

Minutes Recap
Marysville City Council Meeting September 23, 2002

000068

Call to Order/Pledge of Allegiance/Invocation/Roll Call	7:00 p.m.
Announcements	
Mayor Weiser wished Gloria Hirashima happy birthday. He also introduced and welcomed new Recording Secretary, Jody Pinckney	
Committee Reports	
Budget workshop date has been changed to tentative dates of October 21 at 4:00 pm and October 22 at 5:00 pm.	
Approval of Minutes	
September 9, 2002	Approved
September 16, 2002	Approved as amended
Consent Agenda	
A. Approval of September 23, 2002 Claims in the Amount of \$865,603.87; Paid by Check Nos. 69086 through 69392 With Check Numbers 68946, 68950, and 69013 Void.	Approved
B. Approval of Long Distance Provider; Global Crossing.	Approved
C. Authorize Mayor to Sign Interlocal Agreement with Washington State Department of Health Services for Juvenile Accountability Incentive Block Grant.	Approved
Current Business	
Professional Services Agreement; North Marysville Interchange Pertect Engineering. (Continued from September 16, 2002)	Continued for further consideration and discussion
New Business	
116th Street NE Planning Area Rezone; PA 0001006	Approved
Referendum 51 – Council take no position one way or the other	Approved
Supplemental Agreement No. 3; Edward Springs/Stillaguamish Water Supply Project.	Approved
Reconditioning of Solid Waste Truck #617.	Approved
Citizen Survey	Reviewed
Legal	
Contract for Recovery of Utility Construction Costs; West Coast, Inc.	Approved
Contract for Recovery of Utility Construction Costs; James R. & Helen A. Thayer	Approved
Ordinances and Resolutions	
An Ordinance of the City of Marysville, Washington to Amend Ordinance # 2383 to Extend Cable Franchise Agreement with AT&T Broadband in Four Three-Month Increments for Up to One Year	Approved
An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Section 5.02.030 Relating to Business License Exemptions	Approved
Adjournment	
The meeting was adjourned at 9:36 p.m.	
Executive Session	
Executive Session commenced at 9:55 p.m. and adjourned at 10:45 p.m.	

September 23, 2002

Marysville City Council
7:00 p.m.

Public Safety Center

Call to Order/Pledge of Allegiance

Mayor David Weiser called the September 23, 2002 meeting of the Marysville City Council to order at 7:00 p.m., and led the assembly in the Pledge of Allegiance.

Invocation

Elder Johnson of the Church of Jesus Christ Latter Day Saints gave the invocation.

Roll Call

Chief Administrative Officer Swenson called the roll:

Councilmembers:

Mayor Dave Weiser
Mayor Pro Tem Mike Leighan
Lisa Vares
Donna Wright
Jeff Seibert
Jon Nehring
John Soriano
Suzanne Smith

Staff:

Chief Administrative Officer Mary Swenson
City Attorney Grant Weed
City Engineer Robin Nelson
Chief Bob Carden
Community Development Director Gloria Hirashima
Public Works Director Jim Owens
Community Information Officer Doug Buell
Larry Larson Public Works Superintendent
Suzanne Larsen Court Administrator
Jody Pinckney, Recording Secretary
Lillie Lein, Recording Secretary

Announcements

Mayor Weiser wished Gloria Hirashima happy birthday.

He also introduced and welcomed our new Recording Secretary, Jody Pinckney.

He then announced that there would be a closed Executive Session at the end of the meeting.

Committee Reports

Donna Wright reported that the budget workshop date has been changed. The tentative dates are October 21st at 4:00 p.m. and October 22nd at 5:00 p.m. Previous dates of October 11 and 12 are cancelled.

Audience Participation

Approval of Minutes

September 9, 2002 City Council Meeting.

Discussion followed about corrections to page 6, fourth paragraph; 6th line should read: is creating a website

Motion by Nehring, second by Wright to approve the minutes as written. Motion carried unanimously (7-0).

September 16, 2002 City Council Work Session.

Mr. Nehring referred to the first paragraph on page 1 under Committee Reports and stated that he gave a Facilities Committee report.

Member Nehring referred to page 3 last paragraph first sentence should read: Mr. Nehring asked if there were any pros or cons to the City taking a position one way or the other to this referendum.

Motion by Nehring, second by Leighan to approve the minutes as amended. Motion carried unanimously (7-0).

Consent Agenda

- A. Approval of September 23, 2002 Claims in the Amount of \$865,603.87; Paid by Check Nos. 69086 through 69392 With Check Numbers 68946, 68950, and 69013 Void.**
- B. Approval of Long Distance Provider; Global Crossing.**
- C. Authorize Mayor to Sign Interlocal Agreement with Washington State Department of Health Services for Juvenile Accountability Incentive Block Grant.**

Motion by Member Soriano, second by Member Vares to approve consent agenda Items A-C. Mayor Weiser solicited audience discussion, and there was none.

Motion carried unanimously (7-0).

Review Bids

None.

Current Business

Professional Services Agreement; North Marysville Interchange Perteet Engineering. (Continued from September 16, 2002)

Council discussed a memorandum from Bill Binford of Venture Pacific regarding putting the enterprise on hold. There was discussion amongst the Council that it should be put on hold for a time, but not too long. There will be an upcoming budget meeting and this item should be considered after the budget meeting. Mayor Weiser did solicit comments from staff present and the consensus was that this issue be tabled until it could be revisited during a long session which could occur during a weekend or evening and this item should be one of the topics.

After discussion, Mayor Weiser indicated that this item will be brought up as appropriate whether it be in a work session or if the private part of the public private partnership comes back into being and the City can work with them further.

New Business

116th Street NE Planning Area Rezone; PA 0001006.

A motion was made by Member Leighan, second by Member Siebert to approve the Planning Commission's recommendations.

City Attorney Weed explained that the ordinance was not listed on the agenda, and while Council could discuss and take action, the title of the ordinance would have to be listed on the agenda before Council could approve the ordinance

Member Wright moved to add a friendly amendment to the motion that the ordinance be placed on the next regularly scheduled workshop as an action item. Member Leighan agreed to the amendment; however, Member Seibert did not. Following a short discussion, Member Seibert withdrew his second to the original motion. The original motion failed.

000076

Motion by Member Leighan to approve the Planning Commission's recommendations and place the ordinance on the agenda for the October 7 workshop as an action item. Second by Member Wright. Motion carried 6-1 with Member Seibert against.

Referendum 51

Discussion followed concerning this agenda item. City Attorney Weed indicated to the Council that there should be a public notice issued and notice for discussion of this item should be included on an agenda for an upcoming meeting to give the public an opportunity to be heard before the Council.

Member Nehring expressed his concern that the Council should not take a position either for or against this referendum.

Audience Participation

Mr. Reid Shockey, 2716 Colby Avenue, Everett – Business Owner: He expressed his opinion that the tax that would result from the passing of this referendum is necessary. He went into detail about the accountability system that would become established through the passing of this referendum and how that would ultimately affect the residents of Marysville.

Member Nehring questioned Mr. Shockey as to whether residents would be able to get home sooner. Member Siebert indicated that we should either oppose or support this referendum in order to show leadership. Member Smith indicated that she felt the Council was not ready to oppose or support this item right now. Member Leighan indicated that in the past the Council has not supported or opposed referendums and that the Council should take a neutral stand. Member Vares indicated this is a state issue and that the Council should choose wisely whether to lend its support or oppose. She indicated that as an individual the Councilmembers can lend their personal support or oppose an item, but as a Council, we should do neither. Member Wright agreed with Member Vares and stated that the Council should take a neutral stand. Member Soriano agreed with Members Vares and Wright. Member Soriano also indicated that he felt the citizens should educate themselves in order to vote in the way they feel is necessary.

Mayor Weiser asked the question as to whether the Council should continue discussion on this item until the meeting to be held on October 14?

City Attorney Weed indicated that the Council should state its intention to take no position on this referendum or adopt a resolution and include the resolution as an agenda item for an upcoming Council meeting.

CORRECTED: SEE 10-14-02 MINUTES

000070

A motion was made by Member Nehring, second by Member Leighan that the Council take no position at all with reference to this referendum and urge citizens to educate themselves and vote. Motion was unanimously approved. (7-0).

Supplemental Agreement No. 3; Edward Springs/Stillaguamish Water Supply Project.

Motion by Member Wright, second by Member Smith to approve. Motion carried unanimously (7-0).

Reconditioning of Solid Waste Truck #617.

Motion by Member Siebert, second by Member Vares to approve. Motion carried unanimously (7-0).

Citizen Survey.

Community Information Officer Buell conducted a lengthy PowerPoint presentation of the results from this survey. Several of the Councilmembers posed questions of Mr. Buell or made various comments with reference to differing aspects of this survey. Several Councilmembers thanked Councilmember Leighan for suggesting the survey, and suggested this be a topic of discussion for a visioning workshop or retreat.

Legal

Contract for Recovery of Utility Construction Costs; West Coast, Inc.

Motion by Member Wright, second by Member Vares to approve Contract No. 247. Motion carried unanimously (7-0).

Contract for Recovery of Utility Construction Costs; James R. & Helen A. Thayer

Motion by Member Smith, second by Member Leighan to approve Contract No. 248. Motion carried unanimously (7-0).

Ordinances and Resolutions

An Ordinance of the City of Marysville, Washington to Amend Ordinance # 2383 to Extend Cable Franchise Agreement with AT&T Broadband in Four Three-Month Increments for Up to One Year

Motion by Member Smith, second by Member Soriano to approve

Ordinance No. 2436. Motion carried unanimously (7-0).

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An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Section 5.02.030 Relating to Business License Exemptions

Motion by Member Smith, second by Member Leighan to approve Ordinance No. 2437. Motion carried unanimously (7-0).

Mayor's Business.

Mayor Weiser reported that he had attended a meeting with the City of Arlington regarding the animal shelter situation. Discussion followed regarding details of this meeting. We still have a contract with the City of Everett to provide our animal shelter needs. There is a new shelter being built on 300th but no animals will be located there. Discussion followed along with questions/comments.

Mayor Weiser indicated he had attended a Local Government Committee meeting held by the Legislature on Thursday in Olympia concerning annexation. He came away from this meeting disappointed and discussion followed concerning the details of his concerns. He did indicate that Dave Williams with AWC has put together a coalition of groups to form proposals that will be given to the Legislature.

Staff Business.

Chief Carden announced that the canine unit will be on the streets on Friday. Jeremy Wood starts on Tuesday as the new SRO at Cedarcrest.

Chief Administrative Officer Swenson requested that the Council authorize the Mayor to sign the Residential Lease Agreement and Security Deposit Receipt with Ralph Krusey that she distributed. She indicated Mr. Krusey wanted to move into the property by October 1, 2002. Motion by Member Leighan, second by Member Smith. Motion carried unanimously (7-0).

Ms. Swenson also distributed a flyer regarding the "lunch bunch" barbeque that will be held on Thursday, September 26, 2002 from 11:30 am to 1:00 pm. at Jennings Park. She encouraged any Councilmember or staff member that could attend to please come. They will be discussing the employee appreciation program.

It was announced there will be a meeting held on October 1, 2002 from 5-8 pm at Lakewood Middle School facilitated by the DOT regarding an update on SR 531.

Community Development Director Hirashima indicated that she will be bringing the population employment projections to the Council's first Workshop session in October.

Suzanne Larsen, Court Administrator reported that there is an amnesty program that will be conducted in October where all collection costs and interest will be waived on tickets etc. The collection agency has agreed to only charge a \$15 administrative fee. There are other courts involved in this program and the program is being coordinated by Skagit County District Court staff member Pam Springer. She also reported that the passports were doing great. They had training on August 15th and we are averaging 13 passports a week.

Jim Owens, Public Works Director indicated that he would be contacting the various Councilmembers to meet with them individually.

Call on Councilmembers.

Member Wright – regarding annexation, the Council should meet after the election to discuss this item. She then brought to the attention of Ms. Hirashima that there still appears to be errors with reference to buildable lands (map of housing and map of jobs). Ms. Hirashima addressed this issue and it was decided that the two of them will meet to look over the maps.

Member Leighan – Discussed the issue of raising the levy rate. He wanted to know if that would be by majority or super majority vote. He indicated this should be brought to the attention of the Legislature.

Member Soriano indicated he needs a monthly calendar. Ms. Swenson indicated that he would start receiving one in October.

Member Nehring -- Referred to letter from the Downtown Merchants Association and asked if Council would be working on it. Mayor Weiser indicated that their letter was being reviewed by the Public Works Committee.

Member Seibert -- Thanked Ms. Swenson and her staff for compiling the information on Referendum 51. He also wanted an update on the golf course. He did bring to the attention of the Council that he drove by the golf course one night about 10:30 pm and noticed all the lights were on. This should be addressed.

Member Soriano wanted clarification regarding the 52nd Street Paving Project. Discussion followed led by Ms. Hirashima. After the discussion, a motion was made by Member Seibert, second by Member Smith to

CORRECTED: SEE 10-14-02
MINUTES

indicated that their letter was being reviewed by the Public Works Committee.

Member Seibert -- Thanked Ms. Swenson and her staff for compiling the information on Referendum 51. He also wanted an update on the golf course. He did bring to the attention of the Council that he drove by the golf course one night about 10:30 pm and noticed all the lights were on. This should be addressed.

CORRECTED: SEE 10-14-02 MINUTES

Member Soriano wanted clarification regarding the 52nd Street Paving Project. Discussion followed led by Ms. Hirashima. After the discussion, a motion was made by Member Seibert, second by Member Smith to review the timeline for offsite road improvements and performance bonding and put this item on the agenda in 30 days. Motion passed (6-1). Member Wright against.

Recess

Mayor Weiser recessed the September 23, 2002 City Council meeting at 9:36 p.m.

Executive Session

The Council held an Executive Session at 9:55 p.m. No action was taken.

Adjournment

The meeting adjourned at 10:45 p.m.

Approved this 14th day of October, 2002.

Daniel Weiser
Mayor

Perry Becker
City Clerk

Jody Sanchez
Recording Secretary

000062

Call to Order/Pledge of Allegiance

ORIGINAL

Roll Call

CORRECTED: SEE 9/23/02 MINUTES

Ms. Langdon called the roll, the following were present:

Council: Mayor David Weiser, Mayor Pro Tem Mike Leighan, Councilmembers Suzanne Smith, Jeff Seibert, Jon Nehring, Lisa Vares, John Soriano, and Donna Wright

Staff: Public Works Director, Jim Owens; City Engineer, Robin Nelson; Community Development Director, Gloria Hirashima; Finance Director, Sandy Langdon; Community Information Officer, Doug Buell; Public Works Superintendent, Larry Larson; Fleet & Facilities Manager, Bill Spies; Recording Secretary, Roberta Stevens

Mayor Weiser advised that Ms. Swenson had been detained and would be arriving at the meeting soon.

Committee Reports

Mr. Nehring and Mr. Seibert gave a Public Works Committee report reviewing the intertie with Arlington, Downtown Merchants Association, and budget.

Ms. Vares reported that the Human Services Committee had met last week. They will be bringing their recommendations to Council for action.

Mr. Nehring reported that the Library Board would like to give Council a tour of the library before a Council meeting. They would like to know the areas of most interest to the Council to focus their tour. The library had focus groups and surveys over the summer and were pleased with the results of the survey.

Mr. Leighan showed the Council a thank you plaque given to the City by the Maryfest.

Mayor Weiser noted that if there was enough time at the end of the meeting, Mr. Weed would like to give the Council a 10 minute update on some Executive Session matters. If there wasn't time, Mr. Weed will give the update to the Council on September 23, 2002.

Mayor Weiser introduced Jim Owens and welcomed him to his first Council meeting. The Mayor also announced to Council that this is the last meeting for the recording secretary, who has accepted a position with the Tulalip Gaming Agency.

CORRECTED: SEE 9/23/02 MINUTES

000063

Action Items

A. A Resolution of the City of Marysville Confirming Its Commitment to Working with the City of Arlington in Developing Regional Solutions to Issues Facing Both Entities

After discussion, a **MOTION** was made by Ms. Wright, second by Mr. Nehring to approve Resolution #2082 confirming the commitment of the City of Marysville to working with the City of Arlington in developing regional solutions to issues facing both entities, **MOTION** passed unanimously.

Ms. Swenson arrived at 7:35 p.m.

B. A Resolution of the City of Marysville Initiating Annexation of an Area Contiguous to the City Known as Twin Lakes Area; Requesting the Snohomish County Council to Call an Election Thereon; and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval

A lengthy discussion took place regarding the proposed Twin Lakes annexation resolution. Mr. Weed explained the pros and cons of attempting to put the item on the November 5 ballot.

Mr. Ralph Krutsinger, 409 148th St. NE, Arlington spoke requesting the support of the Council for this resolution, noting that he has been attempting this annexation since 1999.

Ms. Hirashima advised the Council and Mr. Weed that the two public hearings required by law had been held.

After the conclusion of the discussion, a **MOTION** was made by Mr. Leighan, second by Ms. Wright to approve Resolution 2083, with the following changes,

Section 1 ...electorsat the November 5, 2002 general election following the submittal of the matter to the Boundary Review Board for Snohomish County and contingent upon the jurisdiction of the Boundary Review Board not being invoked. As required by law, the City of Marysville shall be responsible for paying the cost of the election. It is estimated that the number of voters residing in the area proposed for annexation is two (2).

Section 2 Concurrent with the submittal of this resolution to the Snohomish County Council and Boundary Review Board the City Attorney is hereby directed to prepare and submit a ballot title as required by RCW 29.27.066.

000064

Section 3 The Snohomish County Council is respectfully requested to submit this matter to the County Department of Elections on or before September 20, 2002 for submittal to the voters and placement on the ballot for the November 5, 2002 election contingent upon the jurisdiction of the Boundary Review Board not being invoked.

Section 4 Upon annexation of the property described in Exhibit A, the Marysville land use and Comprehensive Plan designations shall apply.

Section 5 Upon annexation of the property described in Exhibit A, it shall be assessed and taxed at the same rate and on the same basis as the property within the City of Marysville.

MOTION passed 6-1 with Mr. Seibert opposed.

C. Professional Services Agreement; North Marysville Interchange; Perteet Engineering

Mayor Weiser noted that Mr. Binford is still reluctant to commit to the monetary portion of the project; he is going to contact his partner, who has been on vacation, before committing. Mr. Nelson gave an overview of the project indicating that Perteet Engineering could still perform the work in the time limit agreed upon, but that it needed to be acted on very soon. The consensus of the Council was that since this was a public/private project they did not want to move ahead without Mr. Binford's participation in monetary terms. After a lengthy discussion a **MOTION** was made by Ms. Smith, second by Mr. Seibert to continue this item until the September 23 meeting, **MOTION** passed unanimously.

Discussion Items

A. 116th Street NE Planning Area Rezone; PA 0001006

A short discussion on the 116th Street NE rezone took place.

B. Referendum 51

Mr. Nehring asked if there were any pros or cons to this referendum. He was advised by Mr. Nelson that the yearly costs for resurfacing were about \$200,000. Mr. Seibert pointed out the \$69,000 that Marysville would receive if this referendum passed would be a good supplement to that money. It was also pointed out that there would be an erroneous expectation on the part of the citizens that the roads could be kept in good repair with the passing of this referendum. Ms. Swenson said she would have Staff check and see if other cities in Snohomish County have endorsed the referendum.

CORRECTED: SEE MINUTES
9/23/02

000065

Consent Agenda

- A. Approval of September 23, 2002 Claims
- B. Approval of Long Distance Provider; Global Crossing
- C. Authorize Mayor to Sign Interlocal Agreement with Washington State Department of Social & Health Services for Juvenile Accountability Incentive Block Grant

New Business

- A. Supplemental Agreement No. 3; Edwards Springs/Stillaguamish Water Supply Project

Mr. Leighan and Ms. Smith both voiced concerns that this was the third supplemental agreement with MWH Americas on this project. Ms. Smith said that if it was in the original plan, that it would be better to have it put in the scope of work, since at least one of the supplemental agreements was not really a supplement at all. Mr. Nelson indicated that there would be at least one more supplemental agreement to the original scope. Mr. Seibert asked for a breakdown on the costs associated with the site selection.

- B. Reconditioning of Solid Waste Truck #617

Mr. Spies explained the need for reconditioning the solid waste truck #617.

Legal

- A. Contract for Recovery of Utility Construction Costs; West Coast, Inc.
- B. Contract for Recovery of Utility Construction Costs; James R. & Helen A. Thayer.

Ordinances & Resolutions

- A. An Ordinance of the City of Marysville, Washington to Amend Ordinance No. 2383 to Extend Cable Franchise Agreements with AT&T Broadband in Four Three-month Increments for Up to One Year

A discussion on the services provided by AT & T Broadband and the lengthy process of effecting this agreement took place.

000068

B. An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Section 5.02.030 Relating to Business License Exemptions

Ms. Swenson gave an explanation for this amendment.

Information Items

Staff Business

Ms. Swenson noted that Touch-A-Truck was a big success and next year notification letters will be sent to the neighbors explaining the event.

She asked that the Governmental Affairs Committee consider changing their meeting date to the second Wednesday of each month. The Citizen Survey is completed, and Staff is hoping to forward it to the Governmental Affairs Committee this week, if that does not happen, the full Council will receive it prior to the next meeting.

If Proposition 1 passes on 9/17 there will be a Staff report on what needs to be done by Council.

Ms. Langdon reminded Council of the Finance Committee meeting Wednesday.

Call on Councilmembers

Each Councilmember welcomed Jim Owens and wished Roberta Stevens well.

Ms. Smith noted that the crack sealing on 51st Street was very unsightly. When advised as to the cost of resurfacing, she said she would live with it.

She asked Mr. Seibert about the Downtown Merchants letter and was advised that they wished to be included with information on the State Avenue improvements.

Ms. Smith asked about "The Gap", Mayor Weiser said the according to the agreement reached by the Marysville, the Fire District, Arlington and the County "The Gap" would belong to Marysville. Marysville is working towards securing this property now. They have currently applied for docketing to include it and are awaiting the County Council's approval.

Ms. Wright mentioned that the trees along State Avenue were reaching up to the power lines and asked who was responsible for trimming them. Ms. Swenson advised the responsible entity was PUD.

000067

Mr. Leighan asked if there was a hatch to enter the water tower, Mr. Nelson said there was on top. Ms. Smith said the letters seemed a lot smaller on the tower, the Mayor advised that they were large enough to be read from I-5.

Mr. Leighan congratulated the City staff on their successful efforts in the Touch-A-Truck event.

Ms. Swenson mentioned the great job City employees did for the "In Memory of Lost Lives" service at Comeford Park.

D. Contract Change Order No. 3 for Trunk D Extension, Phase II; Soper Hill Pump Station Project

Adjournment

The meeting adjourned at 9:24 p.m.

Approved this 23rd day of September, 2002

David Weiss
Mayor

Berry Becker
City Clerk

Robert Stumpe
Recording Secretary