

**Minutes Recap
Marysville City Council, Regular Meeting
December 10, 2001**

000210

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| I. Call to Order | 7:00 p.m. |
| II. Pledge of Allegiance | |
| III. Roll Call | |
| IV. Audience Participation | |
| Several people spoke on the pros and cons of holding the swearing in of council members elect. | |
| Donna Wright thanked Public Works for recent help in her area. | |
| Trent Olson spoke regarding development in his area. | |
| Lee and Cheryl Bailey spoke regarding the traffic hazards at Safeway Plaza due to the gas station located there. | |
| V. A. Grant Weed issued the oath of office to Judge Larry Trivett. | |
| B. Oath of Office for council members elect. | Canceled. |
| VI. Approval of Minutes | |
| November 26, 2001 City Council Meeting | Continued |
| November 27, 2001 Work Shop | Continued |
| December 3, 2001 City Council Work Session | Continued |
| VII. Consent Agenda | |
| A. Approve of November, 2001 Payroll in the Amount of \$1,015,594.25; Paid by Checks 41996-42185 with Check 42185 void. | Approved |
| B. Approval of December 10, 2001 Claims in the Amount of \$609,563.27; Paid by Checks 62890-63159 with Check 62737 Void. | Approved |
| C. Approval of Liquor License Renewals for Christiano's Pizza, Alf's Pizza & Pasta, and Buzz Inn. | Approved |
| D. Acceptance of State Route 528 for Project Closeout. | Approved |
| E. Approval of Committee Recommendation for Hotel/Motel Tax Grant Program. | Approved |
| F. Declare Fire Damage at Public Safety Building an Emergency, and Authorize Repair Work. | Approved |
| G. Approval of First Amendment to Interlocal Agreement with the City of Lake Stevens for Court Services. | Approved |
| H. Approval of First Amendment to Interlocal Agreement with the City of Lake Stevens for Jail Services. | Approved |
| VIII. Bid Review | |
| A. Trunk D Extension - Phase II Project. | Approved |
| IX. Current Business | |
| None | |
| X. New Business | |
| A. Animal License Fee | Continued |
| B. Evercom Inmate Pay Telephone Agreement | Continued |
| C. Approval of VanEss Annexation | Approved |
| D. Fee Waiver Request for Capital Improvement Fees by Arlington Christian School. | Withdrawn |

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| E. Consideration of Councilmember Salaries & Meeting Compensation. | Failed |
| F. Letter of Intent with Kimberly Clark. | Approved |
| G. Review the "Official" Newspaper for the City of Marysville. | Globe Approved |
| XI. Legal | |
| A. Contract #239 for Recovery of Utility Construction Costs; Charlie Cruzen. | Approved |
| XII. Ordinances and Resolutions | |
| A. Ordinance 2396 Amending MMC 12.32.020(2) and Enacting a New Section MMC 12.32.090 Addressing Vacation of Streets that Have Been Part of the Dedicated Public Right of Way for 25 years and to Provide for Disposition of Proceeds from Street and Alley Vacations in Accordance with Chapter 202 Section 1, Laws of 2001. | Approved |
| B. Ordinance 2398 Amending MMC 3.51.020(3) & 3.51.010(10) Relating to Authorized Petty Cash/Change Fund and Imprest Fund of the City of Marysville. | Approved |
| C. Ordinance 2397 Amending the 2001 Budget & Providing for the Increase of Certain Expenditure Items as Budgeted for in 2001. | Approved |
| D. Ordinance 2399 Amending Ordinance 2395 Section 1 & Adding Section 2 Relating to the Increment Increase in the Property Tax Levy. | Approved |
| E. Ordinance 2400 Amending Ordinance 2387 Section 1 and Section 2 Relating to Levying Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, WA for the Year 2002. | Approved |
| F. Resolution 2052 Authorizing an \$800,000 Interfund Load from the General Fund to the Golf Course Construction Fund 320, and Providing a Formula for Payment of Interest. | Approved |
| G. Resolution 2053 Amending Resolution 2051 Relating to Green Fees for Cedarcrest Municipal Gold Course. | Approved |
| XIII. Information Items | |
| A. Mayor's Business - The Mayor thanked the outgoing councilmembers for their years of service, inviting them to a going away party in their honor in January. | |
| B. Staff Business - Staff Present all thanked the outgoing councilmembers for their help and support. Gloria Hirashima said she will have a memo for Trent Olson, if the councilmembers are interested in seeing it. She reminded everyone of the Annexation neighborhood meeting at Lakewood Middle School on January 23 from 6-8 p.m. Robin Nelson announced that there will not be a utility meeting in December. | |

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| <p>C. Call on Councilmembers - The councilmembers thanked everyone they have worked with and wished season's greetings to them. Councilmember Brennick suggested a plaque in honor of the people that sold the Skateboard Park property to the City due to the very large discount they gave the City. Councilmember Dierck said that the City should be getting some neighborhood projects and she is looking for athletic fields. Councilmember Smith said the Library Board wants the Mayor to put an ad in the paper for the vacant Board seat.</p> | |
| <p>The Council adjourned into Executive session at 10:37 p.m. to discuss an XIV. ongoing personnel issue and a real estate issue.</p> | |
| <p>XV. Council returned from Executive Session and adjourned with no further action at 10:55 p.m.</p> | |

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Public Safety Center

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I. Call to Order

Mayor Weiser called the meeting to order at 7:00 p.m.

II. Pledge of Allegiance

The assembly joined in the pledge of allegiance to the flag.

III. Roll Call

A voice roll call of councilmembers was conducted. Attendance was as follows:

Councilmembers Present:

Dave Weiser, Mayor
Mike Leighan, Mayor Pro Tem
Jim Brennicks
Suzanne Smith
John Soriano
Shirley Bartholomew
NormaJean Dierck
Donna Pedersen

Administrative Staff Present:

Bob Carden, Police Chief
Sandy Langdon, Finance Director
Mary Swenson, Chief Administrative Officer
Grant Weed, City Attorney
Ken Winckler, Public Works Director
Gloria Hirashima, Planning Director
Robin Nelson, City Engineer
Jim Ballew, Parks & Rec. Director
Doug Buell, Community Information Officer
Roberta Stevens, Recording Secretary

MOTION by Brennicks, second by Dierck to change the order on the agenda of items III and IV. Roll Call Vote Dierck yes, Bartholomew no, Brennicks yes, Pedersen no, Soriano yes, Smith yes, Leighan no. **MOTION** passed 4-3.

IV. Audience Participation

Mayor Weiser explained to the audience that the law for administering the oath of office was changed in 1999. Now councilmembers elect must be sworn in during the last ten days before assuming office, or at the last regularly scheduled council meeting of the year.

City Attorney Weed reviewed the state statute on when an elected official can take their oath of office, can be seated, and when their term would expire.

In response to Councilmember Pedersen Mr. Weed stated that the results of the election have already been certified, and the City Council cannot change the outcome of the election.

Mr. Weed explained that all the law requires is that an oath be given. Mr. Weed reiterated that it may either be at a public meeting, or in private. Candidates can take the oath in private, it is their right to request that. His opinion is that the oath should be taken before January 1 and when the councilmembers elect at a time they want to receive their oath. In any case, they do not take office until January 1, 2002. Incumbents remain in office until December 31, 2001.

The following people spoke regarding the councilmember elect swearing in ceremony scheduled for this meeting:

Opposed

Jeri Short 6917 40th St. NE, Marysville
E. M. Gordon 7207 Grove St., Marysville
Mike Papa 8127 54th Dr NE, Marysville
Bob Armstrong 8018 38th Dr. NE, Marysville
Rocky Hoagland 3819 97th Pl NE, Marysville

In Favor

Eric Swobody 1835 Grove St., Marysville
Greg Wright 4802 76th St. NE, Marysville
Douglas Hodgson 7205 77th Dr. NE, Marysville

Donna Wright 5533 Parkside Dr., Marysville spoke on behalf of her 25+ neighbors on Parkside Dr., thanking Public Works staff and commending them for their good work during the recent culvert difficulties the neighborhood has had during the recent heavy rains.

Trent Olson 5006 67th Ave., Marysville said he was speaking again regarding the neighborhood development that he has been asking about for the last 10 months. Ms. Hirashima said she will be providing a written response to Mr. Olson. Ms. Hirashima stated she has a summary of the complaints and the actions, and she will give it to the City Council.

Lee and Cheryl Bailey 14719 56th Ave. NW, Stanwood, owners of The Cobbler Kitchen in Marysville, said they were experiencing parking issues with the newly opened Safeway gas station in the Safeway Plaza. Ms. Hirashima said that the parking agreement

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does not involve the City. Mayor Weiser said he will get back with Baileys this Tuesday or Wednesday. Ms. Hirashima said the Planning Department has proposed stacking lanes and spaces for drive-through facilities in their new comprehensive plan.

A general discussion by all councilmembers took place regarding pros and cons of seating the councilmembers elect, each expressing their opinions.

MOTION by Bartholomew, second Leighan to continue with the swearing-in ceremony as scheduled. Roll Call Vote Leighan yes, Smith no, Soriano no, Pedersen yes, Brennick no, Bartholomew yes, Dierck no. **MOTION** failed 3 to 4

Councilmember Smith said she would support a separate ceremony. **MOTION** by Smith, second by Dierck to remove the swearing in from the agenda tonight, set a public meeting for councilmembers elect swearing in between December 22 and 31. **MOTION** passed 4-3 with Leighan, Bartholomew, and Pedersen voting against.

Mayor Weiser restated Mr. Weed's earlier information that there is nothing in the law that says it has to be in a public meeting, that is up to the individual person being sworn in.

V. Swearing-In Ceremony

A. Municipal Court Judge – Larry Trivett

City Attorney, Grant Weed administered the oath of office to Larry Trivett as the municipal court judge for Marysville.

Mayor Weiser recessed the meeting for 5 minutes at 8:40 p.m. Meeting reconvened at 8:45 p.m.

VI. Approval of Minutes

A. November 26, 2001 City Council Meeting.

B. December 3, 2001 City Council Work Session.

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C. November 27, 2001 Joint Workshop (City Council and Planning Commission).

Continued until the January 14, 2002 City Council Meeting.

VII. Consent Agenda

A. Approval of November, 2001 Payroll in the Amount of \$1,015,594.25; Paid by Check Nos. 41996 through 42185 with Check No. 42185 Void.

B. Approval of December 10, 2001 Claims in the Amount of \$609,563.27; Paid by Check Nos. 62890 through 63159 with Check No. 62737 Void.

C. Approval of Liquor License Renewals for Cristiano's Pizza, Alfy's Pizza and Pasta, and Buzz Inn.

D. Acceptance of State Route 528 for Project Closeout.

E. Approval of Committee Recommendation for Hotel/Motel Tax Grant Program; Committee Recommendation.

F. Declare Fire Damage at Public Safety Building an Emergency, and Authorize Repair Work.

G. Approval of First Amendment to Interlocal Agreement with the City of Lake Stevens for Court Services.

H. Approval of First Amendment to Interlocal Agreement with the City of Lake Stevens for Jail Services.

MOTION by Pedersen, second by Leighan to approve consent agenda items A-H. **MOTION** passed 6-0, Dierck not present.

Councilmember Dierck returned during the Bid Review Agenda Item.

VIII. Bid Review

A. Trunk D Extension – Phase II Project

Mr. Nelson reviewed the bid results and Staff recommendation.

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Mr. Weed recommended that the Mayor ascertain if there are any bidders present tonight.

Councilmember Bartholomew inquired about the cost of the pump and how that price was arrived at; Mr. Nelson explained the process.

Councilmember Pedersen asked if there was a representative from DDJ Construction present? No one identified themselves as being from DDJ.

Councilmember Brennick said he is comfortable with Mr. Nelson's recommendations.

The Mayor asked if there was anyone representing SRV, DDJ or any other bidders present? None were present that wished to speak.

Councilmember Dierck asked how many property owners versus developers were involved with this and are easements, etc. completed? Mr. Nelson said yes, all easements have been acquired.

Councilmember Bartholomew asked if DDJ had done business with the City in the past? Mr. Nelson responded no, but the City has worked with SRV on a couple of projects.

Councilmember Smith asked if condemnations had been involved? Mr. Nelson said no.

MOTION by Brennick, second by Bartholomew to accept SRV Construction as the successful bidder in the amount of \$1,251,591.90 and reject the apparent low bidder DDJ Construction, and authorize the Mayor to sign the documents. **MOTION** passed 5-2 with Smith and Dierck opposed.

IX. Current Business

None

Councilmember Pedersen left the meeting at 9:30 p.m.

X. New Business

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A. Animal License Fee.

000218

Continued until the January 14, 2002 City Council Meeting.

B. Evercom Inmate Pay Telephone Agreement (*postponed until additional information can be obtained*).

Continued until the January 14, 2002 City Council Meeting.

C. Approval of VanEss Annexation 10% Petition PA 0105029.

Ms. Hirashima outlined the VanEss Annexation expanded boundary. This proposed annexation is now 494 acres in size and that does not include the Lakewood School District who has indicated an interest in having their own annexation. Ms. Hirashima said there would be a neighborhood meeting from 6-8 p.m. on January 23 at Lakewood Middle School.

Councilmember Smith asked Chief Carden when the allocation study is going to be complete. Chief Carden responded that the allocation study should be finished in two weeks. Councilmember Smith said she is not supportive of even a 10% annexation until the allocation study is in.

Fred VanEss, 13722 47th Ave W, Edmonds said he supports the annexation proposal. Every one of the people he approached was in favor of the annexation, representing 44% of assessed value. Most feel like the County is non-responsive to their needs and concerns. Councilmember Smith said she is not supportive until she sees the allocation study.

Harland McElhany PO Box 516, Monroe supports the VanEss annexation. He also said the County is non-responsive, and no amount of dialog has been successful in dealing with them.

Phyllis MacKenzie 1528 152nd St NE, Arlington pointed out to the Council that this is a great opportunity for the city to get a taxbase in the north end.

Councilmember Brennick said when the allocation study is done if it isn't in the best interest of the City, then the next council can make the decision on what to do.

MOTION by Bartholomew, second by Brennick to approve the Staff recommendation of the 10% annexation expanded boundary. **MOTION** passed 4-2 with Smith and Dierck opposed.

D. Fee Waiver Request for Capital Improvement Fees; by Arlington Christian School.

Withdrawn by requestors at this time.

E. Consideration of Councilmember Salaries and Meeting Compensation.

MOTION by Dierck, second by Brennick to leave the City Council salaries the same as this year. **MOTION** passed 4-2 with Leighan and Bartholomew opposed.

F. Letter of Intent with Kimberly Clark.

Discussion by Councilmember Bartholomew and Mr. Weed regarding the letter of intent and further construction costs. Mr. Nelson said that after June 30, 2004 we will be under a severe restriction for effluent discharge.

Councilmember Dierck asked how long we have to approve this letter of intent? Mr. Weed said Kimberly Clark wants it by mid-December.

Councilmember Bartholomew asked if it is true that if we do not participate in this we are on our own and still under the restrictions of 2004? Mr. Winckler said yes. Councilmember Bartholomew said that would be an astronomical sum, Mr. Nelson said yes, in the millions of dollars range.

MOTION by Bartholomew, second by Leighan to authorize the Mayor to sign letter of intent with Kimberly Clark, **MOTION** passed 4-2 with Dierck and Smith opposed.

G. Review the "Official" Newspaper for the City of Marysville.

MOTION by Brennick, second by Dierck to retain the Marysville Globe as our official newspaper.

Councilmember Bartholomew asked Mr. Weed if her being a good friend of the Globe owner was a conflict of interest. Mr. Weed said if she had no financial interest in the Globe, no it would not.

Councilmember Smith asked if we were to use The Herald, what do the numbers represent from the information sheet she had? Mr. Buell said it is a measurement of per line and per inch. Councilmember Smith said how many days does that cover? Mr. Buell responded one day and that they have a reduced rate as well, government is 60 cents not 90 cents per line.

Councilmember Brennick asked if our normal business advertising was every seven days? Ms. Swenson said it depends what you are running and what day you could get the most coverage. There is not one budget line that covers advertising only. Once a week publication for the Globe has worked out well, the biggest issue is when the City is calling for bids. That has caused problems in the past. The City's goal is to get as much coverage as possible.

Councilmember Soriano asked if the City advertised in other papers and Ms. Swenson responded that was done in addition to advertising in the Globe when a larger audience was needed.

MOTION called for a Roll Call Vote, Leighan no, Smith yes, Soriano yes, Brennick yes, Bartholomew yes, Dierck yes. **MOTION** passed 5-1.

XI. Legal

A. Contract for Recovery of Utility Construction Costs; Charlie Cruzen.

MOTION by Bartholomew, second by Soriano to approve Contract Recovery No. 239 with Charlie Cruzen. **MOTION** passed unanimously 6-0.

XII. Ordinances and Resolutions

A. An Ordinance of the City of Marysville, Washington Amending MMC 12.32.020(2) and Enacting a New Section MMC 12.32.090 to Address Vacation of Streets that Have Been Part of a Dedicated Public Right of Way for Twenty Five Years and to Provide for the Disposition of Proceeds from Street and Alley Vacations in Accordance with Chapter 202 Section 1, Laws of 2001.

000221

MOTION by Bartholomew, second by Leighan to approve Ordinance 2396. **MOTION** passed unanimously 6-0.

B. An Ordinance of the City of Marysville Amending MMC 3.51.020(3) and 3.51.020(10) relating to the Authorized Petty Cash/Change fund, and Imprest Fund of the City of Marysville.

MOTION by Bartholomew, second by Brennick to approve Ordinance 2398. **MOTION** passed unanimously 6-0.

C. An Ordinance of the City of Marysville Amending the 2001 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in 2001.

MOTION by Bartholomew, second by Brennick to approve Ordinance 2397. **MOTION** passed 5-1 with Leighan opposed.

D. An Ordinance of the City of Marysville Amending Ordinance No. 2395, Section 1 and Adding Section 2 Relating to the Increment Increase in the Property Tax Levy.

MOTION by Dierck, second by Smith to approve Ordinance 2399. **MOTION** passed 5-1 with Leighan opposed.

E. An Ordinance of the City of Marysville Amending Ordinance No. 2387, Section 1 and Section 2 Relating to Levying Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2002.

MOTION by Brennick, second by Bartholomew to approve Ordinance 2400. **MOTION** passed 5-1 with Leighan opposed.

F. A Resolution of the City of Marysville Authorizing an \$800,000 Interfund Loan from the General Fund to the Golf Course Construction Fund 320, and Providing a Formula for Payment of Interest.

MOTION by Bartholomew, second by Brennick to approve Resolution 2052. **MOTION** passed 5-1 with Dierck opposed.

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G. A Resolution of the City of Marysville Amending Resolution No. 2051 Relating to Green Fees for Cedarcrest Municipal Golf Course.

000222

MOTION by Bartholomew, second by Soriano to approve Resolution 2053. **MOTION** passed 5-1 with Dierck opposed.

XIII. Information Items

A. Mayor's Business.

Mayor thanked the outgoing councilmembers for their years of service, adding that they are trying to plan a going away party for the vacating councilmembers. Councilmember Dierck asked who was paying for this. Ms. Swenson responded that the City would pay for the outgoing councilmembers and seated councilmembers will pay for themselves and their guests.

B. Staff Business.

Chief Carden thanked the outgoing councilmembers for their work on behalf of the City and Police Department.

Sandy Langdon said she appreciates the help she has had from the Council and thanked them all.

Mary Swenson thanked the outgoing councilmembers, and said she appreciates the support they have given her.

Grant Weed also thanked the outgoing councilmembers.

Gloria Hirashima said she will prepare a memo for Trent Olson, and would be happy to talk to the councilmembers regarding this issue. She reminded everyone of the neighborhood meeting at Lakewood Middle School January 23 from 6-8 p.m. She thanked the outgoing councilmembers for their years of service to the community.

Ken Winckler extended his thank you to the councilmembers.

Robin Nelson announced that there will not be a utility meeting this month and thanked the councilmember for their service.

C. Call on Councilmembers.

Councilmember Soriano wished a Merry Christmas to Staff and said he has enjoyed working with the outgoing councilmembers.

C. Call on Councilmembers.

Councilmember Soriano wished a Merry Christmas to Staff and said he has enjoyed working with the outgoing councilmembers.

Councilmember Brennick said he'd be back with his opinions and comments in the future. He thinks the City ought to do something for the sellers of the property of the Skateboard Park for their sizeable discount, and wished all a Merry Christmas and Happy New Year.

Councilmember Bartholomew said that the people of Marysville are blessed with an outstanding competent staff, and said to take care of them and hang on to them, they are good. She pointed out to Ms. Hirashima that over the weekend The Herald had a lengthy story on a family that built a great view home, and someone built right in front of them, so their view is now the back of someone's house.

Councilmember Dierck said hopefully everyone will have a good Christmas present, we should be getting some neighborhood projects, and she is looking for athletic fields. She reported to Public Works that the older neighborhood off Sunnyside Blvd. has the striping worn off of the pavement. Across from Thriftway the striping is also worn off of the pavement.

Councilmember Leighan wished everyone happy holidays.

Councilmember Smith said the Library Board wants the Mayor to put an ad in the paper for the vacant Board seat. She said she is going to miss the outgoing councilmembers, adding wishes to all for a Merry Christmas.

XIV. Adjournment

The Council adjourned into Executive Session at 10:37 p.m. to discuss one personnel issue and one real estate issue.

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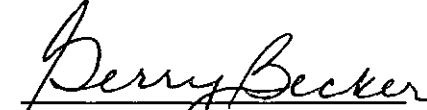
XV. Adjournment

The council returned from Executive Session and adjourned with no further action taken at 10:55 p.m.

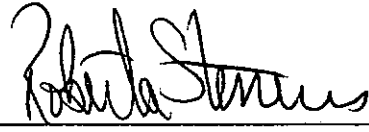
Approved this 14th day of January 2002.



Mayor



City Clerk



Recording Secretary

Original

Marysville City Council Work Session

December 3, 2001

Public Safety Center

000201

Call to Order

Mayor Weiser called the meeting to order at 7:00 p.m.

CORRECTED: SEE 1.14.02
MINUTES *W*

II. Pledge of Allegiance

The assemblage joined in the Pledge of Allegiance to the flag.

III Roll Call

A voice roll call of councilmembers was conducted. Attendance was as follows:

Councilmembers Present:

- Dave Weiser, Mayor
- Mike Leighan, Mayor Pro Tem
- Jim Brennick
- Suzanne Smith
- John Soriano
- Shirley Bartholomew
- NormaJean Dierck
- Donna Pedersen

Administrative Staff Present:

- Bob Carden, Police Chief
- Sandy Langdon, Finance Director
- Mary Swenson, Chief Administrative Officer
- Grant Weed, City Attorney
- Ken Winckler, Public Works Director
- Gloria Hirashima, Planning Director
- Robin Nelson, City Engineer
- Jim Ballew, Parks & Rec. Director
- Doug Buell, Community Information Officer
- Roberta Stevens, Recording Secretary

IV. Swear-In Police Officer: Bronwyn Kieland.

Mayor Weiser swore in the City's newest police officer, Bronwyn Kieland and she was greeted by the Councilmembers, and Staff.

Audience Participation:

Mayor Weiser received the Council's agreement to permit Mr. Olson to speak, since he came especially to speak to a non-agenda item.

Trent Olson, 5006 67th Ave NE, Marysville, said it was his third trip here in 10 months. He complained about the new development, Mt. View Estates, that was being built directly behind his neighborhood with views directly into living rooms in his neighborhood. He had inquired about what he could do and the City Clerk's office told him to write a letter and gather signatures of the other residents in his neighborhood, which he did and sent to City Hall. Subsequently he spoke to the developer who was unaware of letter, and said that if he had been he might have done things differently. Mr. Olson said the existing issues are privacy issues with the Mt. View Estates' decks and windows looking right through their homes. For the last two weeks there has been standing water, and tonight it was 24" deep. Mr. Olson has tried to pump it away, unsuccessfully. The request for a developer built privacy fence has been ignored. He spoke to Tom Grady, Jon Nehring, NormaJean Dierck, Paul Rochon, and Mayor Weiser. Nothing has been done to accommodate the neighborhood. They were told to plant trees for privacy, but he doesn't believe

he should have to change the landscaping in his yard, because of the new development.

V. Discussion Items

A. Engineering Design Report on Shoultes/100th Street Design.

Mr. Nelson said he wanted to hold off on this until after the first of the year, due to his commitment to the neighborhood and Fred Meyers that they would see the report. The general consensus of the Council was to hold off on the presentation until after the first of the year and have the meetings with the citizens and Fred Meyers.

B. Fee Waiver Request for Capital Improvement Fees; by Arlington Christian School.

Mr. Winckler said there doesn't appear to be a vehicle for doing this, and he doesn't want to set a precedence. Mr. Winckler recommends denying the waiver.

Councilmember Pedersen asked Mr. Weed if this can be done? Mr. Weed said he cannot remember ever having granted a waiver, first because it would be an improper gift of public funds, and second bond funding prohibits free connections.

Councilmember Dierck said it was written in the code and we need to treat everyone the same.

Councilmember Bartholomew said she would like to hear Mr. Koster's request and reason.

Councilmember Smith said the City had never done it before, but needed to be fair to everyone. Which actual fees are they? Mr. Winckler said that it is the water hook-up, since they are outside the city limits, they have County sewer.

Councilmember Brennick agrees with the others, that the Council cannot allow this.

C. Review the "Official" Newspaper for the City of Marysville.

Councilmember Pedersen said a lot of these items are reviewed on an annual basis and asked Community Information Officer, Doug Buell for information on circulation numbers for the Globe and Herald.

Mr. Buell responded that in June 1998 the Globe had 1574 local subscribers and now has 1583; the daily Herald had 5985 subscribers locally and now has 6375, and Sunday's circulation has increased by 843.

There was a lengthy Council discussion of various aspects of this issue, as well as proper presentation of items like this to get them before the Council.

Ms. Swenson asked what does the Council want to see? The council responded they wanted circulation numbers, budget increases, prices for each, and if possible Globe/Herald dual subscribers.

D. Consideration of Councilmember Salaries and Meeting Compensation.

Councilmember Pedersen said the end of the year is an appropriate time to discuss compensation, since there is now four regular meetings a month instead of the previous three. She would suggest \$600 per month/\$70 per meeting.

Councilmember Bartholomew asked Mr. Weed about the statutory requirements. Is this timely? Mr. Weed said it is timely because a seated Councilmember cannot vote a pay increase for themselves, only the new councilmembers may benefit from the vote.

Councilmember Smith believes that the new council should vote on the issue if they want increases. She thinks that the councilmembers should vote on issues that affect them.

Councilmember Leighan asked why did we pick those comparables? Mayor Weiser said they were cities of comparable size. Ms. Swenson said some were used in management comparable salaries and some weren't. Councilmember Leighan would rather have the new council vote so that the rates don't take effect for two years.

Councilmember Smith said she thinks it should be voted on after the first of the year and be a base salary only, no supplemental pay.

Councilmember Brennick asked were there any provisions in the budget for increased pay for council? Ms. Swenson replied there was not. Councilmember Brennick said he would rather wait until after the first of the year, so it takes effect after the next election.

Councilmember Dierck said she did not believe a raise was necessary, due to the 1% increase, the citizens obviously wanted government to tighten their belts. Councilmember Brennick concurs with Councilmember Dierck regarding budget.

There was more general discussion and Ms. Swenson asked Councilmember Leighan if he would rather check on council salaries in management comparable cities and have the information ready for the next meeting? He said yes; eastern Washington will not be part of the survey.

E. Letter of Intent with Kimberly Clark.

000204

Mr. Weed said that Staff has been negotiating with City of Everett and Kimberly Clark Corporation on the Port Gardner Outfall Agreement to purchase an option for \$250,000 for 10 MGD from Kimberly Clark and authorize the Mayor to sign a letter of intent.

There were several questions as to when the money would be paid and when we would have to decide on the option. Mr. Weed said that the money is our pro-rata share of the construction cost and is paid 30 days after the letter of agreement is signed. Mr. Weed we have until 2004 to decide if we want to exercise the option; the City needs to have a workshop to discuss the option agreement.

Councilmember Smith asked how much capacity would the joint use facility have? Mr. Nelson said the total capacity is over 100 MGD.

Mr. Weed said that Kimberly Clark, Everett, Marysville have all been meeting at the same time.

Councilmember Pedersen asked if there has been any discussion with Tulalip Tribes for a deep-water outfall? Mr. Nelson said they currently have a deep-water outfall.

Councilmember Brennick said he is comfortable with the agreement. Does Everett have the first right of refusal if Kimberly Clark goes out of business? Mr. Weed if they do shut down, those rights revert first to the City of Everett. Mr. Weed forwarded the letter in draft to Everett and Kimberly Clark and some minor revisions may be necessary.

VI. Other Items Scheduled for December 10, 2001 Meeting.

A. Approval of Minutes.

1. November 26, 2001 City Council Meeting
2. December 3, 2001 City Council Work Session

B. Approval of December 10, 2001 Claims.

C. Approval of Liquor License Renewals for Cristiano's Pizza, Alf's Pizza and Pasta, and Buzz Inn.

D. Acceptance of State Route 528 for Project Closeout.

VII. Bid Review

000205

A. Trunk D Extension – Phase II Project

Mr. Nelson said they are reviewing the bid proposals and will have them for the council at the December 10th meeting.

VIII. Current Business

IX. New Business

A. Hotel/Motel Tax Grant Program; Committee Recommendation.

B. Fire at Public Safety Building; Emergency Contracting for Repair Work.

Councilmember Smith said she learned in the Police Advisory meeting that quite a bit will be paid by insurance. Ms. Swenson said the City has a \$1000 deductible. Councilmember Leighan asked how come council was not notified when the fire happened? Councilmember Dierck said she only learned of it when she picked up her packet as well.

C. Animal License Fees.

Commander Krusey said the animal fees for services have been increasing. The Police Department has been looking at what needs to be done to reduce costs. The 2001 budget has been exceeded by \$4000. Currently the animal license fees are \$10 for altered lifetime, and \$10 a year for unaltered dogs. He noted the disproportionate service for cats versus dogs, i.e. five dogs and 30 cats killed on the road this year. 335 animals were taken to the shelter this year. The Police Department proposes to increase animal license fees to \$25/lifetime for altered and \$20/year for unaltered and charge a fee of \$5 for lost tags. Several cities are charging for both dogs and cats. Seniors would have a discount of \$20 lifetime/\$20 unaltered.

Councilmember Smith said she doesn't like to put a collar on her cat and the breakaway collars don't always work. Commander Krusey said that 58% of the animals going to the shelter are cats. The shelter is going to raise charges to \$60 an animal next year.

Councilmember Pedersen noticed that almost every department listed charges \$1 for replacement tags, it seems like \$5 is a very big increase. Chief Carden said because of the small number of replacement tags, it wouldn't have much impact on the fees no matter how much they are raised.

000206

Councilmember Dierck doesn't think that the public will buy the licenses, and the collars can choke the cats to death.

A general discussion of veterinary fees, location and emergency hospital services ensued.

Chief Carden mentioned that the senior citizen rates could be \$15 instead of \$20, they were just trying to provide the Council with options.

D. First Amendment to Interlocal Agreement with City of Lake Stevens for Court Services.

Councilmember Soriano asked of the \$33 filing fee, how much did we make? Ms. Swenson said she will check.

E. First Amendment to Interlocal Agreement with City of Lake Stevens for Jail Services.

Councilmember Smith asked if we will have to build more cells, are we going to be doing anything with Arlington? Ms. Swenson said the City has no plans to build additional cells, and believes there currently is capacity to service Arlington. Arlington is interested in contracting with Marysville for these services. Chief Carden said we will send their prisoners to Yakima as well, or Chelan, pass on that cost. Chelan deals in blocks and you have to make certain you use your block, because you will be charged even if you don't use the full amount.

F. Evercom Inmate Pay Telephone Agreement.

Councilmember Bartholomew asked how do they determine what the 15% reimbursement is? Commanders Winters said he doesn't know they are connected directly to Evercom, they supply all of the equipment. Councilmember Bartholomew asked why isn't Verizon offering that service? Chief Carden said he will have that information for the next meeting.

G. Approval of VanEss Annexation 10% Petition; PA 0105029.

Councilmember Smith said we will have a huge number of people to serve. A significant number of the names on the petition had low valuation amount. Ms. Hirashima said that was a mobile home park, at this point the council decides to approve the 10% petition or not. The Planning Department is proposing a community meeting for January.

Councilmember Leighan noted the expanded boundary has 84% of signatures and asked if there had been any studies conducted for the roads, culverts, etc.?

Marysville City Council Work Session

December 3, 2001

Public Safety Center

000207

Ms. Hirashima said the 10% petition must be acted on in 60 days, when we get to 60% petition there is no time limit.

Councilmember Soriano asked about the BNSF closing the ¹⁵⁶152nd St. crossing? Ms. Hirashima said the hearing process is almost over, the City had officially protested the closing.

CORRECTED, SEE 1/13/02
MINUTES
20

X. Legal

A. Contract for Recovery of Utility Construction Costs; Charlie Cruzen.

There was a discussion of a citizen's complaints with Ms. Hirashima noting that each and every complaint had been responded to.

Councilmember Smith asked if these people pay only if they hook up? Ms. Hirashima said, yes.

XI. Ordinances & Resolutions.

A. An Ordinance of the City of Marysville, Washington Amending MMC 12.32.020(2) and Enacting a New Section MMC 12.32.090 to Address Vacation of Streets That Have Been Part of a Dedicated Public Right of Way for Twenty Five Years and to Provide for the Disposition of Proceeds from Street and Alley Vacations in Accordance with Chapter 202 Section 1, Laws of 2001.

Mr. Weed said this was prepared because of a change in the state law. Councilmember Smith asked if the shaded area on back page is the new language? Mr. Weed replied that it was and added that the shaded portions under subsections a and b on the first page were also new. Councilmember Smith asked to be provided with the old ordinance? Councilmember Brennick asked if it was appraised value or assessed value? Mr. Weed replied it was appraised.

B. An Ordinance of the City of Marysville Amending the 2001 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in 2001.

Councilmember Leighan asked for budget detail? Ms. Langdon said she will provide at the next meeting.

Councilmember Smith asked about the impact on the 2002 budget? Ms. Langdon said there would be no impact.

Councilmember Bartholomew asked what happened to the reissued Human Service checks, Ms. Swenson said no one knows. Councilmember Dierck said she wants the record to reflect that the increase for 2001 came from TV Advisory money.

C. An Ordinance of the City of Marysville Amending MMC 3.51.020 (3) and 3.51.020 (10) Relating to the Authorized Petty Cash/Change Fund, and Interest Fund of the City of Marysville.

D. A Resolution of the City of Marysville Authorizing an \$800,000 Interfund Loan from the General Fund to the Golf Course Construction Fund 320, and Providing a Formula for Payment of Interest.

XII. Information Items

A. Mayor's Business

B. Staff Business

Chief Carden reported that on December 21st two more officers would be graduating from the Police Academy in Burien and if anyone would like to attend the ceremony, to please contact him.

Ms. Swenson announced that Suzi Larsen, the Court Administrator had a baby girl. She also informed the Council that Kristie Guy the City's new HR Manager began employment today and will be at the next Council meeting.

Mr. Winckler said Public Works had a couple of drainage problems this last week, one of them serious. Crews have been working to minimize the damage and emergency access has been provided.

MOTION by Bartholomew, second by Smith to extend the meeting by five minutes.
MOTION carried 7-0.

Mr. Ballew said that the resolution passed at the last meeting did not include the tax increase and the Council will have new exhibit in packet next week with the golf fees rounded up. Councilmember Smith congratulated Mr. Ballew on the great Electric Light Parade Saturday.

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Public Safety Center

C. Call on Council:

000209

Meeting adjourned 9:35 p.m.

Approved this 14th day of ^{January, 2002.} ~~December, 2001.~~

David W. Wiser Mayor
Berry Becker City Clerk
Roberta Stevens Recording Secretary

ORIGINAL
000197

City Council/Planning Commission Work Session
November 27, 2001

CORRECTED: SEE 1.14.02
MINUTES *ms*

Mayor Weiser called the joint work session to order at 7:05 p.m.

Councilmembers Present:
Dave Weiser, Mayor
Mike Leighan, Mayor Pro Tem
Suzanne Smith
John Soriano
Shirley Bartholomew
Donna Pedersen

Planning Commission Members Present:
Rod Reed, Chairman
Dave Voigt, Chairman Pro Tem
Steve Muller
John Carroll
Becky Foster
Deirdre Kvangnes
Bill Roberts

City Staff Present:

Mary Swenson, Sandy Langdon, Gloria Hirashima, Ken Winckler, Jim Ballew, Grant Weed, Greg Young, Jeff Massie, Roberta Stevens.

Ms. Hirashima gave an overview and history of the north sub-area plan, and passed out a two page summary for those who may not have them. She provided an overview of the joint County-City land use planning underway, history of the establishment of the UGA, and annexations in process. She indicated that the Planning Department is proposing separation of the land use decisions on in-city south Smokey Point properties (152nd Street NE - 164th Street NE) and Lakewood. The County is currently conducting an EIS on the Lakewood alternatives and anticipates completion of environmental reviews in August 2002. The Lakewood area is more rural and therefore has more complex issues to consider and is also complicated by the dual jurisdictional influence of County and City. Review of the area east of I-5 could potentially proceed during the City's 2002 comprehensive plan amendment cycle at the beginning of 2002. Completion of the Lakewood plan might not occur until late 2002 under the current schedule. There is also a large scale development for the in-City portion of the north sub-area providing some urgency for proceeding on the east side of I-5. There were maps depicting three different scenarios, A, B, and C. Map B would have no changes in the current zoning, it is light industrial with some retail, as in auto sales. Map A would propose General Commercial on the west side, as there are existing manufacturing uses and smaller parcels. On the east side, Community Commercial uses are proposed due to the assemblies of larger parcels with the potential for larger planned retail establishments and higher traffic volumes. Map C proposes Business Park on the east side of Smokey Point, however that is likely a weaker alternative as there have been no applications or requests for a business park land use designation.

156²

Councilmember Pedersen asked if there were press releases to let citizens know what we are doing? Ms. Hirashima replied that the City is trying to

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educate property owners on existing regulations for drainage, wetlands and streams to result in more realistic land values. There have been public meetings on the planning efforts.

Councilmember Leighan asked about the practical problems and why nothing has occurred over the past several years. Ms. Hirashima responded that the City annexed this area in 2000 and it was urban zoned only a year ago. There are many challenges in the area, ground water, drainage area ditches, wetlands and streams. There needs to be buffers for many of the ditches which are actually fish bearing streams. A plan for stream rehabilitation might be considered as an alternative to the existing configuration. There are road improvement issues as well.

Councilmember Pedersen asked if the segmented City portion would require a Comprehensive Plan Amendment? Ms. Hirashima responded that it would.

Commissioner Roberts said he would advise caution in the Lakewood area, it is rural in nature and there is not much infrastructure in place; it will take some effort to determine costs to make it into an urban area. Ms. Hirashima said that is the intent of segmenting it, because the Lakewood side is so complex.

Mayor Weiser introduced Sandy Langdon, our Finance Director and Greg Young our Grant Administrator to those present that hadn't met them yet.

Bill Binford and Butch Kvanne of Venture Pacific Partners, Inc. were introduced. Mr. Kvanne owns some of the property in the north end and has been in farming and different businesses. Mr. Binford has been a developer since the late 1980s and is a licensed engineer. Mr. Binford presented their concept of a development that could take place on property in the north end from ~~152~~¹⁵⁶nd Street to the northern city limits. The presentation touched on a new east/west corridor going from ~~152~~¹⁵⁶th on the west side of the freeway to ~~152~~¹⁵⁶nd on the east side. He suggested to have BNSF provide an overpass highway over the crossing they intend to close on ~~152~~¹⁵⁶nd Street. The planned upgrade on the 172nd street overpass may not be completed until 2004. During the upgrade the already overcrowded east/west corridor will be even more congested due to construction. The proposed new east/west corridor is the last remaining area on the freeway for a corridor.

The new proposed 175 acre would require mixed zoning and be called English Station. The question was posed as to how that would work with Quil Ceda Village. Mr. Binford said that it would not be in competition with their businesses, and in some cases it would benefit their concept of large box

CORRECTED: SEE 1.14.01
MINUTES MJA

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retailers with smaller feeders, an auto mall, some business offices and medical/dental offices, and perhaps some residential.

The economic benefits would be about \$20,000,000 in sales tax revenues with \$2M to the City of Marysville. Both school districts would be receiving a portion of the sales tax, besides Snohomish County, and the Library and Fire Districts. It would provide construction jobs for 5 to 10 years and service sector jobs as well.

The economic benefits would also reach Smokey Point and Arlington. The Arlington airport is anticipated to become even larger in the future for this region. The Smokey Point Chamber of Commerce is supporting the new interchange and hoping it will be completed before construction of the 172nd Street interchange. Mr. Binford spoke to the Sheriff's Department, and they would welcome the 156/152 St. exchange for their service vehicles, because of the much quicker access across the freeway.

Mr. Binford touched on the streamlined funding programs in place now. He anticipates Traffic Mitigation Fees account for approximately \$12/13M and their engineers feel the interchange could be built for about \$14M. Generally the Federal and State funds are about 60% with 40% being local and TMF. There is a report that Mr. Binford referred to as the 8 Point Access Report that would need to be done, and that would be about 18 months to the green light. He has been told once one of these reports has been done there has never been a case of the work not being done. In the first 90-120 days four steps should be completed and the City should know if it is feasible or not. The report requires sponsorship in Olympia from the City of Marysville. The City Council would need to approve the 8 Point Access Report and then send RFPs out. The cost of the complete study would range from \$600K to \$900K, however depending on the contract, it could be incremental and the City might be able to terminate after 120 days if it looks like it isn't going to work. All of the environmental permits and studies are included in this report, all the traffic manuals. The wetlands permitting is good for three years.

Mr. Binford said they have already received favorable replies from the end users, and when we receive the green light for the overpass, they will begin building and finalizing the end users.

There was a general discussion regarding wetlands, detention ponds, and buffers. It was brought out that this is just a concept that the Council and Planning Commission was asked to think about, no real finalized plans are in place yet for any of the building and mitigations.

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Discussion of Comprehensive Plan revisions, rezoning process with perhaps a percentage set forth of each requirement for the whole parcel, with the developer deciding where to place those items, placing on our TIP in the spring so that it can get on Snohomish County and WSDOT was held.

The speed of moving the project along was discussed at length. It was mentioned that Quil Ceda Village is heavily recruiting two car dealerships right now. If Marysville loses the car dealership in the north end, that is \$200,000 in sales tax revenue a year we are losing. At that rate the report would be paid for in less than five years. It seemed the general opinion was that the City Council can be proactive and work to develop the area, or do nothing and watch more and more business locate to the west side of the freeway.

Meeting adjourned at 9:30 p.m.

Accepted this 14th day of January, 2002.
~~December, 2001.~~

David Werner
Mayor

Perry Becker
City Clerk

Roberta Stenrud
Recording
Secretary