

ORIGINAL

I. Call to Order

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

000273

II. Pledge of Allegiance

The assembly joined in the pledge to the flag.

III. Invocation

There was no minister present to deliver an invocation.

IV. Roll Call

Councilmembers Present:

David Weiser, Mayor
Mike Leighan, Mayor Pro Tem
Suzanne Smith
Donna Wright
Jeff Seibert
Jon Nehring

Staff Present:

Mary Swenson, Chief Administrative Officer
Thom Graafstra, City Attorney
Robin Nelson, City Engineer
Gloria Hirashima, Planning Director
Sandy Langdon, Finance Director
Doug Buell, Community Information Officer
Jim Ballew, Parks & Recreation Director
Roberta Stevens, Recording Secretary

Excused Absence: Councilmember John Soriano

V. Committee Reports

Ms. Swenson introduced Mr. Thom Graafstra who was taking the place of City Attorney, Grant Weed at tonight's meeting.

VI. Discussion Items

A. Invocation at Council Meetings and Work Sessions.

A lengthy discussion took place regarding prayer before the City Council Meetings and Work Sessions. Mr. Graafstra said that the only legally defensible action the City could take would be to have silent prayer, or a non-denominational prayer. He said that if the City goes with a verbal prayer and a minister begins to proselytize during the invocation; that minister should not be invited back. There was much discussion regarding the mechanics of having a list. Mr. Graafstra suggested that there could be a list at City Hall, much like the Small Works Roster and perhaps ministers could be chosen from that list to deliver a non-denominational prayer. He stressed that once the Council allows the

000274

prayers to become sectarian, the City may in a legally non-defensible position. Ms. Swenson indicated it may be worthwhile to set criteria for the invocation.

Councilmember Leighan said that if there is a rotating list and the ministers cannot deliver a non-denominational prayer, then they do not have to participate. Discussion about the religions requesting to deliver the prayer and whether it would be restricted to churches inside the City limits or UGA or no residence requirements. Councilmember Leighan said that the word "God" is on all the money and in the pledge and that this country was founded on religious freedom.

Councilmember Nehring said that he couldn't believe that such a simple thing as prayer could be so controversial. He said that he would just as soon dispense with the invocation even though he voted for it to get down to the City's business.

Councilmember Seibert said that word could be put out that the City wants ministers to participate in a non-denominational prayer and if they are not comfortable delivering one not specifically tied to their religious beliefs then they do not have to volunteer. He also reminded the council that the word "God" didn't appear on money or in the Pledge of Allegiance until the 1950's.

Councilmember Leighan suggested that the Marysville Ministers Association be contacted with the request to provide ministers that would be willing to deliver an invocation that was non-denominational.

B. Briefing on Ebey Slough Waterfront Park Phase 2 Environmental Site Assessment and Department of Ecology Contaminated Materials Clean-up Requirements.

Mr. Nelson introduced Mr. Larry Riegert of Hammond Collier Wade Livingstone who gave an overview of the Ebey Slough Waterfront Park Phase II Environmental Site Assessment and the DOE contaminated materials cleanup requirements. Mr. Riegert went over the requirements of the voluntary cleanup. He indicated that currently they have found no contaminates on the Ebey Slough site, and minimal contaminates on the land side. Mr. Riegert said that the arsenic level found in the ground water is less per million parts than the standards for drinking water levels. The trenching and non-permeable barrier to contain this water was discussed. There was a general discussion regarding the issue.

Councilmember Smith asked about the ramifications of not making a boat launch there. Mayor Weiser and Mr. Ballew said that all grant money, including property purchase money, would need to be returned.

000275

Councilmember Smith asked about the advisability of allowing motorized boats on the slough. Mr. Ballew said that there were no restrictions currently on Steamboat or Ebey Slough and that the fish do not seem to be impacted.

Councilmember Leighan asked who the responsible party would be when the swing bridge is removed. Mr. Nelson said that the State would do that cleanup. Councilmember Seibert asked how many test wells had been drilled. Mr. Riegert said that eight have been removed.

Mr. Nelson said that he would like to bring back the information to the Council for approval to move ahead on this project. Mr. Ballew said if the Council approves the cleanup soon the park should be completed in 2003.

C. Citizen Survey.

Councilmember Leighan advised the other councilmembers that there were several citizen surveys that were to voluminous to copy and hand out on the table if they were interested in reviewing them. Mr. Buell and Councilmember Leighan went over the questions that were included in the council packets for the Tucson survey. Mr. Buell said that Marysville could get one similar to the Tucson's survey with three tailored closed-end questions for \$7,500.00 and for an additional \$1,200.00 there could be an open-end question. There was a general discussion regarding the survey Marysville might have done. Councilmember Leighan advised the council that there was not money budgeted for this survey.

VII. Other Items Scheduled for February 25, 2002 Meeting

A. Approval of Minutes.

1. February 11, 2002 City Council Meeting.
2. February 19, 2002 City Council Work Session

B. Approval of February 25, 2002 Claims.

C. Approval of New Liquor License for Maxi's Restaurant.

D. Acceptance of 152nd Water Main Improvement Project, and Begin 45-day Lien Filing Period.

Councilmember Seibert asked for a map of the region or more data on this item.

E. Authorize Mayor to Sign Public Works Trust Fund Loan Agreement for WWTP.

000276

F. Approval of Mailing Services Agreement; Mobile Mailing Services.

Ms. Langdon said this was the same item that was removed from a earlier agenda. The company was previously unsure if they could meet the deadline set by Finance. They did a trial run and were successful in meeting the deadline.

G. Approval of Contract for Provision of Supplemental Police Services at Cedar Grove with Housing Authority of Snohomish County.

Mayor Weiser said this is for the patrol on 84th Street for Cedar Grove Apartments and seems to be working well.

VIII. Review Bids

A. Harborview Park Building Removal Project.

Mr. Ballew said that this project will remove several buildings at Harborview Park.

IX. Current Business

X. New Business

A. Professional Services Agreement for Design of the Upgrade and Relocation of the Headquarters Telemetry and SCADA System; System Interface, Inc.

Councilmember Smith asked if this was for the design only. Mr. Nelson responded that it was.

B. Professional Service Agreement for Design of Strawberry Fields; Hough Beck & Baird, Inc.

Councilmember Leighan said that they had approved this on September 24, 2001, and asked why it was taking so long. Mr. Ballew said that their principle architect, Henry Boyar, had some family difficulties and the project was held up for 30 days with that. Mr. Ballew indicated that it should be ready for July, 2002 construction and spring 2003 play.

000277

Councilmember Smith asked about the street requirements and utility poles. Mr. Ballew indicated that no turn lane was required, only widening the shoulder was necessary. The utility poles would remain in place.


Councilmember Seibert asked about a buffer for Quil Ceda Creek. Mr. Ballew indicated that the buffers were adequate for the creek. A general discussion regarding the requirements for Strawberry Fields took place, and the buffer requirements for Quil Ceda Creek.

Mayor Weiser recessed the meeting at 9:00 p.m. into Executive Session to discuss real estate and potential litigation.

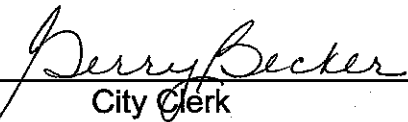
XIV. Executive Session

The council resumed the meeting into Executive Session at 9:05 p.m. The council returned from Executive Session to adjourn at 9:25 p.m. with no further action taken.


Approved this 25th day of February, 2002.



Mayor



City Clerk



Recording Secretary