSION	
ADJOURN	11:15 p.m.

**MINUTES
MARYSVILLE CITY COUNCIL - REGULAR MEETING
MARCH 5, 2001**

CALL TO ORDER/FLAG SALUTE

The regular meeting was convened 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:	Administrative Staff present:
Dave Weiser, Mayor	Ralph Krusey, Police Commander
Mike Leighan, Mayor Pro Tem	Mary Swenson, Chief Administrative Officer
NormaJean Dierck	Gloria Hirashima, City Planner
Shirley Bartholomew	Grant Weed, City Attorney
Donna Pedersen	Ken Winckler, Public Works Director
John Soriano	
Suzanne Smith	

Mayor Weiser advised that Councilmember Brennick was on vacation.

MINUTES OF PREVIOUS MEETING

1. City Council Regular Meeting, March 5, 2001.

MOTION by Leighan, second by Bartholomew, to approve the minutes of the March 12, 2001 regular council meeting as presented. Motion carried (6-0).

AUDIENCE PARTICIPATION

None.

PRESENTATIONS/PETITIONS/COMMUNICATIONS

1. Introduction of Finance Department personnel

Dean Rohla, Assistant Finance Director, stated the Finance Department had hired several people since November 20. He introduced the following new department members and gave council a brief biographical sketch on each: Lisa Erdman, Account Clerk II; Crystil Collins, Enterprise Fund Accountant; Leatha Sullivan, Account Clerk III, Denise Gritton, Governmental Fund Accountant; June Roylance, Utility Account Representative, Patty Moretti, Utility Aide. The Mayor called for a two-minute recess for personal introductions to the council.

2. Update of Police Department accreditation, Sergeant Darin Rasmussen

Sergeant Rasmussen gave a brief history of the process noting that the Department's Strategic Plan was the only unfinished piece. The accreditation on-site inspection would be held April 2, 3, and 4 with councilmembers invited to the exit interview on the 4th. A recommendation for accreditation would go to the Citizens Review Panel in Olympia on April 25 then to the Board of the Washington Association of Sheriffs and Police Chiefs for final review and approval on May 21. Ms. Swenson noted that the city's insurance carrier strongly supported accreditation of the Department and had contributed \$2,000 towards the costs of achieving it. Councilmembers joined in their

praise of the Department's efforts and particularly thanked Sergeant Rasmussen for his contribution.

CONSENT AGENDA

1. Approve March 12, 2001 claims in the amount of \$612,657.10; paid by check Nos. 57574 through 57749.
2. Approval of Agreement to Provide Medical Review Officer Services; Virginia Mason Medical Services.
3. Approval of Golf Course Restaurant/Pro Shop Professional Services Agreement Amendment; CNJA Architects.
4. Approval of Skateboard Park Professional Services Agreement; Purkiss Rose.
5. Set a public hearing date for April 9, 2001 for Scott Ray Annexation 60% Petition.
6. Approve of Allied Contract Renewal.

MOTION by Dierck, second by Smith, to approve consent agenda items 1, 2, 5, 6. Motion carried (6-0).

Councilmember Bartholomew excused herself from the council at this point and left the room due to a potential conflict of interest.

Regarding item 3, Councilmember Dierck stated she opposed the project for several reasons: inadequate parking, bind spot from Getchell Hill, future access problem if Getchell Hill was closed, spending more money when there was \$2 Million in debt, use of pesticides on the golf course, and the salmon-blocking culvert at Getchell Hill. She thought the city was not doing what was required for its creek corridors.

Councilmember Smith said council had never discussed buffers or enhancements on the golf course. She felt those should be reviewed because of the 4D Rule. She asked about the HVAC system. Mayor Weiser responded that the Building Committee met with the architect and decided to upgrade the system based on its condition. Councilmember Smith expressed concern that this decision would put the project over the budgeted amount. She wanted council to review the pesticides that were used and to discuss what could be done to protect the creek corridor.

Councilmember Pedersen asked the Mayor to ensure that council's discussion was germane to the agreement, only. Councilmember Leighan agreed that this agreement did not cover the running of the golf course, it only spoke to designing the restaurant and pro shop. Councilmember Dierck responded that the foregoing comments constituted censorship.

MOTION by Pedersen, second by Leighan, to approve consent agenda item 3 with the deletion of the work on the shade/rain trellis. Dierck and Smith voted nay; all others voted aye; motion carried (3-2).

Councilmember Bartholomew returned to the meeting.

Regarding item 4, Councilmember Smith asked if this was the same group that had been conducting meetings. Mr. Ballew said that was one of the free services they offered and the city took advantage of it. Ms. Swenson added that the city advertised annually for consultants to add to its roster. Councilmember Soriano asked about the 210 calendar days for performance; Mr. Ballew said the project did not have to take that long. Councilmember Leighan asked if any funds in the city's budget were allocated for construction; Mr. Ballew said there were none. Councilmember Leighan said that later in the meeting he would ask council to commit \$75,000 towards this project.

MOTION by Dierck, second by Smith, to approve consent agenda item 4. Motion carried (6-0).

CORRECTED
MINUTES
MARCH 3-26-01

ACTION ITEMS

Review Bids

None.

Public Hearing

None.

Current Business

1. Approval of restaurant lease agreement proposal, Northwest Golf Management, Inc.

Councilmember Bartholomew excused herself from the council and left the room due to a possible conflict of interest.

Mr. Ballew gave a brief review of the agenda materials.

Rob Lindsay, 1009 North Kerria Lane, Camano Island, stated he started Northwest Golf Management Inc. in October 2000 for the purpose of managing golf course operations, including food and beverage. Because he had elected to become a city employee as the golf course operations manager, his company would be providing food and beverage service for this site only; he would not be supporting multiple courses.

Mr. Ballew noted the lease provided for base rent plus a percentage of gross sales.

After further discussion, the Mayor called for public input. There was none.

MOTION by Pedersen, second by Soriano, to authorize the Mayor to sign the Restaurant Lease Agreement with Northwest Golf Management Inc. Dierck voted nay for the reasons stated earlier; all others voted aye; motion carried (4-1).

Councilmember Bartholomew returned to the meeting.

2. Strawberry Fields, scope of work and fee proposal, Hough Beck & Baird, Inc.

Mr. Ballew backgrounded council and advised that the project was now Number 1 on the list for additional funding opportunities through the Interagency Committee for Outdoor Recreation. The city needed to take action in order to remain in line for the funding. Because 5.8 acres of wetlands had been identified, the proposed number of fields had been reduced from 18 to 5 soccer and 3 softball. The city needed the playing fields to meet the demand. He recommended moving forward with site design.

Councilmember Smith suggested that a purchase of part of the property by Snohomish County was still a viable option. An alternative was to use the site for a wetlands park like North Creek County Park because it was such a wet site. She asked if these funds could be transferred to another property or project. Mr. Ballew responded that if the project name were transferred to another site the city would become ineligible for these funds.

Councilmember Bartholomew asked about the Paul Allen Grant; Mr. Ballew noted that those funds were still intact so if council chose not to proceed with the project, they would be returned.

Mayor Weiser asked what the property's zoning was when the city acquired it. Mr. Ballew said it was R-10; the city re-zoned it to "Recreation." The Mayor

CONNECTED
MAY 2001
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Rob Lindsay

asked what was being planned for the buffer areas. Mr. Ballew stated enhancements and restorations would be addressed in the re-design phase but could include pedestrian corridors. Mayor Weiser recounted the number of parcels the city had looked at, all of which had negative points, including "Agriculture" zoning. Mr. Weed commented on a recent case upholding the preservation of agriculture land over recreational facilities.

Councilmember Dierck's comments in opposition were: the project was originally intended for youth, but the number of fields intended for their use was now reduced; the county did not hear back from the city regarding a possible sale, but there was money available if that were pursued; the wetlands on the site should be protected; the site should be a natural habitat with the Centennial Trail; Councilmember Brennick wrote a letter in opposition to spending further funds on the project; the cost of moving the cement poles would increase the cost of the project.

Councilmember Pedersen asked the following questions:

- What ages played on "adult" fields; Mr. Ballew said ages 13 and up used those fields.
- Would passive uses be included, such as wildlife, and wetland corridors with bridges and walkways. Yes.
- How many other parcels, 52 acres or larger, were available? None.
- When did the city start looking for property? It started looking in 1995 and purchased in 1996/97.

Councilmember Pedersen concluded that starting over again to find another site would be a disservice to the users of this facility.

Mayor Weiser recessed the meeting at this point for a short break, then reconvened into session.

Councilmember Soriano asked:

- Were there types of fertilizer that had minimal impacts? Mike Robinson, Parks Maintenance Manager, responded that the problems were with application rates and frequency as much as with the products. The city fertilized very little, maybe twice a year; some fields only once a year. The industry itself was responding to the new regulations with new products, which did not release chemicals to water, only to heat.
- Did the plans include any plans for restoration? There would be a restoration plan, particularly for the north end.
- Part of the IAC criteria was milestones. How did this project measure up? It had completed the first range and was half-way through the second.
- Did staff anticipate problems with the surges of people coming to events on the narrow county road? There would be access designs for the entrance to the park. The traffic mitigation study needed to be reviewed.

The Mayor opened the topic for public comment.

Bruce Tipton, 6308 100th Street NE, distributed written information to council regarding TMDLs and downstream health issues. He spoke in opposition to moving forward and recommended delaying action until after the TMDL workshop with DOE.

Nick VanDamme, 11924 67th Avenue NE, Arlington, said he farmed that property for many years and it was very wet. He stated there was property north of Pilchuck High School that was better suited.

Sam DeYoung, 10121 67th Avenue NE, testified he had farmed the area for over 35 years. This property was very wet and was useable only three months of the year.

Mike Papa, 127 54th Drive NE, suggested using the Tulalip landfill site instead.

Jeff Seibert, 5004 80th Street NE, asked if fill was proposed for this site; Mr. Ballew stated it was and suitable fill had recently been found at a significant savings.

CORRECTED: SEE 3-26-01
MINUTES additional comment

There being no one further wishing to speak, the Mayor closed the public testimony portion of the topic.

MOTION by Dierck, second by Smith, to table the decision on this matter to allow time for the TMDL workshop, further discussions with the county, discussions with the Tribes about their landfill site, a search for alternative sites, and until Councilmember Brennick returned. Dierck and Smith voted aye; all others voted nay; motion failed (2-4).

MOTION by Leighan, second by Pedersen, to authorize a professional services agreement with Hough, Beck and Baird for the development of site design revisions for the Strawberry Fields Park site improvements. Dierck and Smith voted nay; all others voted aye; motion carried (4-2).

New Business

1. Amendment of Marysville Municipal Code 11.16.010 relating to establishment of regulatory signs and zones

Mr. Winckler gave a brief background presentation, noting the action was recommended by the attorney for WCIA, the city's insurance carrier. Since the city had a licensed engineer on staff, it was well able to exercise the engineering judgment inherent in the selection of traffic control devices, and council should delegate that authority to it. Appeals from those decisions would go to the Hearing Examiner.

After a brief discussion the Mayor called for public comments.

Jeff Seibert asked if this was a broad-based change. Mr. Winckler responded that requests for changes dealing with traffic and signs would be managed administratively. If an adjoining property owner disagreed, the appeal would be heard by the Hearing Examiner. Mr. Seibert stated he supported the change, except appeals should be heard by council.

There being no one else wishing to speak, the Mayor closed the topic to public comment.

MOTION by Dierck, second by Smith, to implement the recommended change, with the exception that appeals would come before council, not the Hearing Examiner. Dierck and Smith voted aye; all others voted nay; motion failed (2-4).

MOTION by Leighan, second by Bartholomew, to adopt Ordinance 2367, implementing the recommended changes. Dierck and Smith voted nay; all others voted aye; motion carried (2-4).

CORRECTED: SEE	3-26-01
MINUTES	S/b (4-2)

Legal

1. Contract for recovery of utility construction costs, Robert G. Aldridge

MOTION by Bartholomew, second by Leighan, to approve Contract No. 229. Motion carried (6-0).

Ordinances & Resolutions

1. An ordinance of the City of Marysville amending MMC Chapter 2.20 relating to Parks and Recreation

Councilmember Smith asked for bi-annual or quarterly reports, rather than annual ones.

MOTION by Bartholomew, second by Leighan, to approve Ordinance No. 2368, amending MMC Chapter 2.20 relating to Parks and Recreation. Smith voted nay; all others voted aye; motion carried (5-1).

2. A Resolution of the City of Marysville declaring certain items of personal property to be surplus and authorizing the sale or disposal thereof.

MOTION by Bartholomew, second by Pedersen, to approve Resolution 2028. Motion carried (6-0).

DISCUSSION ITEMS

None.

INFORMATION ITEMS

1. Mayor's business

- Reminded of Cities & Towns meeting on March 22.
- Mentioned retreat topics and allotment of time for them.

MOTION by Dierck, second by Smith, to have the two-day retreat focus on utility hookups inside vs. outside the city limits. Dierck and Smith voted aye; all others voted nay; motion failed (2-4).

MOTION by Pedersen, second by Bartholomew, to have staff tally the input on topics from all councilmembers, rank them by the number of "votes" each received, then allocate the retreat time accordingly. Motion carried (6-0).

2. Staff's business

Ms. Swenson:

- The Historical Society had funds for the water tower project; the city would proceed through a bid process.

Mr. Weed:

- Completed research on the topic of the Library Board receiving donated art work.

Mr. Winckler:

- Reminded of the Utility Committee meeting on the 15th at 7:30 a.m.
- The mezzanine remodel project would not require a budget amendment. The water looping system was adequate, so sprinkling would not be necessary. The change would cost approximately \$5,000.

3. Call on councilmembers

Leighan:

- Expressed concern that the city had budgeted no funds for the skateboard park project.

MOTION by Leighan, second by Dierck, to approve a budget amendment of \$75,000 for the skateboard park.

AMENDMENT OFFERED: Dierck offered a friendly amendment - authorizing a higher amount. Councilmember Leighan declined, responding that there was approximately \$20,000 left from the previous design effort, so this would result in approximately

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CORRECTED: SEE 3-26-01
MINUTES s/b \$25,000

\$100,000 being available for the project. Councilmember Dierck requested quarterly reports on the reserve fund.

VOTE ON MOTION: motion carried (6-0).

Smith:

- Distributed copies of upcoming library events and Sno-Isle's internet access policy.

Pedersen:

- Requested staff send a letter of thanks to the Historical Society for the nice evening.
- Mentioned the conditions at the driving range: nets dragging, holes in nets. She suggested they be taken down.

Dierck:

- Firefighters graduate March 30; she requested councilmembers attend that event.
- Asked how much property the city owned on 100th Street and 67th. Mr. Winckler described the city's holdings. Councilmember Dierck asked that the grant writer research that area to determine who owned it, its value, and what grants might be available to save it.
- Requested a copy of the authority by which the Mayor could reduce public comment time from 5 minutes to 3 minutes.

ADJOURN INTO EXECUTIVE SESSION

Council adjourned into Executive Session at 11:00 p.m. to discuss one personnel issue and one real estate issue.

ADJOURN

Council reconvened into regular session, took no further action, and adjourned at 11:15 p.m.

Accepted this 26th day of March, 2001.



Mayor



City Clerk



Recording Secretary