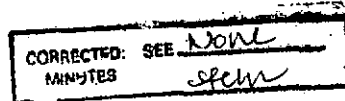


**ORIGINAL**Marysville City Council  
7:00 p.m.

000156 Public Safety Center

November 25, 2002

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
<b>Approval of Minutes</b>	
<b>Audience Participation</b>	Ed Mohs
November 12, 2002 minutes	Approved
November 18, 2002 minutes	Approved
<b>Consent Agenda</b>	
Approval of November 25, 2002 Claims in the Amount of \$1,350,453.68; paid by Check Nos. 70416 through 70684 with Check Nos. 52919, 69857, 70397, 70027, 70348, and 70411 void.	Approved
Approval of Liquor License Renewals: Cristiano's Pizza, Etc., Alfy's Pizza & Pasta; Buzz Inn; Danny's Midway Pub & Grill; Mary's Grocer & Deli; and Hagen Food & Pharmacy #77.	Approved
Approval of Professional Services Agreement with Pertee Engineering; SR528 (Columbia Ave. to 67 <sup>th</sup> Ave NE) Improvements Phase 2.	Approved
Approval of Intergovernmental Agreement for Furnishing Equipment Maintenance Repair Service.	Approved
<b>Public Hearing</b>	
Proposed 2003 Budget.	Approved Ord. No. 2456
<b>New Business</b>	
Purchase of Vehicle Lift Station .	Approved
Surface Water Comp Plan/Utility Rate Study & Hydrologic Modeling Master Drainage Basin Planning.	Public Hearing set for 1/13/03
<b>Ordinances and Resolutions</b>	
An Ordinance increasing water & sewer rates, amending Sections 14.07.060 and 14.07.070 of the Marysville Municipal Code.	Approved Ord. No. 2457
<b>Staff Business</b>	
Contract Change Order for WWTP Bio-solids Improvement Project in the amount of \$618,240 to provide for additional removal of bio-solids from the South Lagoon.	Approved
Supplemental Agreement to Filtration Facility – Final Design Work. Staff directed to negotiate fee & come back to Council for approval.	Continued
<b>Adjournment</b>	9:24 p.m.
<b>Executive Session</b>	
1. Two Personnel; One Potential Litigation; & One Real Estate Issues.	Labor contracts approved
<b>Adjournment</b>	11:10 p.m.



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November 25, 2002

**Marysville City Council Meeting**

7:00 p.m.

Public Safety Center

***Call to Order/Pledge of Allegiance***

Mayor David Weiser called the November 25, 2002 meeting of the Marysville City Council to order at 7:00 p.m.

***Invocation***

Pastor Greg Kenehen of the Marysville Free Methodist Church gave the invocation.

***Roll Call***

Gloria Hirashima called the roll:

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

**Staff:** Police Chief Robert Carden; Mary Swenson, Chief Administrative Officer; Sandy Langdon, Finance Director; Grant Weed, City Attorney; Gloria Hirashima, Community Development Director; Jim Owens, Public Works Director, and Robin Nelson, City Engineer.

***Committee Reports***

Councilmember Mike Leighan attended the LEOFF Board meeting. Some of the topics discussed were regarding the nursing home costs and the care associated with a former Police Chief. There had been discussion at the meeting about setting limits to the amount of coverage available.

Councilmember Jon Nehring attended the Finance Committee meeting and they discussed the new budget amendments. Sandy Langdon, Finance Director was also in attendance and she updated the group on the change of the amount in the Street Fund.

***Audience Participation***

**Ed Mohs, 1214 Beach Avenue, Marysville, WA 98270**

Mr. Mohs stated he had two items to discuss with the City Council.

1. Mr. Mohs mentioned a prayer service that had been held in conjunction with various Marysville churches. The churches got together to pray for an end to the drugs,

violence and alcohol problems linked to our local youth. There were over 70 students, parents, and church members in attendance.

2. Mr. Mohs discussed the Citizen Survey results, especially noting the large numbers of citizens who rate the issues of crime, drugs, and too much growth as problems. Mr. Mohs feels too much growth too fast is the reason for many of the problems that are facing Marysville youth.

Councilmember questions for Mr. Mohs included:

Councilmember Leighan mentioned that he had been part of the Youth Forum. He stated that kids there had said they feel they are safe in school. He informed Mr. Mohs that Council had spent six hours reviewing the results of the survey this weekend. He mentioned that the Skate Park is having ongoing graffiti problems and that the Parks Department is looking for citizens to help get involved. Mr. Mohs offered his assistance. Councilmember Leighan thanked him.

Councilmember Lisa Vares asked Mr. Mohs about the role of city government versus the church in providing for the youth. He was not prepared to answer this question except to say that students feel like there is not enough for them to do. Kids are possibly looking for some adult availability and they need to know that the adults in the community care.

There were no further questions. Mayor Weiser and Councilmembers thanked Mr. Mohs for his comments.

***Approval of Minutes***

**November 12, 2002 City Council Meeting Minutes**

Councilmember Jeff Seibert noted that on page 3, Item G at the bottom, the last sentence should say: "The contractor completed work as requested. It was not a contractor error."

**Motion** by Councilmember Nehring, second by Councilmember Leighan to approve the minutes as amended. The **Motion** passed unanimously (7-0).

**November 18, 2002 City Council Work Session**

It was noted that on page 2, in the middle of the third paragraph a comment is attributed to Bill Spies, Fleet and Facilities Manager. It should be Larry Larson, Public Works Superintendent's comment.

**Motion** by Councilmember Vares, second by Councilmember Seibert to approve the minutes as corrected. The **Motion** passed unanimously (7-0).

***Consent Agenda***

Mayor Weiser asked if Councilmembers wanted any of the Consent Agenda Items removed.

Councilmember Vares asked that Item A be removed. Councilmembers Seibert and Leighan also wished to discuss Item A.

Councilmember John Soriano asked to remove Item C.

- A. Approval of November 25, 2002 Claims in the Amount of \$1,350,453.68; Paid by Check Nos. 70416 through 70684 with Check Nos. 52919, 56526, 69857, 70397, 70027, 70348, 70411 Void.**
- B. Approval of Liquor License Renewals: Cristiano's Pizza, Etc. Alfy's Pizza & Pasta; Buzz Inn; Danny's Midway Pub & Grill; Mary's Grocer & Deli; and Haggen Food & Pharmacy #77.**
- C. Approval of Professional Services Agreement with Perteet Engineering; SR528 – Columbia to 67<sup>th</sup> Avenue NE Improvements Phase 2.**
- D. Intergovernmental Agreement for Furnishing Equipment Maintenance/Repair Service.**

**Motion** by Councilmember Nehring, second by Soriano to approve Consent Agenda Items B and D. The **Motion** passed unanimously (7-0).

Discussion Regarding Consent Item A:

- A. Approval of November 25, 2002 Claims in the Amount of \$1,350,453.68; Paid by Check Nos. 70416 through 70684 with Check Nos. 52919, 56526, 69857, 70397, 70027, 70348, 70411 Void.**

Councilmember Vares asked about check no. 70446 for Faster Fleet Management System in the amount of \$11,000. Ms. Langdon replied that it was for the Fleet Management software system that is part of the new financial package.

Councilmember Seibert had questions about the telephone service charges, especially about the Verizon charges. Ms. Langdon explained that it was for local phone service. Mr. Seibert asked about the difference in amounts. She said the differences were due to telemetry. He also inquired about the Nextel charges and rates. Ms. Langdon informed him that the rate was \$20/month for a set number of minutes and then per-minute charges for any minutes over that set amount. Mr. Seibert mentioned that there was no charge for the walkie-talkie portion and thought that there should be more use of that instead of cell calls. Ms. Langdon said that they were reviewing the employee cell phone plans.

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Councilmember Leighan asked about check no. 70682 to Woodland Gardens Nursery. He wanted to clarify that it was the correct location. Ms. Langdon said she would verify the vendor information.

Councilmembers Nehring and Vares both asked Ms. Langdon for a breakdown of the 2003 budget.

**Motion** by Councilmember Seibert, second by Wright to approve Consent Agenda Item A. The **Motion** passed 5-2 with Councilmembers Leighan and Vares voting against.

Discussion Regarding Consent Item C:

**C. Approval of Professional Services Agreement with Pertect Engineering; SR528 – Columbia to 67<sup>th</sup> Avenue NE Improvements Phase 2.**

Councilmember Soriano asked Public Works Director Jim Owens if any projects would be completed ahead of schedule. Mr. Owens explained that the right-of-way needs to be acquired for this project; but that it is likely it will be done before June 2003.

**Motion** by Councilmember Soriano, second by Councilmember Nehring to approve Consent Agenda Item C. **Motion** approved 6-1 with Councilmember Leighan voting against.

**Public Hearings**

**Proposed 2003 Budget (continued from 11/12/02)**

**Motion** by Councilmember Nehring, second by Councilmember Seibert to open this topic for public comment. The **Motion** passed unanimously.

Mayor Weiser asked if anyone in the audience wished to comment. There were no comments, so the topic was closed to public comment.

Mayor Weiser asked if Council had any questions or comments.

Councilmember Vares asked about the large balance totals in street funds especially the arterial streets. Ms. Langdon said these are projects that usually aren't completed by the end of the current year so the balance is carried over. She also mentioned that \$174,000 was found. This amount was for projects that the street fund paid that should have been paid by another fund.

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Councilmember Vares asked if there would be an accurate fund balance at the beginning of the year. Ms. Langdon said it would be an estimate, but that this was not unusual.

Councilmember Vares asked if there could be an Executive Session to discuss specifically the positions that will be eliminated in 2003.

Councilmember Nehring discussed the Parks and Recreation fee increases. He commented that he was still uncomfortable with the youth fees. He is concerned that the adult league rates were too high and might push people into the Everett league. Ms. Swenson explained that Jim Ballew, Parks and Recreation Director could not be in attendance tonight because he was ill. Councilmember Nehring replied he was against raising the youth fees and would be more in favor of possibly gradually implementing higher rates over the course of a year or two.

Councilmember Smith commented that even with the 20% increase in adult league rates, the rates are still less than Everett. They are not as high because Everett offers some facilities and services that Marysville doesn't. Regarding youth fees, the length of the program has changed to two four-week sessions rather than one seven-week session. Parents have the option of doing one session or two. Some felt the seven-week session was too long. This was a compromise to accommodate the budget needs and the citizens' needs as well.

Councilmember Donna Wright said she understood Councilmember Nehring's concerns, but she felt confident in accepting the Park Board's recommendations.

Councilmember Leighan echoed Councilmember Wright's comments. The staff has spent a lot of time researching and comparing the neighboring communities' rates and he will accept their recommendation.

Councilmember Leighan reminded Council that the reserve will be depleted in years to come because of choices Council is making. Mr. Leighan explained that he would be voting against the budget because it did not include the 1% tax increase.

Mayor Weiser indicated that the Park and Recreation department has a goal with the budget to cover at least administrative and overhead costs.

There were no further comments.

***Council recessed for Executive Session at 7:43 p.m. The meeting returned to order at 7:55 p.m.***

Councilmember Nehring asked Ms. Langdon for a breakdown of the savings to the taxpayer if we did not take out the 1%. She replied that she would need to take a look at the commercial assessed tax value. It might take a few months to get that information, but she said she would be willing to do that.

**Motion** by Councilmember Nehring, second by Councilmember Seibert to reduce some of the Parks and Recreation fees as follows:

- Youth Golf from \$36 to \$33.
- Youth Spring Soccer from \$48 to \$44 for the first child and from \$42 to \$38 for the second child.

The **Motion** passed 4-3 with Councilmembers Wright, Soriano and Leighan voting against.

Councilmember Smith confirmed that the balance for Human Services was zero. She said that troubled her. Councilmember Nehring confirmed that it was \$10,000 in 2002. Mr. Nehring asked about approaching a group of ministers to help out with assistance for food banks and other services. Councilmember Vares clarified that maybe some churches might help out more than they usually do even though they already contribute in many areas.

Councilmember Wright said she also had a problem with Human Services being cut. She noted that there have been requests at the food banks from over 800 families who need assistance with food. She indicated she would be interested in using revenue from an admissions tax to help fund Human Services.

Councilmember Seibert asked if the city advertises for Human Service Grants. Chief Administrative Officer Mary Swenson said that they used to have requests trickle in over the year. Past Councils determined that it would be better to have an application process to level the playing field. It started with a \$5,000 amount of money and has been as high as \$20,000. The problem has been that when there are bad economic times the need is the highest. Councilmember Seibert asked when we usually accept the applications. Ms. Swenson said it was during the first quarter. Mr. Seibert suggested advertising for applications and then raising the money. Ms. Swenson cautioned against soliciting for funds when there is no grant money available. Mr. Seibert suggested waiting until after the first quarter to see if there might be money available at that time.

Councilmember Soriano commented that he did not agree with the 0% increase, but would like to see Human Services funded.

**Motion** by Councilmember Smith, second by Councilmember Nehring to look at making a budget amendment after first quarters receipts come in to see if Human Services might be funded at that time. **Motion** approved 6-1 with Councilmember Leighan against.

**Ordinance No. 2456: An Ordinance of the City of Marysville, Washington Adopting a Budget for the City of Marysville, Washington, for the year 2003 and Setting Forth in Summary Form the Totals of All Such Funds Combined.**

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**Motion** by Councilmember Nehring, second by Councilmember Smith for approval of Ordinance No. 2456 with the changes discussed under Park and Recreation fees as listed in a previous motion. **Motion** approved 4-3 with Councilmembers Leighan, Soriano and Wright voting against.

*New Business*

**A. Purchase of Vehicle Lift Station from City of Tacoma; Bid #G05899.**

Public Works Director Jim Owens noted that there was no compatibility problem with this lift and other equipment. Councilmember Seibert questioned why we need the lift. Mr. Owens said it was primarily for being able to work on the running gear. Mr. Bill Spies, Fleet and Facilities Manager, discussed the vehicles which have been constructed from the underneath side. Most of the units are not accessible from the ground. It is necessary to jack them up, as the workers are unable to get creepers underneath. Mr. Spies noted that they now have three mechanics that are doing much of the work that had been sent out previously. This is better utilization of these workers and would result in greater productivity.

Councilmember Vares asked about professional service fees that were paid out this year, which could have been avoided if we had had this equipment. He did not have those numbers. Councilmember Nehring asked about the costs for subbing this type of work out. Mr. Spies wasn't sure what those costs would be.

Councilmember Leighan asked if the jack stands were included in the price. Mr. Spies indicated that they were. Mr. Leighan asked about the slight difference in price from the Tacoma bid. Mr. Spies said it was the difference in sales tax between Tacoma and Marysville.

Councilmember Soriano asked about a warranty. Mr. Spies said it came with a one-year warranty, but additional years could be purchased. At this time they are not planning on purchasing additional years because there are not any high-wear items on the lift.

**Motion** by Councilmember Wright, second by Councilmember Soriano to approve the purchase of the vehicle lift and the budget amendment to go with it. The **Motion** passed unanimously (7-0).

Councilmember Seibert mentioned that he would like to receive ongoing reports about savings to the City as a result of purchasing this lift.

**B. Second Update – Surface Water Comprehensive Plan/Surface Water Utility Rate Study & Hydrologic Modeling Master Drainage Basin Planning.**

Mayor Weiser reported that staff was recommending setting a public hearing January 13, 2003. The Council has had two previous presentations regarding this plan.



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**Motion** by Councilmember Smith, second by Councilmember Leighan to set a public hearing date for the Surface Water Comprehensive Plan/Surface Water Utility Rate Study & Hydrologic Modeling Master Drainage Basin Planning on January 13, 2003. The **Motion** passed unanimously.

***Ordinances and Resolutions***

**Proposed Ordinance No. 2457: An Ordinance of the City of Marysville, Washington Increasing Water and Sewer Rates Amending Sections 14.07.060 and 14.07.070 of the Marysville Municipal Code.**

**Motion** by Councilmember Leighan, second by Councilmember Wright to approve Ordinance 2457 as stated above. **Motion** approved 6-1 with Councilmember Smith voting against.

***Information Items***

**Mayor's Business**

**Mayor Weiser** wished a Happy Thanksgiving to all.

**Staff Business**

**Sandy Langdon** also wished a Happy Thanksgiving to all.

**Mary Swenson** informed those present that this would be City Engineer Robin Nelson's last City Council meeting with the City as he has taken a new position. She thanked him for a great job and said he will be missed. There was general applause.

**Grant Weed** informed Council about recent decisions by the Supreme Court regarding authority of judges asking questions of witnesses when prosecutors are not in court for routine traffic citations. The court ruled that the prosecutor does not need to be present and that the judge can ask questions.

He also commented on Ferndale's authority regarding Shoreline Management Act cases. The Supreme Court ruled that the Department of Ecology could participate, but if they were going to petition they needed to do so within 21 days. Any appeals must be filed within this time. This preserves cities' basic authority regarding Shoreline decisions. It also clarifies the law regarding cities' authority versus Department of Ecology.

Also there was a decision regarding growth management issues which he has not had a chance to review, but will be discussing them later.

Finally he noted that the Moses Lake case was going to be heard on March 23, 2003.

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Jim Owens had two items for which he requested Council's action and direction.

**1. Contract Change Order for the WWTP Bio-solids Improvement Project in the amount of \$618,240 to provide for additional removal of bio-solids from the South Lagoon.**

Mr. Owens noted that there is sufficient money through the Public Works Trust Fund to cover this change order. Staff was recommending approval of this contract change order to remove an additional 3080 dry tons of bio-solids from the south lagoon.

Councilmember Smith clarified that this was money that would have been spent anyway. Mr. Owens stated that they were ahead of schedule and would save money in remobilization.

Councilmember Leighan asked if the contractor was on track with getting the waste down to acceptable levels for Everett. They indicated that he was. Councilmember Seibert asked about the staging area costs. Mr. Nelson said contractors are required to build a staging area. That area has become damaged and has outlived its useful life. In order to complete the project it needs some work. Councilmember Smith asked why it needed to be refurbished. Mr. Nelson said it was a temporary staging area. Due to the heavy trucks ruts have been formed which are two feet in depth. The improvements would be necessary to complete the project. Mr. Seibert commented on the low bid received for this project and that the city has saved money on this project.

Councilmember Vares had concerns about weather delays. Mr. Nelson said that generally the pass is not closed in December. Later in the year there is a greater chance of it being closed. He explained that inclement weather down here would not affect the dredging and de-watering. Councilmember Smith asked about potential delays. In the past this contractor has absorbed his time delay related costs. Councilmember Seibert clarified that there would not be additional costs if this were not completed in 31 days. Mr. Owens said it should not affect the other contract that is coming up. Ms. Vares encouraged Council to approve this to save money.

**Motion** by Councilmember Vares, second by Councilmember Leighan to approve the Change Order in the amount \$618,240. The **Motion** passed unanimously (7-0).

**2 Supplemental Agreements to the Filtration Facility – Final Design Work**

Mr. Owens explained the supplemental agreements and asked Council whether they want to continue down the supplemental agreement path or pursue a separate agreement (re-bid).

Councilmember Leighan expressed concerns about the large amount of the supplemental agreements.

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Councilmember Seibert asked if this was time sensitive and asked if it could be brought back as a work session item. Mr. Owens said there was probably time to workshop it. Mr. Nelson agreed it was not time sensitive, but they do need direction before the last meeting in December.

Councilmember Vares asked about the re-engineering requirements of the filtration plant. Mr. Owens said that in order to be able to use the Stillaguamish water year-round the special engineering was necessary. Ms. Vares also asked which engineering issues are subbed out and which ones are completed by the city. Mr. Owens said that consultants are used for the majority of projects, as there is minimal in-house design capability. The city's capability is predominantly minor street work and minor utility extensions. These filtration systems require highly specialized engineers.

Councilmember Smith suggested getting additional information, but making the decision at the workshop. She said she was leaning towards writing another scope of work and re-bidding it. Councilmember Seibert said he didn't like the idea of making the decision at the workshop because the public would be left out of the process.

Mr. Owens clarified that he was simply looking for direction from Council as to whether to sit down and try to renegotiate a lower fee or to go out to bid.

Councilmember Leighan said he was comfortable with trying to renegotiate a lower cost and if that wasn't acceptable they could reject the supplemental agreement.

Councilmember Soriano also asked about the specialization requirements of this project. Mr. Nelson said that this is the second filtration system of this type west of the Rockies. It takes the design effort to make this facility acceptable.

Councilmember Leighan asked about the filtration system saying that he was under the impression that it came all set up and ready to plumb. Mr. Nelson said that it requires tanks to be constructed and apparatus to be brought in. The membranes, the casings and housings all have to be load-rated and structural facilities need to be provided for it. It is a very integrated and highly technical process. Mr. Leighan asked if this would take the city through the end of the project. He was informed that this supplement is only for the design. Council can expect to receive another supplement for the construction inspection.

Councilmember Seibert asked what an acceptable fee would be. Mr. Owens suggested the fee should be somewhere around \$100,000 or less. Mr. Seibert suggested that he thought they try to re-negotiate the rate. He commented that he had misunderstood what Mr. Owens was looking for.

Councilmember Smith asked if the cost of the construction inspection could be added to the renegotiated costs. Mr. Owens stated that there were pros and cons to having the designer do the inspection. Ms. Smith stated she was comfortable with them negotiating a better fee and if that was not possible to submit a new bid proposal.

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**Motion** by Councilmember Leighan, second by Councilmember Smith to direct staff to look at a Supplemental Agreement No. 4 to negotiate an acceptable fee and come back to the Council for approval. The **Motion** passed unanimously (7-0).

Mr. Owens thanked Council for their time and input.

**Mayor Weiser** wished Chief Carden a happy 50<sup>th</sup> birthday today.

**Mary Swenson** discussed the proposal from Dykeman Architects that she will put on the next agenda.

**C. Call on Councilmembers**

**Lisa Vares** wished the Chief a happy birthday, best of luck to Robin, and happy holidays to all. Ms. Vares was interested in finding out what has to be complied with on the reservation and what doesn't especially with regard to differences in development on tribal land. Ms. Swenson said she would develop a response to those questions.

**Donna Wright** also wished Robin good luck, the Chief a happy birthday and happy holidays to all.

**Jeff Seibert** wished Chief Carden a happy birthday. He wished Robin good luck and thanked him for all his hard work. He wished everyone a happy holiday. He also discussed a problem that had come to his attention regarding duplication of addresses. There are two streets that have the same number and house numbers. Gloria Hirashima was not familiar with the particular issue, but she said she would research it. He also talked about the striping issue and had concerns that people are still parking there, especially a group of church members on Sunday. Mr. Nelson said they could enforce the no parking change by issuing violations.

**Jon Nehring** thanked staff for the workshop on Saturday, wished Robin good luck and thanked Mayor Weiser, Sandy Langdon and Mary Swenson for all the work on the 2003 budget.

**John Soriano** wished happy birthday to the Chief. He also thanked the staff for all the hard work on the budget. He thanked Robin for all his hard work and said that it had been a pleasure working with him.

**Suzanne Smith** wished Robin good luck and said he would be missed. She wished the Chief a happy birthday and happy holidays to all. She also complimented the staff on doing a good job on the workshop and the budget. She thanked staff for sticking through the process. Ms. Smith discussed an article regarding pervious concrete that could result in increased savings. Ms. Swenson said they were investigating that as an option. Robin Nelson said that they were using pervious concrete in one of their projects. He said it is a unique and effective way of treating the water.

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Mike Leighan wished the Chief a happy birthday, wished Robin good luck, and wished everyone a happy holiday.

**Adjournment**

Mayor Weiser adjourned into Executive Session at 9:24 p.m.

**Executive Session**

Council convened in Executive Session at 9:35 p.m. to discuss two personnel issues, one potential litigation, and one real estate issue, and reconvened into regular session at 11:09 p.m.

**Regular Session**

**Motion** by Councilmember Leighan, second by Councilmember Seibert to approve the labor contracts as discussed in Executive Session. **Motion carried 7-0.**

Mayor Weiser adjourned the November 25, 2002 City Council meeting at 11:10 p.m.

Approved this 9<sup>th</sup> of December, 2002.

<u>David Weiser</u> Mayor	<u>Perry Becker</u> City Clerk	<u>Laurie Hugdahl</u> Recording Secretary
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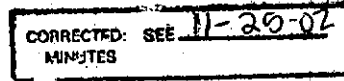
**Marysville City Council Work Session**

**November 18, 2002**

**7:00 p.m.**

**Public Safety Center**

***Call to Order/ Pledge of Allegiance***



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Mayor Weiser called the November 18th Work Session of the City Council to order at 7:00 p.m. and led the assembly in the Pledge of Allegiance.

***Invocation***

Pastor Rodriguez led the assembly in the invocation.

***Roll Call***

Mary Swenson called the roll:

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

**Staff:** Police Chief Robert Carden; Mary Swenson, Chief Administrative Officer; Sandy Langdon, Finance Director; Grant Weed, City Attorney; Randy Brower, Program Engineer - Surface Water; Jim Ballew, Director of Parks and Recreation; Robin Nelson, City Engineer; Bill Spies, Fleet and Facilities Manager, and Larry Larson, Public Works Superintendent.

Mayor Weiser announced there would be an Executive Session after the Work Session lasting approximately 45 minutes.

***Committee Reports***

Councilmember Nehring reported that the Library Board met. He mentioned that the front doors have not been working properly. They have been repaired several times, but will probably need to be replaced at some point in the future. He thanked Jim Ballew for helping to quickly clean up leaves in front of the library. The library will be hosting Winter Extravaganza and offering entertainer extraordinaire Linda Severt on Saturday, December 28<sup>th</sup> at 2:00 p.m. Mr. Nehring also said that the Library was very pleased to announce that they had received a large amount of books from Boeing for the Books for Babies program.

Councilmember Smith attended the Parks Board meeting. She mentioned that there would be a meeting regarding the skateboard park on Tuesday, November 19, 2002 at 7:00 p.m. The bids are out for gates and additional fencing and they may need to ask Council for additional funding once those bids are returned. The Strawberry Fields Phase I is completed. Grass is now growing on the south field. There was some discussion

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about a BMX biking area. As far as Phase 2 goes, they are still waiting to hear about grants. The design plan for Phase 3 will be coming soon. Waterfront Park was also discussed. The derelict boats will soon be removed. There was also some discussion of possible holiday golf course closures.

Councilmember Seibert met with the Public Works Committee last Thursday. He informed the Council that Everett would soon be increasing their rates to the City. He also mentioned that an ordinance would be coming before the Council in the near future regarding cross connecting - a backflow type of energy which has the possibility of causing contamination. He noted that some transportation issues were also discussed.

CORRECTED: SEE 11-25-02 MINUTES

Councilmember Leighan said he met with the Solid Waste Advisory Committee. All computers are now considered hazardous waste and will be charged accordingly. Monitors will be \$14, computers \$10, and so on. Information will be going out in fliers to the residents soon regarding this change. Bill Spies, Fleet and Facilities Manager, commented that any hazardous waste items placed out with the regular garbage pickup will be tagged with explanatory stickers. Snohomish County will also be doing a free pickup for hazardous waste.

Councilmember Leighan also mentioned a youth summit he had attended. He said there were general complaints of not having enough to do and that activities that are available are too expensive. There were two Marysville youths at the meeting. He was pleased to report that most of the youth do feel safe in their communities.

***Presentations***

There were no presentations. It was noted by Chief Carden that the K-9 Officers were not prepared at this time to give a presentation, but that they would be appearing as soon as possible.

***Discussion Items***

**Utility Rate Adjustment (Water and Sewer)**

Larry Larson, Public Works Superintendent, introduced the Utility Rate Adjustment. He explained that Ordinance 2394 went into effect on January 1<sup>st</sup>, 2002 and this draft reflects the second step as approved at the Public Hearing.

Councilmember Seibert questioned the reason for the increase in water rates. Mr. Larson replied that the rates reflect the revenue requirements for capital improvements such as the reservoir and filtration plant as well as maintenance. Councilmember Seibert commented that it would have been nice to know that this was coming. Ms. Langdon reminded him that this was approved last year. Councilmember Nehring wondered what would happen if Council did not approve the ordinance at this point. Mayor Weiser explained that they would not be able to cover the bonds. Councilmember Leighan wanted to know why Council didn't just approve both steps at the same time. Ms.

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Langdon replied that it just wasn't prepared that way. Councilmember Smith indicated that she did not support this increase. She does not believe the taxpayers should pay for this in full, but that the rates should have been raised in tandem with impact fees for development. She said she would not support it because the two were not raised at the same time. Councilmember Vares commented that the commercial rates are being paid, just not at the same time. There followed a general discussion regarding impact fees and when they should be paid so that it is equitable between developers and residents.

Councilmember Nehring also questioned why this wasn't passed for both years at the same time. City Attorney Weed explained that Council could have passed one ordinance that had two steps.

Jim Owens, Public Works Director, added that there was going to be another increase in water because Everett is raising their rates to us. Mr. Larson replied that the city should be able to handle that increase this year by rearranging funds. There will be a Public Hearing at the Everett City Council Meeting on November 27 regarding this issue.

There was no further discussion on this item.

### ***Consent Agenda Items***

- A. Approval of November 25, 2002 Claims**
- B. Approval of Liquor License Renewals; Cristiano's Pizza, Etc.; Alfy's Pizza & Pasta; Buzz Inn; Danny's Midway Pub & Gill; Mary's Grocery & Deli; and Hagen Food & Pharmacy #77**
- C. Approval of Professional Services Agreement with Perteet Engineering; SR528 - Columbia to 67th Avenue NE Improvements - Phase 2.**

Councilmember Smith asked if this budget was for the full project. Robin Nelson, City Engineer said that it was because it only included 4 small parcels.

Councilmember Smith referred to the Professional Agreement, Section 3.1, Extra Work. She questioned whether there was any way to change the standard verbiage in the contracts to say that it will be brought back to Council if the change is over a certain amount or percentage. City Attorney Weed said that it does say, "work shall not proceed until executed in writing by the parties" and that means it needs to come back before the Council. The problems the city has had have been with the way it has been prepared. Additional work is supposed to be approved ahead of time.

Mary Swenson, Chief Administrative Officer, explained that there is a person designated for each contract to be the point person to make those decisions. Councilmember Smith said there has been confusion about who the designated "parties" are and she wondered if there was something the city could write in the contract that would eliminate that confusion. City Attorney Weed said that legally the Mayor is the only one authorized to



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sign a contract and that he needs to have the approval of the Council. Robin Nelson, City Engineer said that there is a built-in reserve amount set aside for each contract to be a buffer for certain things that come up.

Ms. Swenson stated that everyone on staff has a heightened awareness of this issue based on recent events.

Councilmember Vares inquired as to whether this is the same language the city has been using in all its projects, especially those where extra costs have been tacked on. City Attorney Weed replied that this is the standard form that his office recommends. Mr. Nelson concurred that they use this form unless it is a federally funded project, which requires a different contract. Ms. Swenson added that this has been an internal-processing problem.

Councilmember Nehring wondered if there would be anything communicated to residents regarding this project. Mr. Nelson said they would be notifying the public.

Councilmember Seibert referred to the last page of Appendix B, Items Not Included in this Scope. It was noted that "County" should be changed to say "City". He also noted that the list of items not included was quite lengthy and he wondered if they had been checked thoroughly. Mr. Nelson indicated that all of the exceptions were fine, but he did bring items 7 & 8 to the attention of the Council (Preparation of Possession and Use Documents and Negotiations after condemnation proceedings). Councilmember Seibert concluded by saying he had concerns about proper notification to those affected.

There was no further discussion of this item.

**D. Intergovernmental Agreement for Furnishing Equipment Maintenance/Repair Service.**

Fleet and Facilities Manager Bill Spies introduced this item by saying it was a continuation of a previous agreement and would be used for radio repair. There was no further discussion of this item.

***Public Hearings***

**A. Proposed 2003 Budget (continued from 11/12/02)**

Ms. Langdon introduced a new handout showing the effects of different property tax rates. She also showed Council the revised 2003 preliminary budget. The revised budget takes out the 1% increase from the reserve and shows a reserve balance of \$38,937.

Councilmember Leighan wondered about the Employee Recognition Program. Ms. Swenson said that about \$6,000 has been set-aside for that purpose.

Councilmember Seibert asked if the city was expecting to get a solid waste increase. He commented that during the budget process they didn't really look at Enterprise funds to see if that could shave off some of the increase. Ms. Swenson said that the Quarterly Report would show the city's entire budget, not just the General fund. Councilmember Leighan mentioned the SWAC said they would not need to raise their rates above the SPI.

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Councilmember Nehring asked for clarification in the Parks fees increase. Jim Ballew, Director of Parks and Recreation, distributed a schedule of proposed changes and thoroughly explained the process that the Park Board had undertaken in determining the increases. The 30% figure represents the increase in projected revenue. Some classes have ranges of fees in order to be competitive with other offerings in Snohomish County. The changes also reflect the overhead and administrative fees that up to this point have been absorbed by the city. Softball leagues have been adjusted based on the quality of facilities and services the citizens are receiving. He added that people have been willing to pay the new rates and they have not received any complaints. They will be coming back in December with a resolution to approve these increases.

Councilmember Nehring asked if they had considered ways to cut costs without raising fees such as cutting the length of the season or cutting services. Mr. Ballew replied that people have said that they want more time in the gym, not less. Additionally, people have shown an increase in commitment when the sessions have been longer.

Councilmember Seibert said that they would like to see a voluntary contribution at the Senior Center. Mr. Ballew said they felt it was best to have minimal fees at this site. Councilmember Smith added that they believed that some people who had more money might try to give an inordinate amount if they did not have a set fee. Mr. Ballew also noted that due to budget cuts the site would be losing an employee and only one person would staff this site.

There was no further discussion on this item.

### ***New Business***

#### **A. Purchase of Vehicle Lift System from City of Tacoma; Bid #G05899.**

Mr. Spies reviewed the proposed purchase of the vehicle lift system. He explained that the original bid amount was too low. Based on his research there are only three vehicle lifts that are acceptable with an average price range of \$60,000-70,000. He is requesting an increase to the budget by \$14,225 plus tax, which would allow the purchase of a vehicle lift system received by City of Tacoma's bid. He noted that the company was honoring the 1999 price reflected in the original bid. Mr. Spies said the new lift was portable, but that it would be used in the East Bay.

Councilmember Seibert asked what the heaviest vehicle is that the City has to lift. Mr. Spies replied that it is about 55,000 pounds if there's garbage inside the vehicle. This lift

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has the capability of lifting 60,000 pounds. Councilmember Seibert also inquired about training. Mr. Spies said the manufacturer would provide it on-site. It is not an operator certification, but the training will be sufficient. The lifts are certified from an industry standard. He also noted that these lifts are about half the price of a 4-post above the ground lift. Ms. Swenson explained that the money for this increase would come from the reserves. Councilmember Seibert asked if it couldn't come from the Enterprise fund. He also had concerns about needing additional equipment to make this more productive. Mr. Spies did not believe any special equipment would be necessary in order to make this productive.

**B. Second Update - Surface Water Comprehensive Plan/ Surface Water Utility Rate Study & Hydrologic Modeling Master Drainage Basin Planning.**

Robin Nelson, City Engineer, introduced the above-mentioned issue. Tom Gould of Economic and Engineering Services, Inc. (EES) gave a brief update, which began with a review of the prior Council discussions.

Mr. Gould summarized their recommendations to the City, which included:

1. Increase revenue to achieve regulatory compliance and to fund capital improvements
2. Raise the residential rates to \$5/month in 2003 and adjust by \$1/month each year thereafter
3. Adopt the County's rates structure and categories
4. Send out bills in 2003 via the County's tax statements
5. Review the rates in 2005.

He also went over several issues, which will need to be reviewed in 2003. These included:

1. Billing of schools (exempt/non-exempt)
2. Policy of low-income seniors
3. Redefinition of exempt and what that really means
4. Long-term surface water billing (County or City bills)
5. System development charges

They hope to conduct a Public Hearing on January 13<sup>th</sup>, 2002 to see where the City needs to proceed from here.

There was some clarification about the meaning of "adopting the County's rates structure and categories". This means adopting the structure and the categories, not adopting the County's rates.

Councilmember Leighan asked if an assessment would be necessary to monitor the percentage of impervious land on each property. Randy Brower, Program Engineer – Surface Water, explained that they hope to use GIS equipment to get an initial determination of those percentages. After that they will be aware of further growth as new permits are issued.

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Councilmember Soriano asked if we would be able to do the billing in-house. Ms. Swenson and Ms. Langdon explained that it makes more sense to send out the bills with the tax statements. Taxpayers are used to seeing it that way. It also solves some of the billing issues that were brought up previously by Council.

Councilmember Wright asked when the city would receive the fees. Ms. Langdon stated that the County would give the city payment on a quarterly basis.

### ***Ordinances & Resolutions***

- A. An Ordinance of the City of Marysville, Washington Increasing Water and Sewer Rates Amending Sections 14.07.060 and 14.07.070 of the Marysville Municipal Code.**

### ***Information Items***

#### **Mayor's Business**

Mayor Weiser gave Council the option of adjusting the starting time on Saturday's workshop to begin earlier. It was agreed that the workshop will begin at 8:30 a.m. instead of 9:00 a.m.

#### **Staff Business**

Jim Ballew, Parks and Recreation Director mentioned that the Golf Course Manager recommended closing the golf course on Thanksgiving Day, as this is typically a very slow day. Currently they are closed on Christmas Day only. The Park Board heard the recommendation and concurred so they were bringing it to Council for approval. The Council gave informal consent and referred it back to the Park Board for approval.

Jim Owens, Public Works Director noted that BNSF would be repairing the crossing on State Avenue north of 116<sup>th</sup> Street. The repair of the track and ties will take place on December 7<sup>th</sup> and 8<sup>th</sup>, which is a weekend, so should cause minimal disruption. There will be two public notices in the paper. Mr. Owens commended the hard work of staff to finally pin down a date from BNSF for these repairs.

Ms. Langdon noted that the City's computer network has been down since Friday, but should be up and running by tomorrow.

### ***Adjournment***

Mayor Weiser adjourned the meeting into Executive Session at 8:45 p.m.

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*Executive Session*

Council held an Executive Session from 8:50 p.m. until 9:39 p.m. Reconvened into regular session at 9:40 p.m. and adjourned with no further action taken.

Approved this 25<sup>th</sup> day of November, 2002.

 _____ Mayor	 _____ City Clerk	 _____ Recording Secretary
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