

November 24, 2003

Marysville City Council 000 90
7:00 p.m.

ORIGINAL

City Hall

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Approval of Minutes	
Approval of November 10, 2003 City Council Meeting Minutes.	Approved
Approval of November 17, 2003 City Council Work Session Minutes.	Approved
Consent Agenda	
Approval of November 24, 2003 Claims in the Amount of \$260,182.42; Paid by Check No. 11202 through 11319	Approved
Approval of November 20, 2003 Payroll in the Amount of \$470,530.17; Paid by Check No. 11720 through 11780 with Check No. 11720 Void.	Approved
Approval of Liquor License Renewals for Circle K #8878 (8007 State Avenue), Pearl Garden, and Jackpot Foodmart #160 (6031-A 47th Avenue).	Approved
Approval of New Liquor License for Marysville Chevron.	Approved
Authorize Mayor to Sign Annual Support Agreement for Formunis Software.	Approved
Authorize Mayor to Sign Renewal Contract with Arlington Recreational Shooting & Training Center.	Approved
Authorize Mayor to Sign Professional Services Renewal Agreement for Plan Review Services; Tim Nordvedt, Pac Rim Code Services.	Approved
Approval of Utility Relocation Agreement; State Avenue Improvements (Grove Street to First Street); PUD No. 1 of Snohomish County.	Approved
Review Bids	
Approval of Award of Edward Springs Well #1 & #3 Rehabilitation Construction to Holt Drilling.	Approved
Approval of Award of Public Safety Remodel to Construction Concepts, Inc.	Approved
Current Business	
Approval of AWC Workers' Compensation Retro Group Program.	Approved
Approval of Open Meetings	Continued
New Business	
Approval of "Marysville Community Campus" as the Interim Name for the Driving Range Property.	Approved
Legal	
Approval of 2004 City Attorney Retainer Renewal Agreement.	Approved
Ordinances and Resolutions	
Approval of Ordinance Establishing Parks and Recreation Department Fee Schedules, and Repealing Ordinance No. 2299.	Approved Ord. No. 2502
Approve of Resolution Authorizing the Application to IAC for a Youth Athletic Facilities (YAF) Program Grant.	Approved Res. No. 2111
Approval of Resolution Authorizing the Application to Snohomish County for a CDBG Grant.	Approved Res. No. 2112
Adjournment	7:58 p.m.

November 24, 2003

Marysville City Council
7:00 p.m.

000 91

City Hall

Executive Session One Personnel Issue was discussed.	8:05 p.m. No Action Taken
Adjournment	8:16 p.m.

MARYSVILLE CITY COUNCIL MEETING

November 24, 2003

7:00 p.m.

City Hall

CALL TO ORDER / PLEDGE OF ALLEGIANCE

Mayor David Weiser called the November 24 meeting of the Marysville City Council to order at 7:00 p.m. Flaming Arrows Cub Scouts, Pack 80 presented the colors and then led the Pledge of Allegiance.

ROLL CALL

Chief Administrative Officer Mary Swenson called the roll. The following councilmembers and staff personnel were present.

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

Mayor Weiser noted the excused absence of Councilmember Jon Nehring who was ill.

Staff: Steve Winters, Police Commander; Sandy Langdon, Finance Director; Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Gloria Hirashima, Community Development Director; Jim Owens, Public Works Director; Bill Spies, Fleet and Facilities Manager; Jim Ballew, Parks and Recreation Director; and Laurie Hugdahl, Recording Secretary.

SWEARING IN CEREMONY

Jeffrey Vaughan was sworn in to Council Position #1 for a 2-year unexpired term. Councilmember Vaughan then introduced his family – his wife Deanna, and his three children, Jesse, Joshua, and Chris. Chris's scoutmaster and several members of Boy Scout Troop #106 were also in attendance for the event.

There was a recess at 7:05 p.m. for refreshments. The regular council meeting resumed at 7:20 p.m. Councilmember Vaughan then replaced Councilmember Lisa Vares in Position #1.

COMMITTEE REPORTS

Councilmember Jeff Seibert reported on the **Land Use Committee's** meeting where they discussed:

- Working with DOT to remove trees on portions of I-5 to improve visibility.

- Downtown design standards
- Stormwater issues in the downtown area
- Trail from the Waterfront Park
- Stormwater ponds

Councilmember John Soriano reported that the **LEOFF I Committee** reviewed and approved four claims. They also discussed policies and procedures.

Councilmember Donna Wright reported that the **Finance Committee** discussed the auditor's exit interview results and the need to correct some of the information they had. There was also discussion about utility rerouting and some budget amendments that will be coming to Council soon.

AUDIENCE PARTICIPATION

There was no audience participation.

APPROVAL OF MINUTES

A. November 10, 2003 City Council Meeting.

Motion by Councilmember Mike Leighan, seconded by Councilmember Suzanne Smith to approve the minutes as presented. Motion passed unanimously (6-0).

B. November 17, 2003 City Council Work Session.

Councilmember Leighan referred to page 6, Call on Council. The newspaper referenced should be the *Herald*, not the *Globe*.

Motion by Councilmember Wright, seconded by Councilmember Leighan to approve the minutes as amended. Motion passed unanimously (6-0).

CONSENT AGENDA

There were no comments from the audience or from councilmembers regarding the consent agenda items.

A. Approval of November 24, 2003 Claims in the Amount of \$260,182.42; Paid by Check No. 11202 through 11319.

B. Approval of November 20, 2003 Payroll in the Amount of \$470,530.17; Paid by Check No. 11720 through 11780 with Check No. 11720 Void.

C. Approval of Liquor License Renewals for Circle K #8878 (8007 State Avenue), Pearl Garden, and Jackpot Foodmart #160 (6031-A 47th Avenue).

- D. Approval of New Liquor License for Marysville Chevron.**
- E. Authorize Mayor to Sign Annual Support Agreement for Formunis Software.**
- F. Authorize Mayor to Sign Renewal Contract with Arlington Recreational Shooting & Training Center.**
- G. Authorize Mayor to Sign Professional Services Renewal Agreement for Plan Review Services; Tim Nordvedt, Pac Rim Code Services.**
- H. Utility Relocation Agreement; State Avenue Improvements (Grove Street to First Street); PUD No. 1 of Snohomish County.**

Motion made by Councilmember Leighan, seconded by Councilmember Soriano to approve Consent Agenda Items A-H. Motion passed unanimously (6-0).

Review Bids

A. Edward Springs Well #1 & #3 Rehabilitation Construction.

There was some discussion about the management reserve amount.

Motion made by Councilmember Soriano, seconded by Councilmember Leighan to authorize the Mayor to sign the contract with Holt Drilling in an amount not to exceed \$49,920.85 (including sales tax) and a management reserve in the amount of \$4,900. Motion passed unanimously (6-0).

B. Small Works Contract for Public Safety Remodel.

Public Works Director Jim Owens reported that four bids were opened last week. Bill Spies, Fleet and Facilities Manger, was present at the meeting to answer questions. Councilmember Suzanne Smith asked if this bid contract was for both Phase I and Phase II. Mr. Spies reported that it was for both. First the upstairs would be completed, then the downstairs. Councilmember Leighan confirmed that the bid was for the entire area. Mr. Spies replied that it was.

Chief Administrative Officer Mary Swenson noted that this was over the budgeted amount. Finance Director Sandy Langdon explained that they would try first to absorb it in the police department's budget, and then they may need to look at the tribal gaming fund if needed to address the difference. Councilmember Leighan asked about dropping the management reserve. Ms. Swenson had concerns about doing that. Mr. Spies agreed that it would be risky to remove the reserve. There were no further comments or questions.

Motion by Councilmember Seibert, seconded by Councilmember Smith to award the contract to Construction Concepts, Inc. in the amount of \$105,483.70. Motion passed unanimously (6-0).

CURRENT BUSINESS

A. Association of Washington Cities Workers' Compensation Retro Group Program (continued from 11/10/03).

Councilmember Jeff Vaughan commented that this seemed like a good program for the City even though he had some concerns about the newness of the program. He noted that the City's experience factor is above 1.0 and that this would need to be lowered in order to do well on the program.

Motion by Councilmember Vaughan, seconded by Councilmember Leighan to authorize the Mayor to sign the AWC Workers' Compensation Group Retro Participation Agreement and Group Enrollment Application, and the Application for Group Membership and Authorization for Release of Insurance Data. Motion passed unanimously (6-0).

B. Open Committee Meetings (continued from November 10, 2003).

Councilmember Leighan suggested delaying this for the next Council because Councilmember Nehring was not in attendance. There was also discussion about possibly needing to consider the new HIPAA laws.

Motion made by Councilmember Seibert, seconded by Councilmember Leighan to continue this discussion until the first cycle of 2004. Motion passed unanimously (6-0).

NEW BUSINESS

A. IAC Grant Application & Resolution; Irrigation for High School 4-Plex Athletic Field.

Councilmember Seibert asked if the school district had been contacted. Mr. Ballew stated that they had been contacted, but that they had chosen to defer until their board is sworn in. Councilmember Smith asked if the delay would affect the grant process. Mr. Ballew replied that it would not. There were no further comments or questions.

B. Resolution Supporting Grant Submission to Snohomish County for CDBG Funding.

There were no comments or questions regarding this item.

C. Name Selection of the Driving Range Facility Interim Use.

Motion made by Councilmember Smith, seconded by Councilmember Leighan to approve "Marysville Community Campus" as the temporary name for the driving range property while utilized as a recreational site. Motion passed unanimously (6-0).

D. Parks & Recreation Fee Schedule.

Councilmember Soriano noted that the tournament deposit amount had increased. He asked if this was necessary. Mr. Ballew responded that it was because of charges by the school district and issues with the restroom facilities.

LEGAL**A. 2004 City Attorney Retainer Renewal Agreement.**

Chief Administrative Officer Mary Swenson commented that this agreement for city attorney services has not changed from last year other than the dates. She went on to say that the City is extremely lucky to have Grant Weed as its attorney. She praised him for his skill and accomplishments, noting that his peers have named him "Super Lawyer". She congratulated him for this and for a job well done.

Councilmember Leighan asked if the number of hours per month was sufficient. There was agreement that it might be a bit low and should be looked at in the future.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan to approve the 2004 City Attorney Retainer Renewal Agreement with the law firm of Keithly, Weed, Graafstra and Benson, Inc., P.S. Motion passed unanimously (6-0).

ORDINANCES AND RESOLUTIONS**A. An Ordinance of the City of Marysville, Washington Establishing Parks and Recreation Department Fee Schedules, and Repealing Ordinance No. 2299.**

Motion made by Councilmember Wright, seconded by Councilmember Leighan to adopt Ordinance No. 2502. Motion passed unanimously (6-0).

B. A Resolution of the City of Marysville Authorizing the Application to IAC for a Youth Athletic Facilities (YAF) Program Grant.

Motion made by Councilmember Leighan, seconded by Councilmember Smith to adopt Resolution No. 2111. Motion passed unanimously (6-0).

C. A Resolution of the City of Marysville Authorizing the Application to Snohomish County for a CDBG Grant.

Motion made by Councilmember Smith, seconded by Councilmember Soriano to approve Resolution No. 2112. Motion passed unanimously (6-0).

INFORMATION ITEMS

A. Mayor's Business.

None.

B. Staff Business.

Jim Ballew extended an invitation to Council and the community to attend Merryville for the Holidays on December 6. They will be hosting the Navy sailors and their families at Marysville Junior High School at 5:00 p.m. for a family dinner with entertainment. He invited all the councilmembers to join them. Mr. Ballew also encouraged any councilmembers who have not yet toured the Marysville Community Campus to do so, noting that there are interesting classes and activities scheduled all the time.

Jim Owens reported on the State Avenue project. He noted that there is a weekly update on the web page. He went on to say that they are modifying the phasing of the work. They have been very impressed with Marshbank Construction so far, especially considering the difficult weather they have encountered.

Gloria Hirashima had no comments.

Grant Weed had no comments.

Mary Swenson informed Council that the Joint Economic Development / Meeting of the Whole scheduled for tomorrow has been cancelled due to numerous conflicts. They are hoping to reschedule for mid-December. She also noted that Council could expect that there would be a budget-amending ordinance for the 2003 budget for the salary grid portion of the budget. She wished everyone Happy Thanksgiving.

Steve Winters had no comments.

C. Call on Councilmembers.

Jeff Vaughan thanked everyone for the warm welcome. He said he was looking forward to working with the Council.

Mike Leighan welcomed Councilmember Vaughan.

Suzanne Smith discussed the issue with flooding near her sister's residence. She welcomed Councilmember Vaughan and wished everyone Happy Thanksgiving.

John Soriano also welcomed Councilmember Vaughan and wished everyone a Happy Thanksgiving.

Jeff Seibert welcomed Councilmember Vaughan. He congratulated Mr. Ballew on the good job with the Marysville Community Campus. He discussed the State Avenue detour. Mr. Seibert then asked Mayor Weiser about the 529 south paving referred to earlier. Jim Owens replied that he would have an answer by Wednesday morning.

Donna Wright welcomed Mr. Vaughan and wished everyone a Happy Thanksgiving.

ADJOURNMENT

Seeing no further business, Mayor Weiser adjourned the regular session of the Marysville City Council meeting at 7:58 p.m.


EXECUTIVE SESSION

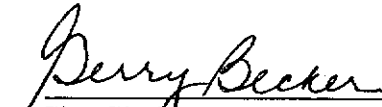
City Council met in Executive Session at 8:05 p.m., and discussed one personnel issue.

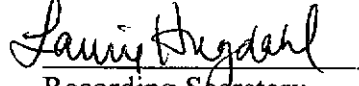
ADJOURNMENT

With no further action taken, Mayor Weiser adjourned the November 24, 2003 City Council meeting at 8:16 p.m.

Approved this 8th day of December, 2003.


 Mayor
 David Weiser


 City Clerk
 Gerry Becker


 Recording Secretary
 Laurie Huggdahl

ORIGINAL

MARYSVILLE CITY COUNCIL WORK SESSION 000 83

November 17, 2003

7:00 p.m.

City Hall

CALL TO ORDER / PLEDGE OF ALLEGIANCE / INVOCATION

CORRECTED: SEE 11-24-03
MINUTES

Mayor David Weiser called the work session to order at 7:00 p.m. He led those present in the Pledge of Allegiance. There was no invocation given.

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, Jon Nehring, Jeff Seibert, Suzanne Smith, John Soriano, Lisa Vares, and Donna Wright.

Staff: Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Jim Owens, Public Works Director; Kevin Nielsen, City Engineer; Jeff Massie, Assistant City Engineer; Gloria Hirashima, Community Development Director; Jim Ballew, Parks and Recreation Director; Sandy Langdon, Finance Director; Greg Young, Grants Administrator; Kristie Guy, Human Resources Manager; and Laurie Hugdahl, Recording Secretary.

Other: Mayor Elect Dennis Kendall and Councilmember Elect Jeff Vaughan.

Councilmember Lisa Vares arrived at 7:06 p.m.

COMMITTEE REPORTS

Councilmember Jeff Seibert reported on the October 16 **Public Works** meeting discussion. Topics discussed included:

- State Avenue Project – lane closures
- Edward Springs
- 116th to 132nd railroad alignment issue
- 100th to 116th
- North Area Detention Pond – easement issues
- Wastewater Treatment
- 152nd Street

Councilmember Jon Nehring reported on the **Facilities** meeting. He commented that the driving range is looking nice. They are hoping to have an official open house around the first

of the year. He also discussed the possibility of the facility being available for rentals next year. Another topic discussed at the meeting was the Public Works building improvements.

Councilmember Suzanne Smith noted that the **Parks Board** discussed:

- The budget – each manager reviewed that department's budget
- Possible names of the driving range facility
- New program: Safety Town – a children's program

DISCUSSION ITEMS

There were no discussion items.

Other Items Scheduled for November 24, 2003 Meeting

CONSENT

A. Approval of November 24, 2003 Claims.

B. Approval of November 20, 2003 Payroll.

C. Approval of Liquor License Renewals for Circle K #8878 State Avenue), Pearl Garden, and Jackpot Foodmart #160 (6031-A 47th Avenue).

There was no discussion regarding this issue.

D. Approval of New Liquor License for Marysville Chevron.

There was no discussion regarding this issue.

E. Authorize Mayor to Sign Annual Support Agreement for Formunis Software.

There was no discussion regarding this issue.

F. Authorize Mayor to Sign Renewal Contract with Arlington Recreational Shooting & Training Center.

There was no discussion regarding this issue.

G. Authorize Mayor to Sign Renewal Professional Service Agreement for Plan Review Services; Tim Nordvedt, Pac Rim Code Services.

There was no discussion regarding this issue.

REVIEW BIDS**A. Edward Springs Well #1 & #3 Rehabilitation Construction Contract Award.**

There was some discussion about the fact that there had only been one bidder for this project.

B. Small Works Contract for Public Safety Remodel.

There was no discussion about this issue.

CURRENT BUSINESS**A. Association of Washington Cities Worker's Compensation Retro Group Program (continued from 11/10/03).**

Paul Chasco, Assistant Director for Insurance Services of AWC

Mr. Chasco explained the history of the program – how and why it had been formed. He then reviewed the benefits and the policies of the program. He noted that the cost would be 6.5% of the past year's premium. The breakdown of that would be 4% to claims and administration; 1% for loss control services; and 1.5% to AWC for administration.

Councilmember Donna Wright asked about the refund of surplus L&I. Mr. Chasco explained how this would be handled in the first few years of the program. Councilmember Seibert clarified that the money to be refunded would return to the City and would not be used for lobbying purposes. Mr. Chasco indicated that this was correct. He then discussed:

1. Return to Work Program – to avoid time loss. The City needs to develop a policy in the first year.
2. How to protect the pool from cities that do not perform well. If a city performs poorly even after continued help, the advisory group and AWC board can then choose not to invite them back.

Councilmember Mike Leighan asked if the City would still have a safety officer. Mr. Chasco said that they would. The officer will be able to help with any issues the City has and can provide training for staff. Councilmember Soriano then asked about the experience factor. Mr. Chasco explained how the rating system works. There were no further comments or questions.

B. Open Committee Meetings (continued from 11/10/03).

There was no discussion on this issue.

NEW BUSINESS**A. IAC Grant Application & Resolution; Irrigation for High School 4-Plex Athletic Field.**

Councilmember Seibert asked if a grant like this could be done with Strawberry Fields and the driving range. Jim Ballew explained that this particular project was more worthy of the youth grant application because of the great need. Grants Administrator Greg Young commented that they had initially asked to be in the development category, but they had been notified that they would stand a better chance in the maintenance category. The downside to this is that the amount of money is less and they will need to scale back the scope of irrigation.

Councilmember Leighan commented that this is predicated on school district dollars. Greg Young stated that they have received a letter of support from the school district. Mr. Ballew agreed that it would require a formal resolution from the school board at a later date, but not at this time. Councilmember Smith asked if the school district had been notified about the reduced change in scope. Mr. Ballew said they had not because the City just found out tonight, but they would let them know right away. Councilmember Soriano referred to a line item for automatic irrigation for shrubbery. Mr. Young said that had been removed. There were no further comments or questions.

B. Resolution Supporting Grant Submission to Snohomish County for CDBG Funding.

Mr. Young explained that the purpose of this grant is to refurbish the restrooms at Comeford Park and to make them ADA accessible. Councilmember Smith asked if the City's matching amount was in the budget. Mr. Ballew indicated that it was.

C. Utility Relocation Agreement; State Avenue Improvements (Grove Street to First Street); P.U.D. No. 1 of Snohomish County.

Public Works Director Jim Owens stated that this is similar to the agreement done with Verizon. There was some discussion about who will own the vaults and conduits and the possibility of leasing out in the future. Assistant City Engineer Jeff Massie stated that the PUD would own the vaults and conduits for this project, but he would check the Verizon agreement.

D. Name Selection of the Driving Range Facility Interim Use.

There was discussion about the proposed "Marysville Community Campus" name. Jim Ballew explained that the property had originally been acquired with the campus concept in mind. He explained how the Parks Board had spent a significant amount of time and had eventually come up with this possible name.

E. Parks & Recreation Fee Schedule.

Mr. Ballew stated that this shows the range of fees for 2004 and hopefully for 2005 as well. Councilmember Smith requested a copy of the old range (2002) for the sake of comparison. Councilmember Leighan inquired about the rates for renting out the Ken Baxter Senior Center. There was discussion about competitive rates, comparable facilities, and the possibility of having a seasonal discount.

Regarding the proposed fee schedule, Councilmember Nehring wondered why there was a range of fees and not a set fee. Mr. Ballew explained that they often have to be flexible with fees that are out of their control. He also went over how the prices for the programs are based on the cost of the program (fees) plus 12% overhead to cover administrative costs. There were no further comments or questions.

LEGAL**A. 2004 City Attorney Retainer Renewal Agreement.**

Mary Swenson explained that this is a straight renewal with no changes.

B. 2004 Contract Renewal with Allied Employers.

Ms. Swenson explained the changes in this contract renewal.

C. 2004 Contract Renewal for Chief of Police Robert Carden.

Ms. Swenson noted that this would amend Chief Carden's contract to include updated salary levels.

ORDINANCES & RESOLUTIONS**A. An Ordinance of the City of Marysville Washington Establishing Parks and Recreation Department Fee Schedules, and Repealing Ordinance No. 2299.**

Discussed above.

INFORMATION ITEMS**A. Mayor's Business**

Mayor Weiser extended his congratulations to the Marysville Pilchuck High School girls' volleyball team, which placed second in the state competition.

There was then significant discussion about the possibility of Mayor Weiser resigning mid-December (two weeks early) in order to accept another position and the impact this

would have on Council. City Attorney Grant Weed explained the options available to Council. In his opinion, Council can:

1. Do nothing – the Mayor Pro Tem would step in automatically.
2. Fill the vacancy – appoint a qualified person to fill the vacancy.

B. Staff Business

Jim Ballew had no comment.

Kevin Nielsen had no comment.

Sandy Langdon noted that there would be a Finance Committee meeting on Wednesday at 4:00 p.m.

Jim Owens had no comment.

Grant Weed had no comment.

C. Call on Councilmembers

Jeff Seibert had no comment.

Suzanne Smith had no comment.

Mike Leighan congratulated the Mayor. He noted that in the Globe the location of the Council meetings is still listed as the Public Safety Building although the address is correct.

Donna Wright reported that the AWC Legislative Committee had met and had prioritized their top four issues as: 1) infrastructure funding, 2) unfunded mandates, 3) local transportation and 4) annexation reform.

Lisa Vares congratulated the Mayor. She noted that she had participated in a citizen ride-along with a police officer on Sunday. She reported that there had been some issues with construction on State Avenue regarding driver confusion and potholes.

Jon Nehring congratulated the Mayor. He reported that there has been a return of loiterers under the bridge on Sunday mornings. Mayor Weiser discussed possible reasons for this and actions that might be taken.

John Soriano congratulated the Mayor.

CORRECTED: SEE 11-24-03
MINUTES s/b Herald

ADJOURNMENT

Seeing no further business, Mayor Weiser adjourned the work session at 8:23 p.m. Executive Session was scheduled to begin at 8:30 p.m. There was one real estate matter and one employee issue to be discussed.

EXECUTIVE SESSION

Council met in Executive Session at 8:30 p.m.; discussed one personnel and one real estate issue, and reconvened into Regular Session at 8:45 p.m.

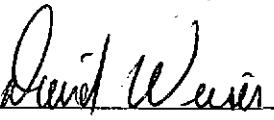
Motion by Councilmember Vares, second by Councilmember Seibert to authorize the Mayor to sign the Purchase and Sale agreement for property as discussed in Executive Session.

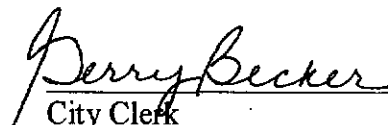
Motion carried unanimously (7-0).

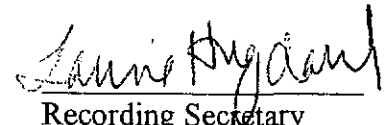
ADJOURNMENT

Mayor Weiser adjourned the November 17, 2003 City Council Work Session at 8:46 p.m.

Approved this 24th day of November, 2003.


 Mayor
 David Weiser


 City Clerk
 Gerry Becker


 Recording Secretary
 Laurie Hugdahl