

000391

Marysville City Council

*Original*

May 12, 2003

7:00 p.m.

Public Safety Center

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
<b>Approval of Minutes</b>	
April 28, 2003 City Council Meeting.	Approved
May 5, 2003 City Council Work Session.	Approved
<b>Consent Agenda</b>	
Approval of May 12, 2003 Claims in the Amount of \$815,444.97 Paid by Check No. 7160 through 7487 with Check No. 6494, 7094, 7019, 7037, and 7144 Void.	Approved
Approval of May 5, 2003 Payroll in the Amount of \$702,908.31; Paid by Check No. 10596 through 10685 with Check No. 10672 Cancelled.	Approved
Approval of New Liquor License for Skipper's Seafood 'N Chowder House #109.	Approved
Acceptance of Trunk D Extension Phase II Including Soper Hill Pump Station Project as Complete and Begin 45-Day Lien Filing Period.	Approved
Approval of Intergovernmental Agreement with Washington State of Community Trade and Economic Development.	Approved
Approval of Supplement #3 to Professional Services Agreement with Hammond, Collier Wade Livingstone for the State Avenue Street (Grove Street to First Street) Improvements Project.	Approved
Approval of Professional Services Agreement with Montgomery Watson Harza for the Trunk F to A Sewer Intertie Construction Management Consultant Contract Award.	Approved
State Avenue Street Improvements (Grove Street to First Street) TIB Construction Phase Prospectus and WSDOT Local Agency Agreement Supplement #1 Funding Agreements.	Approved
<b>Review Bids</b>	
Approve Award of Bid to the Apparent Low Bidder, Chiniak LLC dba Division II Construction of Kirkland for the 88 <sup>th</sup> Street Sewer Force Main Project.	Approved
Approve Award of the Bid for the Purchase of Water Meters from National Water Works, Inc.	Approved
Approve the Apparent Low Bid by Edge Analytical for 2003 Water Quality Testing Contract with the Addition of Indemnification.	Approved
Approve Loan Acceptance for Golf Course Restaurant & Pro Shop.	Continued
Acceptance of Proposal for Underwriting Services by Seattle Northwest Securities for the Issue of LTGO Bonds For 2003.	Approved
<b>Public Hearings</b>	
Emergency Ordinance No. 2467 of the City of Marysville Relating to Opiate Substitution Treatment Facilities.	Continued
<b>LEGAL</b>	
Approve the Chief Administrative Officer Contract.	Approved

May 12, 2003

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<b>Ordinances and Resolutions</b>	
An Ordinance of the City of Marysville, Washington Repealing Chapter 14.15 On-Site Stormwater Drainage Code and Approving a New Chapter 14.15 On-Site Stormwater Drainage Code.	Approved Ord. No. 2476
An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Chapter 6.79 Relating to Burglar Alarms.	Approved Ord. No. 2477
Approve Issuance of LTGO Bonds for Golf Course Improvements.	No Action Taken
<b>Information Items</b>	
Approve the Appointment of Joel Hylback to the Planning Commission to Fulfill the Unexpired Term of Rod Reed.	Approved
<b>Adjournment</b>	9:00

**MARYSVILLE CITY COUNCIL MEETING**

May 12, 2003

7:00 p.m.

Public Safety Center

**CALL TO ORDER / PLEDGE OF ALLEGIANCE**

Mayor Weiser called the May 12, 2003 Marysville City Council meeting to order at 7:00 p.m. and led the assembly in the Pledge of Allegiance.

**INVOCATION**

Pastor Harv VanderGriend of Marysville Free Methodist Church gave the invocation for those in attendance.

**ROLL CALL**

Mary Swenson, Chief Administrative Officer, called the roll. The following councilmembers and staff members were in attendance:

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

**Staff:** Bob Carden, Police Chief; Mary Swenson, Chief Administrative Officer; Sandy Langdon, Finance Director; Grant Weed, City Attorney; Gloria Hirashima, Senior Planner; Jim Owens, Public Works Superintendent; Jim Ballew, Parks and Recreation Director; and Jeff Massie, Interim City Engineer.

Mayor Weiser noted the excused absence of Councilmember Donna Wright who was out of town on business.

**COMMITTEE REPORTS**

Councilmember Jon Nehring discussed the Library Board meeting. A Certificate of Appreciation was awarded to Debbie Harden. Margo Tipton will also be receiving one. They discussed the recent library levy failure and are considering running it again in the fall.

**PRESENTATIONS****A. Proclamation: National Police Week 2003 – May 11 – May 17.**

Mayor Weiser read the Proclamation declaring May 11 – May 17, 2003 "Police Week". He then noted that there would be a service at 10:30 a.m. on Thursday, May 15 at the Police and Fire Memorial at the library. He also noted that Thursday, May 15 would be Peace Officers' Memorial Day in honor of those law enforcement officers

who had made the ultimate sacrifice in service to their community or had become disabled in the performance of duty.

## **AUDIENCE PARTICIPATION**

### **Beryl Osborne, 22829 Arlington Heights Road, Arlington**

Mr. Osborne discussed an issue he is having with his property and the discovery of the pileated woodpecker on his land. He has a viable sale of the property, but it is on hold due to restrictions from the City based upon the sighting of the bird. One of his frustrations was that the pileated woodpecker is not on the state endangered or threatened species list, but yet the City offers it the same protection as state or federally listed endangered, threatened, or sensitive species. Mr. Osborne requested legal justification for the City's requirements stating that he did not feel they were warranted. Mayor Weiser responded that they would get the legal documents he requested from the city attorney.

## **APPROVAL OF MINUTES**

### **A. April 28, 2003 City Council Meeting.**

Councilmember Lisa Vares referred to the 3<sup>rd</sup> paragraph on Page 7 which says "*Ms. Vares commented that she was not a big fan of this project.*" Councilmember Vares clarified that she is a very big fan of this project.

**Motion** made by Councilmember John Soriano, seconded by Councilmember Mike Leighan to approve the minutes as amended. **Motion** passed unanimously (6-0).

### **B. May 5, 2003 City Council Work Session.**

**Motion** made by Councilmember Vares, seconded by Councilmember Jon Nehring to approve the minutes as presented. **Motion** passed unanimously (6-0).

## **CONSENT AGENDA**

- A. Approval of May 12, 2003 Claims in the Amount of \$815,444.97 Paid by Check No. 7160 through 7487 with Check No. 6494, 7094, 7019, 7037, and 7144 Void.**
- B. Approval of May 5, 2003 Payroll in the Amount of \$702,908.31; Paid by Check No. 10596 through 10685 with Check No. 10672 Cancelled.**
- C. Approval of New Liquor License for Skipper's Seafood 'N Chowder House #109.**
- D. Acceptance of Trunk D Extension Phase II Including Soper Hill Pump Station Project as Complete and Begin 45-Day Lien Filing Period.**

- E. Intergovernmental Agreement with Washington State of Community Trade and Economic Development.**
- F. Supplement #3 to Professional Services Agreement with Hammond, Collier Wade Livingstone for the State Avenue Street (Grove Street to First Street) Improvements Project.**
- G. Professional Services Agreement with Montgomery Watson Harza for the Trunk F to A Sewer Intertie Construction Management Consultant Contract Award.**
- H. State Avenue Street Improvements (Grove Street to First Street) TIB Construction Phase Prospectus and WSDOT Local Agency Agreement Supplement #1 Funding Agreements.**

Mayor Weiser asked if anyone in the audience wished to have any items removed for discussion. There was no response. He then asked Council if anyone wished to remove any of the items. Councilmember Jeff Seibert indicated that he would like to remove Item D.

**Motion** made by Councilmember Mike Leighan, seconded by Councilmember John Soriano to approve Consent Agenda Items A, B, C, E, F, G, and H. **Motion** passed unanimously (6-0).

***Discussion regarding Item D.***

There was discussion about a manhole with water being pumped out of it at the sewer lift station. Public Works Director Jim Owens indicated he did not believe it was part of the live sewer.

**Motion** made by Councilmember Seibert, seconded by Councilmember Mike Leighan to approve Item D. **Motion** passed unanimously (6-0).

**REVIEW BIDS**

**A. 88th Street Sewer Force Main Project.**

**Motion** made by Councilmember Jon Nehring, seconded by Councilmember Lisa Vares to approve the bid to the apparent low bidder, Chiniak LLC dba Division II Construction from Kirkland, in the amount of \$152,680.88 which includes a management reserve and Washington State Sales Tax. **Motion** passed unanimously (6-0).

**B Water Meters – 2003 Annual Contract.**

**Motion** made by Councilmember Suzanne Smith, seconded by Councilmember Leighan to approve the bid for the purchase of water meters from National Water Works, Inc. for \$24,999.70. **Motion** passed unanimously (6-0).

**C. 2003 Water Quality Testing.**

Public Works Director Jim Owens added that an issue had been raised regarding professional liability insurance. This company has provided services in the past, but the question has come up whether or not the contractor should be required to provide insurance which would raise the price of the contract. The company does provide service for a number of other cities without insurance and does not believe this is an issue.

Councilmember John Soriano asked if they had done lab work for the city. Mr. Weed said they have had an ongoing contractual relationship without insurance until this point. *It has only recently come to the attention of staff.* Councilmember Mike Leighan asked if Mr. Weed feels the City is put at liability if it does not have the insurance. Mr. Weed said it was difficult to assess that. He did say there has not been an issue with water quality testing as long as he's been working for the City. He did not feel there was a high risk for liability.

**Motion** made by Councilmember Mike Leighan, seconded by Councilmember Lisa Vares to approve the apparent low bid by Edge Analytical in the amount of \$13,272 and authorize Mayor Weiser to sign the contract documents.

Councilmember Seibert asked if their insurance would cover the city. Mr. Weed explained that it probably would not, but they could require the standard indemnification to the contract.

**Motion** amended to include addition of indemnification. **Motion** passed unanimously (6-0).

**D. Loan Acceptance for Golf Course Restaurant & Pro Shop.**

Councilmember Mike Leighan began the discussion by stating that he was still uncomfortable with this loan due to the lack of the business plan for the golf course. Councilmember Smith inquired when the business plan would be complete. Finance Director Sandy Langdon noted that the business plan is scheduled to be presented on May 26.

Councilmember Seibert asked if the loan amount was enough to pay the loan back at the appropriate interest rate. Ms. Langdon indicated they have paid interest and would be paying back the principal.

Councilmember Suzanne Smith indicated that she also was uncomfortable with not having the business plan.

Mary Swenson explained that they had brought this forward before the presentation of a business plan because interest rates are rising, but that the business plan is currently being scrutinized by staff.

Councilmember Lisa Vares recommended postponing action until May 26.

Councilmember Seibert wondered what would happen if Council received the business plan and did not like the way it was structured. He did not feel it would make much difference to wait.

Councilmember Nehring said he also wanted to see the business plan, but asked what other options there would be if the business plan was not acceptable. Mike Leighan added that there have been a number of business plans on this golf course, but none have panned out. He said hopefully this one would be workable and justifiable.

Councilmember Soriano asked how much rates could potentially swing between now and May 26. There was discussion about how much waiting could cost. Mr. Soriano then asked if there was some flexibility in the business plan if there was something the Council did not like. Mary Swenson said she understood Council's reluctance, but said that action on this would probably be necessary anyway.

Councilmember Vares noted that the amount of money being discussed was large. She believes it is fiscally prudent for Council to see the business plan before approving the loan. She commented that they did not find out how badly the golf course was doing until recently although it has been doing poorly for quite some time. Sandy Langdon noted that the golf course is doing well on the whole right now. She explained that the financing through the general fund was just interim financing and it cannot continue.

There was discussion about the rate of growth assumed on the strategic model. Councilmember Suzanne Smith said that the strategic model was somewhat of a preliminary business plan. She noted that loaning money to the golf course from the general fund was not an option. Mary Swenson agreed that it would probably result in a finding from the State Auditor's office if they did that. Ms. Smith said she was prepared to approve the loan based on the information that they currently had. Jeff Seibert asked if there was a penalty for early pay-off. Sandy Langdon said she thought there was a penalty for early pay-off although she was not sure what that was.

**Steve Gaidos, Financial Advisor to the City.**

Mr. Gaidos explained that Bank of America does have a prepayment penalty, but it's a complex formula and difficult to determine what that amount would be.

**Lee Voorhees, Law Council to the City.**

Mr. Voorhees addressed the discussion at the Budget Workshop regarding the City using general funds to loan to the golf course. He discussed the standards for interfund loans to an enterprise by citing the Auditor's Manual which states that if the loan is not

repaid within three years it is assumed to be a gift. He then discussed the mechanism by which the City would be paid back.

Mike Leighan asked if this loan had gone before the Finance Committee. Ms. Langdon indicated that the Finance Committee was aware that they were looking into this.

**Motion** made by Councilmember Jeff Seibert, seconded by Councilmember John Soriano to accept the Bank of America as a lending institute for \$1,137,350 of loan proceeds for the golf course construction of restaurant and pro shop.

Councilmember Lisa Vares clarified that she would be voting against this not because she disputes the need for the loan, but because she disputes the timing. Councilmember Jon Nehring also said he would like to see a business plan before approving this. He said the wanted to do it the proper way.

**Motion** failed 3-3 with Councilmembers Mike Leighan, Jon Nehring and Lisa Vares voting against.

**Motion** made by Councilmember Lisa Vares, seconded by Councilmember Mike Leighan to bring back the issue of acceptance of Bank of America as a lending institute for the loan for the golf course construction of a restaurant and pro shop along with a business plan on May 27. **Motion** passed unanimously (6-0).

#### **E. Acceptance of Proposal for Underwriting Services.**

Councilmember Mike Leighan referred to the breakdown on information on debt. He asked if the two State Avenue projects were included. Sandy Langdon indicated that they are. Mr. Leighan asked what the bond amount would be. Ms. Langdon explained that it would be approximately \$7.5 million, but would fluctuate until the point that they went to market.

**Motion** made by Councilmember Jon Nehring, seconded by Councilmember Jeff Seibert to approve Seattle Northwest Securities as the successful respondent for underwriting services concerning the issue of LTGO bonds for 2003. **Motion** passed unanimously (6-0).

### **PUBLIC HEARINGS**

#### **A. Emergency Ordinance No. 2467 of the City of Marysville Relating to Opiate Substitution Treatment Facilities.**

**Dick Jones, State of Washington Drug and Alcohol Treatment, P.O. Box 244, Carnation, WA 98004**

Mr. Jones spoke on behalf of the treatment facilities. He said he knows of no application for Marysville. He discussed applications in process for other areas although Snohomish County has identified a need for three facilities. He commented



that these are looked at as outpatient facilities. He then added that there have been a lot of statements about methadone that are not true. Mr. Jones stated that the research shows that the emergency room calls go down and the employment rates go up with these treatment facilities. Finally he noted that there is definitely a need for this type of treatment facility.

Councilmember Mike Leighan asked if doctors have the ability to prescribe this to their patients. Mr. Jones said that doctors do not because it is highly regulated. Mr. Jones informed the Council that there will be a public hearing May 20 from 6:30 - 9 p.m. at the Hawthorne Inn at Smokey Point to discuss a proposed application by the Stillaguamish Tribe.

Councilmember Lisa Vares thanked Mr. Jones for taking the time to come to the meeting. She asked if the treatment facilities are for profit. He responded that they varied because some are for profit, some are non-profit.

Chief Administrative Officer Mary Swenson mentioned that AWC and DSHS are also working on this issue and are looking for input from cities. Gloria Hirashima discussed some ways the treatment centers could be regulated.

## **NEW BUSINESS**

### **A. MMC 6.79 Burglar Alarms Revisions**

Councilmember Jeff Seibert noted that he supports this, but has concerns about the penalties discouraging the use of burglar alarms. Chief Carden explained how his concerns would be handled. Mike Leighan also commented that a call list would have several numbers on it as alternates to the homeowner's in the event that the homeowner was not available.

## **LEGAL**

### **A. Chief Administrative Officer Contract.**

**Motion** made by Councilmember Jon Nehring, seconded by Councilmember John Soriano to approve the Chief Administrative Officer contract. **Motion** passed unanimously (6-0).

## **ORDINANCES AND RESOLUTIONS**

### **A. An Ordinance of the City of Marysville, Washington Repealing Chapter 14.15 On-Site Stormwater Drainage Code and Approving a New Chapter 14.15 On-Site Stormwater Drainage Code.**

**Motion** made by Councilmember Leighan, seconded by Councilmember Vares to adopt Ordinance 2476. **Motion** approved 5-1 with Councilmember Suzanne Smith voting against.

**B. An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Chapter 6.79 Relating to Burglar Alarms.**

**Motion** made by Councilmember Mike Leighan, seconded by Councilmember Lisa Vares to adopt Ordinance No. 2477. **Motion** passed unanimously (6-0).

**INFORMATION ITEMS**

**A. Mayor's Business.**

*Planning Commission Appointment.*

Mayor Weiser informed Council that three or four people called to inquire about the position on the Planning Commission, but only one person filled out the application. Joel Hylback was recommended to fulfill the unexpired term of Planning Commissioner Rod Reed.

**Motion** made by Councilmember Mike Leighan, seconded by Councilmember Jeff Seibert to approve the appointment of Joel Hylback to the Planning Commission to fulfill the unexpired term of Rod Reed. **Motion** passed unanimously (6-0).

Next, Mayor Weiser noted that Mary Swenson had passed out a list of committees for the Economic Development subcommittees. He explained that some committees had too many people who wanted to participate. He asked for volunteers to remove themselves from those committees.

- Jeff Seibert removed himself from the Business Retention/Attraction Committee.
- John Soriano remove from the Image and Identity Committee
- Suzanne Smith voluntarily removed her name off the Image and Identity Committee. She noted, however, that she would like to remain on the Business Retention/Attraction Committee.
- John Soriano removed his name from the Business Retention/Attraction Committee.
- Mike Leighan added his name to the Land Use/Permitting Committee.

Mayor Weiser then noted that they met with some elected officials from Arlington and some local business leaders regarding the 172<sup>nd</sup> street interchange project and its lack of funding. They discussed how to get it back on the list. A large committee of Smokey Point, Lakewood, Arlington and Marysville business interests has formed a lobbying group to address this. A steering committee has also been formed to help direct the committee.

**B. Staff Business.**

**Police Chief Carden** noted that the Police Department has been involved in fundraising for Housing Hope with over \$17,000 being raised. He informed Council

that they had a K-9 demonstration and fundraising event down at Albertsons last Saturday.

Finally he reminded Council about the Inspection next Saturday to begin at 2:00 p.m. It was noted that everyone needed to have a picture identification to get into the event.

**Sandy Langdon** – nothing.

**Mary Swenson** – nothing.

**Grant Weed** - nothing.

**Gloria Hirashima** discussed Mr. Osborne's issue with the pileated woodpecker. She said she would forward the memo from Cheryl Dungan to him.

She then noted that the Sunnyside annexation meeting is on Wednesday May 14, from 6 – 8 p.m. at Sunnyside Elementary.

Councilmember Jeff Seibert asked for more information about the Osborne issue. Gloria indicated it is governed by the local ordinance. Local ordinance protects candidate threatened and endangered species. City Attorney Grant Weed said that the ordinance would be sufficient response as long as Planning and staff are comfortable with that. Jon Nehring asked about other cities that protect the candidate threatened and endangered species. Gloria wasn't sure how many other cities protect the global candidate threatened and endangered species. Mike Leighan asked if the back half of the property could be developed at a future date if the woodpecker leaves. Gloria said that it might be possible if the bird abandoned the habitat.

**Jim Owens** had nothing further to report.

**Jim Ballew** commented that the 5<sup>th</sup> Annual Kiwanis Fishing Derby is this weekend beginning with a pancake and sausage breakfast at 7 a.m. He also directed attention to the updated version of the community guide which he handed out noting that there was a change of the petting zoo dates.

There was then discussion about providing a dedicated youth memorial area for remembering youths affected by drugs and alcohol. He informed Council that they had received funds from the Peace Coalition of about \$2500 and that they were asking the community to fund the project. He asked if City Council was still interested in supporting this at the Youth Peace Park.

Councilmember Suzanne Smith commented that she felt it should include not only youths. Councilmember Lisa Vares said her understanding was that the purpose of the park was to memorialize kids who had died as a result of drug and alcohol issues and to help other kids see the consequences of their actions. Councilmember Leighan commented that he was comfortable moving ahead with this. Councilmember Seibert asked about how the names would be incorporated at the park. Mr. Ballew explained there were mixed opinions about this. Some of the youth wanted to add names and

others did not. Mr. Ballew said they were meeting with the Park Board on Wednesday and might be bringing something to Council next week. Councilmember John Soriano commented that the concept of furniture donated by family members has been done very well in other areas.

Mr. Ballew also noted that the Skate Jam would be held on May 30 from 5 - 7 p.m.

**Jeff Massie** – nothing.

### C. Call on Councilmembers.

**John Soriano** – nothing.

**Jon Nehring** thanked staff for the work in getting the petting zoo up and running on such short notice.

**Jeff Seibert** asked how the wastewater treatment plant, Phase 2 is coming along. Mr. Owens responded that it is moving along well. Councilmember Seibert then notified Police Chief Carden about a young man who has been behaving recklessly in traffic. Chief Carden indicated he would pass that information along and asked Mr. Seibert to send him a description.

**Lisa Vares** – nothing.

**Mike Leighan** – nothing.

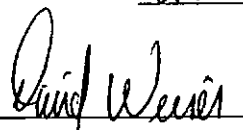
**Suzanne Smith** indicated she would be late to Park Board due to the Sunnyside Annexation meeting.

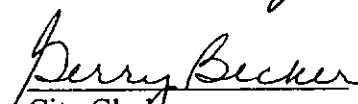
Ms. Smith said that she is glad that the City has the ordinance protecting the woodpecker and other endangered animals.


### ADJOURNMENT

Mayor Weiser adjourned the City Council meeting at 9:00 p.m.

Approved this 27<sup>th</sup> day of May, 2003.

  
 Mayor  
 David Weiser

  
 City Clerk  
 Gerry Becker

  
 Recording Secretary  
 Laurie Hugdahl

**MARYSVILLE CITY COUNCIL WORK SESSION**

May 5, 2003

7:00 p.m.

Public Safety Center

**CALL TO ORDER / PLEDGE OF ALLEGIANCE**

Mayor Weiser called the May 5 work session of the Marysville City Council to order at 7:00 p.m. He then led those present in the Pledge of Allegiance. There was no invocation as there was no pastor in attendance.

**ROLL CALL**

Chief Administrative Officer Mary Swenson called the roll. The following councilmembers and staff members were in attendance:

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

**Staff:** Mary Swenson, Chief Administrative Officer; Robert Carden, Police Chief; Robb Lamoureux, Police Commander; Sandy Langdon, Finance Director; Grant Weed, City Attorney; Gloria Hirashima, Community Development Director; Larry Larson, Public Works Superintendent; Jim Owens, Public Works Director; Kevin Nielsen, City Engineer; Jim Ballew, Parks and Recreation Director.

Mayor Weiser welcomed Boy Scout Troop 5 to the meeting.

**COMMITTEE REPORTS**

Councilmember Mike Leighan reported that the **Governmental Affairs Committee** had discussed the 172<sup>nd</sup> Street issue at their last meeting. There is a meeting planned with Mayor Weiser, the Mayor of Arlington, WSDOT and other key officials to discuss what avenues should be considered to retain the funding at 172<sup>nd</sup> Street.

**DISCUSSION ITEMS****Management Team Concept.**

Mayor Weiser began the discussion by explaining that Council had indicated an interest in discussing the organizational chart. Councilmember Leighan commented that he had worked under both systems and wondered if the current reporting structure is confusing for the staff.

There was some discussion of whether to continue with a full-time mayor or to make it a part-time position. Councilmember Jeff Seibert felt it wouldn't be right to change that based on who is in office. He commented that he is comfortable with the way Mayor Weiser and Chief Administrative Officer Mary Swenson work together. He felt it would not be good to change just because Mayor Weiser is leaving office at the end of his term.

Councilmember Jon Nehring asked for input from other councilmembers on how it worked with a part-time mayor. Councilmember John Soriano noted that he worked under the first structure only briefly, but he felt the current structure is working effectively. Councilmember Donna Wright commented that it sometimes depends on the mayor. She felt that some personalities need a stronger administrator on which to depend. Mayor Weiser added that some mayors wanted to have hands-on, day-to-day control even though they had strong administrative leaders. He also felt that to some degree it does depend on the people and takes some time to get to know each other and build trust. He said that Ms. Swenson's position is important in that she is responsible for distributing information to everyone and maintaining a global vision. Councilmember Lisa Vares commented that she likes having a full-time mayor so he can represent the City in all the regional boards and be available beyond personnel management and day-to-day operations. Councilmember Suzanne Smith added that Proposition 1 clearly stated that the people of Marysville want a mayor. She felt that the team concept works well with this style of government. The team encourages each other and bounces ideas off each other. She believes it is very valuable. She noted that she likes this style although it does depend on the people.

The majority of the councilmembers stated that they are comfortable with the present form of government and it was determined not to discuss the issue further.

## **CONSENT**

- A. Approval of May 12, 2003 Claims.**
- B. Approval of May 5, 2003 Payroll.**
- C. Approval of New Liquor License Skipper's Seafood 'N Chowder House #109.**
- D. Acceptance of Trunk D Extension Phase II Including Soper Hill Pump Station Project as Complete and Begin 45-Day Lien Filing Period.**

Councilmember Seibert asked Public Works Superintendent Larry Larson about a manhole issue that had been reported previously. Mr. Larson explained that it is not part of this contract.

- E. Intergovernmental Agreement with Washington State Department of Community Trade and Economic Development.**

There were no comments or questions regarding this item.

**A. 88th Street Sewer Force Main Project.**

Councilmember Smith commented that she appreciated seeing the total including the management reserve and the budget amount included in the agenda bill.

**B. Water Meters – 2003 Annual Contract.**

There were no comments or questions regarding this item.

**C. 2003 Water Quality Testing.**

Public Works Superintendent Larson clarified that this is for drinking water. The City will be taking the samples and then sending them out to this company who will test and report back.

**D. Loan Acceptance for Golf Course Restaurant & Pro Shop.**

Councilmember Leighan had concerns about whether or not this would be a good idea. Finance Director Sandy Langdon explained that they are establishing a business plan at the golf course in order to improve that situation. Councilmember Leighan asked if the money could just come out of the general fund. Ms. Langdon explained that the general fund could only loan money on a short-term basis. Mr. Leighan commented that he had a problem with adding more debt to the golf course. Ms. Langdon commented that this loan is intended to help increase their cash flow and decrease expenses.

Councilmember Seibert inquired about what would happen if the golf course defaulted on the loan. Ms. Langdon explained that it would fall back to the general fund in that case. She reiterated that they were working on a business plan. The budget will be tight, but they will be able to make it. Parks and Recreation Director Jim Ballew commented that the original intent was to secure this method of financing. The business plan is basically done and they will be looking at personnel organization and fee structures.

**E. Acceptance of Proposal for Underwriting Services.**

Councilmember Seibert asked for clarification of the need for this. Ms. Langdon noted that there was not quite enough money to cover the projects. The remainder is anticipated to come from REET. This would allow the City to pay the debt and still get the projects done. Councilmember Leighan requested a breakout of the amounts for each project. Ms. Langdon said she'd have those at the next meeting and gave some rough estimates.

Councilmember Smith asked what the REET dollars would be used for. Ms. Langdon indicated that they would be paying for both State Avenue projects and the Waterfront Park. Councilmember Smith indicated she was concerned about how this progressed because she was under the impression that there had been enough money.

Councilmember Vares asked if they would be receiving the payment schedule. Ms. Langdon explained that it would be difficult because it would depend on the market. She explained the underwriting process and how they would put a package together and put it out to market.

Councilmember Leighan asked if part of the Budget Workshop scheduled for May 9<sup>th</sup>, could include an overview of the existing bonds and debt. Ms. Langdon said that could be included at the Budget Workshop. Councilmember Nehring asked for staff to give Council a sense of whether or not the City can afford to handle this amount of debt. He said that as a councilmember he did not feel comfortable making this decision without more information.

There was discussion about money for the Skate Park that was taken from the Waterfront Park. Parks and Recreation Director Ballew indicated that it would be paid back. Councilmember Smith asked about timeframes for grants for the waterfront park. Mr. Ballew explained the timeframes of grants, the cycles and permitting process. He described the limited financing tools available right now. Chief Administrative Officer Mary Swenson explained that they do look at the available grants when deciding which projects to pursue.

## **PUBLIC HEARINGS**

### **A. Emergency Ordinance No. 2467 of the City of Marysville Relating to Opiate Substitution Treatment Facilities.**

City Attorney Grant Weed explained that this ordinance is to review the city's code to decide what it wants to do. There is a code that allows the City to have a six-month moratorium while reviewing the code.

## **NEW BUSINESS**

### **A. MMC 6.79 Burglar Alarms Revisions.**

Councilmember Seibert had concerns regarding the public becoming aware of the changes. Police Chief Robert Carden explained the means they would be using to notify the public including:

- Channel 29
- Local alarm companies
- Radio Stations
- Chamber of Commerce
- Rotary Club announcements

Councilmember Seibert then asked how the sticker would be used. Police Chief Carden explained that the number on the sticker would be cross-referenced at the police



department. An officer would call into the police department to find the responsible parties to be notified.

Councilmember Smith asked about existing alarm systems. Police Chief Carden explained that all alarm systems would need to be registered even if they do not route to the phones. He noted that there is no charge for the initial sticker. Councilmember Smith indicated that she had concerns about people who wouldn't know about the law. Councilmember Seibert also expressed concerns about false alarms. Commander Robb Lamoureux explained that the first false alarm would be a freebie. At that point they would be notified. Police Chief Carden further explained the need for this ordinance.

**B. Supplement #3 to Professional Services Agreement with Hammond, Collier Wade Livingstone for the State Avenue Street (Grove Street to First Street) Improvements Project.**

There was discussion about the amount of the agreement and the hours that would be worked.

**C. Professional Services Agreement with Montgomery Watson Harza for the Trunk F to A Sewer Intertie Construction Management Consultant Contract Award.**

Councilmember Smith asked if there would be a management reserve. Public Works Director Jim Owens indicated that there would be an additional management reserve amount. Councilmember Seibert asked if this is the same project that has been on hold. City Engineer Kevin Nielsen explained that the original project began in 1998.

**D. State Avenue Street Improvements (Grove Street to 1st Street) TIB Construction Phase Prospectus and WSDOT Local Agency Agreement Supplement #1 Funding Agreements.**

There were no comments or questions on this item.

**ORDINANCES & RESOLUTIONS**

**A. An Ordinance of the City of Marysville, Washington Repealing Chapter 14.15 On-Site Stormwater Drainage Code and Approving a New Chapter 14.15 On-Site Stormwater Drainage Code.**

Councilmember Seibert requested that the changes be delineated or marked in some way. Community Development Director Gloria Hirashima indicated that she could go back and do that. Councilmember Smith agreed that it would be helpful.

**B. An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Chapter 6.79 Relating to Burglar Alarms.**

There were no comments or questions on this item.

- C. An Ordinance of the City of Marysville, Washington, Relating to Contracting Indebtedness; Providing for the Issuance of the \$1,137,350 Par Value Limited Tax General Obligation Bond, 2003 (Taxable), of the City for General City Purposes to Provide the Funds with Which to Pay or Reimburse Earlier City Expenditures for Costs of Golf Course Facilities, Including But Not Limited to Restaurant, Pro Shop, and Parking Lot Improvements, and Paying the Costs of Issuance and Sale of Such Bond; Fixing the Date, Form, Maturity, Interest Rate, Terms and Covenants of the Bond; Designating a Construction Fund and Establishing a Bond Fund; and Approving the Sale and Providing for the Delivery of the Bond to Bank of America, N.A., of Seattle, Washington.**

There were no comments or questions on this item.

## **INFORMATION ITEMS**

### **A. Mayor's Business**

Mayor Weiser reminded those present of the Budget Workshop on Friday, May 9 from 3-7 p.m. at the Ken Baxter Senior Center.

He then noted that the Marysville Historical Society will be receiving an award from Snohomish County Council on Wednesday May 9 at 9:00 a.m. regarding their help on restoring the water tower.

### **B. Staff Business**

**Jim Ballew** confirmed that the petting zoo will be opening May 31st. He said that things are going well.

He discussed homecoming events for the troops including lights, bunting hung on the water tower, a banner over 4<sup>th</sup> Street and private signage at the waterfront park. He suggested providing a barbeque for the enlisted and their families. Mayor Weiser suggested waiting until the Ingraham returns as that is the city's adopted ship. There was general consensus that this would be a good idea.

Mr. Ballew then noted that there would be a Skate Jam on Friday, May 30 from 5:30-7 p.m.

Finally Mr. Ballew commented that they are in the middle of negotiations with the Cedarcrest Restaurant management.

**Sandy Langdon** - no comment.

**Gloria Hirashima** responded to a concern that Councilmember Seibert had about the Allen Creek area. She explained that someone had submitted a wetland restoration plan and is working on that voluntarily.

**Police Chief Carden** noted that the Police Department annual inspection and awards ceremony would be on May 17th. They will try to graduate the Citizens Academy and distribute awards also at the event.

**Mary Swenson** reported that the Gambling Committee is getting ready for their second meeting. The Implementation Committee will be meeting again in June.

**Jim Owens** issued a reminder that the Lunch Bunch would be on Wednesday, May 7<sup>th</sup> at Jennings Park.

**Kevin Nielsen** reported approval from the DOE for two parts of the pipeline to Everett.

**Grant Weed** announced that May 1st was Law Day. There were several events locally. Some students had the opportunity to shadow judges. Some members of the bar association (including Mr. Weed) went to visit local schools to educate students about careers in law and to raise awareness.

**Larry Larson** – no comment.

#### C. Call on Councilmembers

**Mike Leighan** – no comment.

**Lisa Vares** – no comment.

**Jon Nehring** commented that he had indicated an interest in being on the Image and Identity Committee and wanted to know what was happening there. Councilmember Seibert asked for a list of different committees and the members on each one. Mary Swenson said she would get a list out soon.

**Donna Wright** informed everyone that she would be in Washington D.C. through the end of the week.

**John Soriano** – no comment.

**Jeff Seibert** – no comment.

**Suzanne Smith** said she was happy that the petting zoo would be opening this year.

She noted that she would like to be on the Economic Development Committee, but she hasn't received any calls from anyone about that. Mary Swenson said she would check on that.


Councilmember Smith asked about the monitoring of stream restoration projects. Community Development Director Hirashima explained that they are typically monitored for three years. There was discussion about this and about the difficulty in removing blackberry plants permanently from a site.

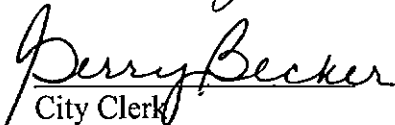
Ms. Smith then mentioned a letter she received from Mr. Matt Gordon who is interested in volunteering on the Land Use and Zoning Committee. Ms. Hirashima said that committee is still going through the formation process. She explained that members will be contacted.

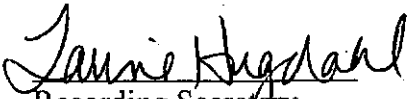
## ADJOURN

The meeting was adjourned at 8:28 p.m.

Approved this 12<sup>th</sup> day of May, 2003.

  
 Mayor  
 David Weiser

  
 City Clerk  
 Gerry Becker

  
 Recording Secretary  
 Laurie Hugdahl