

April 12, 2004

Marysville City Council  
7:00 p.m.

000220

**ORIGINAL** City Hall

<b>Call to Order/Invocation/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
Approval of Absence of Councilmember Nehring.	Approved
<b>Approval of Minutes</b>	
March 22, 2004 City Council Meeting	Approved
April 5, 2004 City Council Work Session.	Approved
<b>Consent Agenda</b>	
Approval of March 24, 2004 Claims in the Amount of \$369,548.56; Paid by Check No. 14011 through 14172	Approved
Approval of March 31, 2004 Claims in the Amount of \$1,597,313.86; Paid by Check No. 14173 through 14285 with Check No. 14141 Void.	Approved
Approval of April 5, 2004 Payroll in the Amount of \$748,922.61; Paid by Check No. 12411 through 12503 and Check No. 12410 Void; (and Check No. 12476 through 12489 Replaced with Check No. 12490 through 12503).	Approved
Approval of March 20, 2004 Payroll in the Amount of \$492,579.75; Paid with Check No. 12339 through 12410.	Approved
Approval of New Liquor License Application for Vi and Glynn's Tavern.	Approved
Authorize Mayor to Sign Acknowledgement of Aquatic Easement Numbers 51-026231 and 51-024341 Forfeiture of Nonuse Letter; Washington Department of Natural Resources.	Approved
Authorize Mayor to Sign Coordinated Prevention Grant Offer; Grant #G0400178 – Multi-family Recycling Program; Washington State Department of Ecology.	Approved
Authorize Mayor to Sign Contract for Farmer's Market; Laura Hart.	Approved
Authorize Mayor to Sign Contract to Allow Refrigerated Drop-Off and Pick-Up Booth for Water Samples Be Place in Lloyd Taubeneck Building; Edge Analytical.	Approved
Establish Pay Classification of Athletics Coordinator at N7 in the Non-Representative Grid.	Approved
Authorize Mayor to Sign Nonexclusive Communication Site Subleases with U.S. Coast Guard and U.S. Department of Justice.	Approved
Authorize Mayor to Sign State Avenue Improvements/Ebey Slough Park PUD Pole Relocation Easement.	Approved
<b>Review Bids</b>	
Approval of the 2004 Annual Concrete Construction Bid/Proposal from R&J Landscape & Construction .	Approved
<b>Current Business</b>	
Approval of the Economic Development Committee Chair Goal Statement Recommendation.	Continued
<b>New Business</b>	
Approval of 2004 Strawberry Festival Proposal.	Approved
Approval of Variance Request from Pacific Coast Feather.	Extension Only Approved

April 12, 2004

Marysville City Council  
7:00 p.m.

000221

City Hall

Approval of Revision of MMC 7.08.065; Solid Waste Management Accessibility of Cans.	Approved
Approval of Supplemental Agreement for Stillaguamish Water System Improvements Project Design Services.	Approved
Approval of Wehmeyer Annexation Notice of Intent; PA 04008.	Approved
Approval of Professional Services Agreement for Multi-Family Recycling; Blue Marble Environmental.	Approved
Approval of Letter of Engagement for Bond Counsel; Foster, Pepper & Shefelman.	Approved
<b>Resolutions and Ordinances</b>	
Approval of an Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area, Known as the Gribble – Center Construction Annexation into the City of Marysville and Repealing Ordinance No. 2505 (2-Parcel Gribble – Center Construction Annexation).	Approved Ord. 2510
Approval of an Ordinance of the City of Marysville Relating to the Waterworks Utility of the City; Out of a System or Plan of Additions to and Betterments and Extensions of that Waterworks Utility; Authorizing the Issuance of Not to Exceed \$30,000,000 Principal Amount of Its Water and Sewer Revenue Bond Anticipation Note (Revolving Line of Credit) Pending the Issuance of Water and Sewer Revenue Bonds Authorized Herein; Fixing the Date, Form, Maturity, Options of Setting the Interest Rate Index, Terms and Covenants of the Note; Establishing a Note Redemption Fund; and Authorizing the Issuance and Providing for the Delivery of the Note to Bank of America, N.A. of Seattle, Washington.	Approved Ord. 2511
Approval of an Ordinance of the City of Marysville Establishing and Amending Procedures for Processing and Review of Site Plans and Master Plans, Amending MMC 19.06 Adding Definitions, Amending MMC 15.03.020 Relating to the Authority of the Planning Commission, Amending MMC 15.030.40 Relating to the Authority of the Hearing Examiner, Amending MMC 15.09.020(1) Relating to Administrative Approval without Notice, and Amending MMC 15.09.030(1) Relating to Administrative Approval Subject to Notice.	Approved Ord. 2512
Approval of an Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Section 7.08.065 Relating to Accessibility of Solid Waste, Recycling and Yard Waste Containers.	Approved Ord. 2513
<b>Adjournment</b>	<b>8:45 p.m.</b>

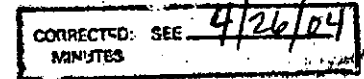
## MARYSVILLE CITY COUNCIL MEETING

April 12, 2004

7:00 p.m.

City Hall

## CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE



Mayor Dennis Kendall called the April 12, 2004 meeting of the Marysville City Council to order at 7:00 p.m. Nancy Rutherford of Rutherford Counseling gave the invocation. Mayor Kendall then led those present in the Pledge of Allegiance.

## ROLL CALL

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

**Mayor** Dennis Kendall

**Council:** Lee Phillips, Jeff Seibert, John Soriano, Lisa Vares, Donna Wright and Jeff Vaughan.

**Staff:** Robert Carden, Chief of Police; Sandy Langdon, Finance Director; Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Gloria Hirashima, Community Development Director; Phil Williams, Interim Public Works Director; Larry Larson, Public Works Superintendent; and Laurie Hugdahl, Recording Secretary.

Mayor Kendall noted that Councilmember Nehring was away on vacation. **Motion** made by Councilmember Vares, seconded by Councilmember Seibert to excuse his absence. **Motion** passed unanimously (6-0).

Mayor Kendall introduced and welcomed Michelle Cash who will be replacing Laurie Hugdahl as the recording secretary during her maternity leave.

## COMMITTEE REPORTS

Lisa Vares reported that the **Public Works** committee met and discussed:

- Traffic mitigation – repayment, structure, rates
- Talks with Waste Management Northwest

## PRESENTATIONS

## A. Proclamation: Friends of the Library Week.

Mayor Kendall proclaimed the week of April 18-24, 2004 as "Friends of the Library Week" in the City of Marysville and urged all citizens to recognize and applaud their invaluable service. Zoe Hallgren accepted the proclamation on behalf of Friends of the Library.

**AUDIENCE PARTICIPATION**

Mayor Kendall solicited audience participation on items not already listed on the agenda. There were no comments.

**APPROVAL OF MINUTES****A. March 22, 2004 City Council Meeting.**

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

**B. April 5, 2004 City Council Work Session.**

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

**CONSENT AGENDA**

Mayor Kendall asked if there were any items councilmembers wished to remove for discussion. Councilmember Seibert indicated he would like to discuss Item H.

- A. Approval of March 24, 2004 Claims in the Amount of \$369,548.56; Paid by Check No. 14011 through 14172.**
- B. Approval of March 31, 2004 Claims in the Amount of \$1,597,313.86; Paid by Check No. 14173 through 14285 with Check No. 14141 Void.**
- C. Approval of April 5, 2004 Payroll in the Amount of \$748,922.61; Paid by Check No. 12411 through 12503 and Check No. 12410 Void; (and Check No. 12476 through 12489 Replaced with Check No. 12490 through 12503).**
- D. Approval of March 20, 2004 Payroll in the Amount of \$492,579.75; Paid with Check No. 12339 through 12410.**
- E. Approval of New Liquor License Application for Vi and Glynn's Tavern.**
- F. Authorize Mayor to Sign Acknowledgement of Aquatic Easement Numbers 51-026231 and 51-024341 Forfeiture of Nonuse Letter; Washington Department of Natural Resources.**
- G. Authorize Mayor to Sign Coordinated Prevention Grant Offer; Grant #G0400178 – Multi-family Recycling Program; Washington State Department of Ecology.**
- I. Authorize Mayor to Sign Contract for Farmer's Market; Laura Hart.**
- J. Authorize Mayor to Sign Contract to Allow Refrigerated Drop-Off and Pick-Up Booth for Water Samples Be Place in Lloyd Taubeneck Building; Edge Analytical.**

- K. **Establish Pay Classification of Athletics Coordinator at N7 in the Non-Representative Grid.**
- L. **Authorize Mayor to Sign Nonexclusive Communication Site Subleases with U.S. Coast Guard and U.S. Department of Justice.**

Motion made by Councilmember Soriano, seconded by Councilmember Wright to approve items A-G and I-K. **Motion** passed unanimously (6-0).

- H. **Authorize mayor to Sign State Avenue Improvements/Ebey Slough Park PUD Pole Relocation Easement.**

Councilmember Seibert inquired about the power feeding across the poles. Interim Public Works Director Phil Williams indicated that PUD had not responded with the details yet. He stated that they are hoping to get the easement signed even though they have not received that information. Councilmember Seibert clarified that there were customers other than the PUD benefiting from the poles. Mr. Williams indicated this was correct.

Motion made by Councilmember Seibert, seconded by Councilmember Vares to approve Consent Agenda Item H. **Motion** passed unanimously (6-0).

#### **REVIEW BIDS**

- A. **2004 Annual Concrete Construction.**

There were no questions or comments regarding this item.

Motion made by Councilmember Phillips, seconded by Councilmember Seibert to approve the bid/proposal from R & J Landscape & Construction in the amount of \$21,320.25 including sales tax, and authorize the Mayor to sign the annual contract. **Motion** passed unanimously (6-0).

#### **PUBLIC HEARINGS**

None.

#### **CURRENT BUSINESS**

- A. **Economic Development Committee Chair Goal Statement Recommendation.**

Kris Passey explained how the Economic Development Committee had arrived at this statement. Their desire was to create a goal statement to use as criteria to determine the success of economic development.

Councilmember Seibert explained that he would like to see a portion of the money going back into the infrastructure of the City. Mr. Passey explained the committee's desires regarding how this 50% portion of the revenue should be used. There was discussion about what would fall under "efforts and programs that provide additional economic development that meets quality of life goals set forward by the committees." Mr. Passey

explained that they felt this should be tied to new development in Marysville, not necessarily growth related to existing businesses. Councilmember Donna Wright expressed some of the same concerns as Councilmember Seibert. Councilmember Seibert stated that he would like to discuss further the types of projects that would satisfy the committee. Mary Swenson suggested holding a joint meeting to discuss this with the chairs of the various economic development committees. There was general consensus about this idea. Councilmember Seibert suggested waiting to approve this recommendation until after the meeting of the Committee of the Whole. Councilmember Lisa Vares indicated that she was comfortable with the 50%, but would also like to hear the committee's input about "quality of life projects."

**Motion** made by Councilmember Seibert, seconded by Councilmember Vares to hold the goal statement until after the meeting of the Committee of the Whole. **Motion** passed unanimously (6-0).

Mary Swenson thanked Kris Passey and Jack Myles for their presentation. Councilmember Seibert thanked them and all of the committee chairs for their hard work.

## **NEW BUSINESS**

### **A. 2004 Strawberry Festival Proposal.**

Chief Carden asked about the location of the tricycle races. Carol Kapua, representing Maryfest, responded that they are not yet sure, but will have more information after their meeting tomorrow with the police department. Councilmember Seibert asked Phil Williams if State Avenue will be open for the parade. Mr. Williams responded that it would be open, but there may be some issues with the lighting being completed. Councilmember Seibert then inquired about hand washing stations. There was some discussion about Strawberry Festival sharing the costs of hand washing stations in the future.

**Motion** made by Councilmember Wright, seconded by Councilmember Soriano to approve the 2004 Strawberry Festival Proposal. **Motion** passed unanimously (6-0).

### **B. Variance Request from Pacific Coast Feather.**

**Rafal Nakonieczny, Pacific Coast Feather, Regional Director of Marketing, 14524 40<sup>th</sup> Avenue NE, Marysville, WA 98271.**

Mr. Nakonieczny asked Council to consider extending the contract for four years. He stated that there was a possibility of increasing their staff by 30% (15 employees) with the approval of the extension. He believes the four-year variance would offer stability and the ability to invest in their company.

Councilmember Seibert clarified that an extension of the current variance would allow them to hire more employees. Mr. Nakonieczny indicated that this was correct. Councilmember Seibert then asked about wages and benefits at Pacific Coast Feather. Mr. Nakonieczny replied that wages averaged \$11/hour plus medical, dental, vision options, profit sharing and 401K.

Phil Williams added that the issue was really about the 2% wastewater limit that was set in place in 1992. The situation at that time was no longer an issue. He felt this would be a win-win situation. Staff was recommending the extension.

Councilmember Seibert asked about language in the original contract that imposed conditions regarding the possibility of revoking the variance in the case of an emergency. Mr. Williams stated that an emergency would affect all users, not just one. Mr. Nakonieczny stated that as long as the terms affected everyone in the community equally and not just their company, he would be in support of it. Councilmember Seibert then referred to the recycling issue. He encouraged Pacific Coast Feather to continue looking at recycling options. Mr. Nakonieczny indicated that they would.

Councilmember Soriano asked how Pacific Coast Feather achieved the lower concentration levels referred to in a letter to the City. Mr. Nakonieczny stated that they had begun to use a biodegradable chemical that improved the concentration levels. Mr. Williams reviewed the incentive in the rate structure to encourage the best performance.

**Motion** made by Councilmember Vares, seconded by Councilmember Vaughan to approve extending the existing variance until July 31, 2008, noting that any changes in language would be brought back to Council for approval. **Motion** passed unanimously (6-0).

**C. Revise MMC 7.08.065; Solid Waste Management Accessibility of Cans.**

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan to approve the proposed changes to MMC 7.08.065. **Motion** passed unanimously (6-0).

**D. Supplemental Agreement for Stillaguamish Water System Improvements Project Design Services.**

**Robin Knudson, 4009 178<sup>th</sup> Place NE, Arlington.**

Ms. Knudson thanked councilmembers and staff for working with the Smokey Point community members regarding this project. She noted that they are comfortable and pleased regarding the project design. She stated that they appreciate the efforts that staff has made. She then expressed remaining concerns regarding noise, odor and safety. Ms. Knudson referred to Exhibit A-4, page 1 of 2 that mentions "potential relocation of the WTP facilities to a new site across 43<sup>rd</sup> on the airport property." Mr. Williams addressed this. Ms. Knudson was satisfied with his response. She stated that they are recommending council approval of the supplemental agreement. There was further discussion about the safety of children in the area and the movement of large construction vehicles in the area.

Mr. Williams stated that they want to continue communication with the Smokey Point residents and will do everything they can during construction and after. Councilmember Seibert thanked Ms. Knudson for coming. Councilmember Vaughan asked if the language regarding not allowing construction equipment access via residential area could be put into the contract. Mr. Williams replied that it could.

**Motion** made by Councilmember Seibert, seconded by Councilmember Phillips to authorize the Mayor to sign Professional Services Agreement Supplement No. 6 in the amount of \$40,438.00 with MWH Americas, Inc. **Motion** passed unanimously (6-0).

**E. Wehmeyer Annexation Notice of Intent; PA 04008.**

**Motion** made by Councilmember Wright, seconded by Councilmember Soriano to approve the annexation boundary, as proposed, for circulation of the 60% petition. The proposed annexation should be subject to the City's bonded indebtedness, comprehensive plan and zoning. **Motion** passed unanimously (6-0).

**F. Professional Services Agreement for Multi-Family Recycling; Blue Marble Environmental.**

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert to approve the 2004-2005 contract between the Blue Marble Environmental and the City of Marysville and authorize the Mayor to sign the Agreement. **Motion** passed unanimously (6-0).

**G. Letter of Engagement for Bond Counsel; Foster, Pepper & Shefelman.**

**Lee Voorhees, Bond Counsel, Foster, Pepper & Shefelman**

Mr. Voorhees explained that the purpose of this Letter of Engagement was to engage his firm for services as bond counsel to the City in connection with the issuance of the referenced note.

City Attorney Grant Weed added that he was recommending approval of this.

**Motion** made by Councilmember Phillips, seconded by Councilmember Wright to approve the Letter of Engagement. **Motion** passed unanimously (6-0).

**LEGAL**

**A. Recovery Contract for Trunk F to Trunk A Intertie.**

This item was removed from the agenda.

**ORDINANCES AND RESOLUTIONS**

**A. An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area, Known as the Gribble – Center Construction Annexation into the City of Marysville and Repealing Ordinance No. 2505 (2-Parcel Gribble – Center Construction Annexation).**

Community Development Director Gloria Hirashima referred to a letter sent to neighboring parcels notifying them of the annexation as requested by Council. Councilmember Vaughan commented that some folks in the area really appreciated the letter.



Motion made by Councilmember Wright, seconded by Councilmember Vaughan to approve Ordinance No. 2510. Motion passed unanimously (6-0).

- B. An Ordinance of the City of Marysville Relating to the Waterworks Utility of the City; Out of a System or Plan of Additions to and Betterments and Extensions of that Waterworks Utility; Authorizing the Issuance of Not to Exceed \$30,000,000 Principal Amount of Its Water and Sewer Revenue Bond Anticipation Note (Revolving Line of Credit) Pending the Issuance of Water and Sewer Revenue Bonds Authorized Herein; Fixing the Date, Form, Maturity, Options of Setting the Interest Rate Index, Terms and Covenants of the Note; Establishing a Note Redemption Fund; and Authorizing the Issuance and Providing for the Delivery of the Note to Bank of America, N.A. of Seattle, Washington.**

Steve Gaidos, Financial Advisor for the City, recommended approving this item.

Motion made by Councilmember Vares, seconded by Councilmember Seibert to approve Ordinance No. 2511. Motion passed unanimously (6-0).

- C. An Ordinance of the City of Marysville Establishing and Amending Procedures for Processing and Review of Site Plans and Master Plans, Amending MMC 19.06 Adding Definitions, Amending MMC 15.03.020 Relating to the Authority of the Planning Commission, Amending MMC 15.030.40 Relating to the Authority of the Hearing Examiner, Amending MMC 15.09.020(1) Relating to Administrative Approval without Notice, and Amending MMC 15.09.030(1) Relating to Administrative Approval Subject to Notice.**

Motion made by Councilmember Soriano, seconded by Councilmember Vares to approve Ordinance No. 2512. Motion passed unanimously (6-0).

- D. An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Section 7.08.065 Relating to Accessibility of Solid Waste, Recycling and Yard Waste Containers.**

Motion made by Councilmember Soriano, seconded by Councilmember Vares to approve Ordinance No. 2513. Motion passed unanimously (6-0).

#### **INFORMATION ITEMS**

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

Mayor Kendall commented that he had been pleased and honored to attend the Easter Egg Hunt on Saturday. It had been well attended. Food had been collected for the food bank and it was a gorgeous day.

**B. Staff Business.**

**Phil Williams** referred to the Recovery Contract for Trunk F to Trunk A Intertie, which had been pulled from the agenda. He explained that they are resolving issues raised at last week's work session. He hoped to take it to the Public Works committee in May.

**Gloria Hirashima** updated Council regarding the Community Participation Contract. They are putting together a steering committee of 6-8 people and are looking for suggestions. She also stated that May 12 was a possible date for the community charette. She will be working with Doug Buell to get that date into the next Messenger.

**Grant Weed** had no business.

**Mary Swenson** had no business.

**Sandy Langdon** thanked Jim Ballew for the flowers around the City and for the Easter Egg Hunt. Mayor Kendall expressed appreciation for Ms. Langdon's daughter's help at the Easter Egg Hunt as well.

**Robert Carden** discussed:

1. Auto theft – They recently met with Everett law enforcement agencies. Washington is #9 in the country for auto theft. Snohomish County is #3 in the state. There was discussion about public education on this issue, especially about not leaving cars running.
2. Transient issue and associated drinking – a meeting with business people and the Tulalip Tribes was held, but no business people showed up. Police will continue to enforce liquor control laws. They will continue to move transients, but are anticipating it will get more intense toward the summer season.
3. Education and proactive teams for fireworks.

**C. Call on Councilmembers.**

**Jeff Vaughan** had no comments.

**Donna Wright** reviewed results of the Snohomish County Health District's three-year grant regarding second hand smoke. Ms. Wright then asked if the issue about the 2% maximum wastewater issue needs to be reviewed. Councilmember Vares indicated she also had planned to discuss that.

**Jeff Seibert** referred to the Comcast issue. Ms. Swenson said she would get that information to him. Mr. Seibert then asked about having another councilmember on the Economic Development Land Use Planning Committee. Mary Swenson noted that Councilmember Phillips had been interested in that committee. Mr. Phillips concurred with this, but said he had not been receiving information about the meetings.

**John Soriano:**

1. Easter Egg Hunt was a good time for everybody. State Representative Simpson had also been there. He stated that community events like that are very important.

CORRECTED: SEE 4/26/04 MINUTES

2. He attended the March 25 Sno-Isle Library Service Awards Brunch. Lynn Hudson had received a 25-year award for working at the library.
3. He distributed the RCW regarding scooter use.

Lee Phillips had no comments.

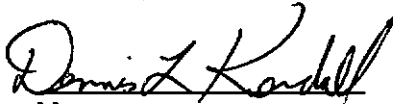
Lisa Vares asked Phil Williams if the 2% discharge limit issue needed to be discussed with the Public Works committee. Larry Larson recommended that it be discussed at the Public Works meeting. Ms. Vares then brought up the third runway at Paine Field. She referred to a directive sent to staff about a year ago and noted they had not received any information. She said she would like to determine what the issues are. Mary Swenson indicated they would get that update to Council. Councilmember Seibert added that there is a group moving forward with that study.

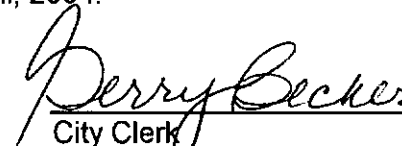
Mayor Kendall added that there would be a press conference at noon on Tuesday, April 13 to announce the proposal with NASCAR.

#### ADJOURNMENT

Mayor Kendall thanked all those present for their cooperation at the meeting. He noted there would be no Executive Session. Seeing no further business, the meeting was adjourned at 8:45 p.m.

Approved this 26<sup>th</sup> day of April, 2004.

  
 Mayor  
 Dennis Kendall

  
 City Clerk  
 Gerry Becker

  
 Recording Secretary  
 Laurie Hugdahl

## MARYSVILLE CITY COUNCIL WORK SESSION

April 5, 2004

7:00 p.m.

City Hall

### CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the April 5, 2004 work session of the Marysville City Council to order at 7:00 p.m. There was no invocation. Mayor Kendall led those present in the Pledge of Allegiance.

### ROLL CALL

Finance Director Sandy Langdon called the roll. The following staff and councilmembers were present.

**Mayor:** Dennis Kendall

**Council:** Lee Phillips, Jeff Seibert, John Soriano, Lisa Vares, Jeff Vaughan and Donna Wright.

**Staff:** Grant Weed, City Attorney; Sandy Langdon, Finance Director; Dave Ostergaard, Development Services Manager; Phil Williams, Interim Public Works Director; Kevin Nielsen, City Engineer; Greg Keith, Public Works Operations Manager; Jim Ballew, Parks and Recreation Director; and Laurie Hugdahl, Recording Secretary.

Mayor Kendall noted that Mayor Pro Tem Jon Nehring was away on vacation. Motion made by Councilmember Seibert, seconded by Councilmember Vares to excuse his absence. Motion passed unanimously (6-0).

### COMMITTEE REPORTS

None.

### PRESENTATIONS

**A. Proclamation: Public Health Week (April 5-11, 2004); Community Health Assistant Director Charlene Crow-Shambach.**

Mayor Kendall read a proclamation declaring April 5-11, 2004 as "Public Health Week." Community Health Assistant Director Charlene Crow-Shambach was present for the reading of the proclamation. She thanked Mayor Kendall for the recognition and described many of the benefits of community health.

## DISCUSSION ITEMS

### A. Utility Project Financing.

Finance Director Sandy Langdon summarized how the finance-related agenda items relate to each other and to this topic.

Lee Voorhees, Bond Counsel, Foster, Pepper & Shefelman

Mr. Voorhees explained how the interim utility financing would provide a revolving line of credit for the City to borrow up to \$30m for the specific purpose of financing water/sewer projects. He then solicited questions. There were none.

Steve Gaidos, Financial Advisor to the City

Mr. Gaidos spoke about the financing mechanism. He explained that there are two options, prime rate or LIBOR. Of the two, he recommended the prime rate option and explained why. He noted that this is a very flexible agreement. Bank of America would be the lending institution. Permanent financing would occur at some point in the future. He discussed possible refinancing, which could result in approximately \$300,000 savings per year. He also pointed out that there would be an interest penalty if not enough money was borrowed. He then solicited questions. There were none.

#### *Discussion*

Sandy Langdon added that she did not believe there would be a problem with the penalty associated with not borrowing enough money.

Councilmember Jeff Seibert referred to page five, section 3, which lists the principal amount as \$41,719,000.00. He asked if this was a bit high. Ms. Langdon agreed that it might be, but that it was much easier to do it this way up front.

Councilmember John Soriano then asked about possible fluctuations in the prime rate due to the election season. Mr. Gaidos explained that this was not typical.

## ACTION ITEMS

### A. Independent Contract Agreement for Interim Softball Coordinator.

Parks and Recreation Director Jim Ballew explained the need for this position and outlined its responsibilities. There was no discussion.

**Motion** made by Councilmember Jeff Vaughan, seconded by Councilmember Vares to approve the contract. **Motion** passed unanimously (6-0).

**B. Professional Services Agreement – Community Participation Expanded Outreach and Vision Workshops for Comprehensive Plan; Makers, Inc.**

Motion made by Councilmember Vares, seconded by Councilmember Wright to approve the selection of Makers Inc., approve the professional services agreement for the required work and authorize the Mayor to sign the appropriate documents. Motion passed unanimously (6-0).

***Other Items Scheduled for April 12, 2004 Meeting***

**CONSENT**

- A. Approval of March 24, 2004 Claims in the Amount of \$369,548.56; Paid by Check No. 14011 through 14172.
- B. Approval of March 31, 2004 Claims.
- C. Approval of April 7, 2004 Claims.
- D. Approval of March 20, 2004 Payroll in the Amount of \$492,579.75; Paid with Check No. 12339 through 12410.
- E. Approval of New Liquor License Application for Vi and Glynn's Tavern.

There were no comments or questions regarding this item.

- F. Authorize Mayor to Sign Acknowledgement of Aquatic Easement Numbers 51-026231 and 51-024341 Forfeiture for Nonuse Letter; Washington Department of Natural Resources.

Interim Public Works Director Phil Williams reviewed the background on this document. City Attorney Grant Weed added that this letter does not address the issue of possible future removal of the pipes. The original agreement did not include any language assigning responsibility for this and he did not feel it should be included in this one.

Councilmember Seibert commended him for his work on this and for focusing on the intent of the original agreement.

- G. Authorize Mayor to Sign Coordinated Prevention Grant Offer; Grant #G0400178 – Multi-family Recycling Program; Washington State Department of Ecology.

Greg Keith, Public Works Operations Manager, reviewed this two-year grant from the Department of Ecology for the total amount of \$26,615. He noted the City has an obligation to match \$4,436 per year for two years. He pointed out that the contract with Blue Marble Environmental under New Business would be the companion contract with this. There was general discussion regarding these agreements.

**H. Authorize Mayor to Sign State Avenue Improvements/Ebey Slough Park PUD Pole Relocation Easement.**

Phil Williams explained that this easement would address the need to move three utility poles on State Avenue. Grant Weed noted the revisions they are hoping to make to the PUD's original document. He suggested developing a standard easement to offer to the PUD in the future and indicated this is something they are working on.

**I. Authorize Mayor to Sign Contract for Farmer's Market; Laura Hart.**

Jim Ballew noted that this was a two-year extension request. Councilmember Wright referred to a previous issue with Farmers Market and the Homegrown Festival. There was discussion about the need for better communication between the two events.

**J. Authorize Mayor to Sign Contract to Allow Refrigerated Drop-Off and Pick-Up Booth for Water Samples Be Placed in Lloyd Taubeneck Building; Edge Analytical.**

Phil Williams summarized the agreement with Edge Analytical. He noted that it was a win-win situation for both parties.

**K. Establish Pay Classification of Athletics Coordinator at N7 in the Non-Representative Grid.**

Sandy Langdon explained that the position is currently vacant. There were no comments or questions regarding this issue.

**L. Authorize Mayor to Sign Nonexclusive Communication Site Subleases with US Coast Guard & Department of Justice.**

City Attorney Grant Weed addressed this topic. Councilmember Siebert asked about the previous discrepancy in prices between the two entities. Mr. Weed explained that they had better information now and a better understanding of what the fair market rate is.

**REVIEW BIDS**

**A. 2004 Annual Concrete Construction.**

Interim Public Works Director Phil Williams noted that there had been five bids submitted. Staff is recommending award of the bid to the apparent low bidder R&J Landscape and Construction.

**PUBLIC HEARINGS**

None.

**CURRENT BUSINESS****A. Economic Development Committee Chair Goal Statement Recommendation.**

Placeholder.

**NEW BUSINESS****A. 2004 Strawberry Festival Proposal.**

Strawberry Festival representatives were present to discuss this year's proposal. The changes discussed were:

1. Trike race being moved to Asbery Field – this is still under discussion with the school district.
2. Berry Run will be on Saturday before the parade starts. The route was reviewed.

**B. Variance Request from Pacific Coast Feather.**

Interim Public Works Director Phil Williams reviewed the history of this situation. He pointed to previous concerns about Pacific Coast Feather's intentions to recycle. Mr. Williams noted that staff was not recommending approval of the variance, but has become convinced that Pacific Coast Feather is serious about investigating recycling options. Staff recommends denying the increase, but is in favor of extending the current variance. He added that an extension of the variance would enable the company to hire 13-14 employees. There was discussion about other benefits to the City such as the sale of water.

Councilmember Seibert had concerns about residential customers being surcharged in the summer, but not commercial customers. There was discussion about this.

**C. Revise MMC 7.08.065; Solid Waste Management Accessibility of Cans.**

Public Works Operations Manager Greg Keith explained that this code revision would allow the City to charge in the event of a dumpster being blocked.

**D. Supplemental Agreement for Stillaguamish Water System Improvements Project Design Services.**

City Engineer Kevin Nielsen reviewed the redesign for the Stillaguamish filtration plant. He referred to the attachment which shows the before and after. He noted that this was facilitated by Arlington changing its code.

**E. Wehmeyer Annexation Notice of Intent; PA 04008.**

There were no comments or questions regarding this item.

**F. Professional Services Agreement for Multi-Family Recycling; Blue Marble Environmental.**



This was discussed under *Consent Agenda, Item G* above.

**G. Letter of Engagement for Bond Counsel; Foster, Pepper & Shefelman.**

This was discussed under *Discussion Items, Utility Project Financing* above.

**LEGAL**

**A. Recovery Contract for Trunk F to Trunk A Intertie.**

There was discussion about the area included within the boundaries. Kevin Nielsen indicated they would need to recalculate the numbers and come back with revised information.

**ORDINANCES & RESOLUTIONS**

**A. An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area, Known as the Gribble – Center Construction Annexation into the City of Marysville and Repealing Ordinance No. 2505 (2-Parcel Gribble – Center Construction Annexation).**

Councilmember Jeff Vaughan asked about notification of those involved. Grant Weed agreed that they should be notified if that has not already been done. He added that there was not a legal requirement to hold another hearing although one could be held. Mayor Kendall stated they would definitely make an effort to advise those concerned that May 1, 2004 would be the annexation date.

**B. An Ordinance of the City of Marysville Relating to the Waterworks Utility of the City; Specifying, Adopting and Ordering the Carrying Out of a System or Plan of Additions to and Betterments and Extensions of that Waterworks Utility; Authorizing the Issuance of Not to Exceed \$30,000,000 Principal Amount of Its Water and Sewer Revenue Bond Anticipation Note (Revolving Line of Credit) Pending the Issuance of Water and Sewer Revenue Bonds Authorized Herein; Fixing the Date, Form, Maturity, Options of Setting the Interest Rate Index, Terms and Covenants of the Note; Establishing a Note Redemption Fund; and Authorizing the Issuance and Providing for the Delivery of the Note to Bank of America, N.A. of Seattle, Washington.**

This ordinance was discussed earlier under *Discussion Items, Interim Utility Financing*.

**C. An Ordinance of the City of Marysville Establishing and Amending Procedures for Processing and Review of Site Plans and Master Plans, Amending MMC 19.06 Adding Definitions, Amending MMC 15.03.020 Relating to the Authority of the Community Development Director, Amending MMC 15.03.040 Relating to the Authority of the Planning Commission, Amending MMC 15.03040 Relating to the Authority of the Hearing Examiner, Amending MMC 15.09.020(1) Relating to Administrative Approval without Notice, and Amending MMC 15.09.030(1) Relating to Administrative Approval Subject to Notice.**

Grant Weed briefly reviewed the changes included in this ordinance.

## INFORMATION ITEMS

### A. Mayor's Business

Mayor Kendall reminded Council of the Easter Egg Hunt on Saturday at 10 a.m. at Jennings Park.

### B. Staff Business

**Phil Williams** addressed the **Wastewater Treatment Plant Upgrades – Phase II; Change Order #1**. Councilmember Seibert referred to problems with as-builts. Mr. Williams and Mr. Nielsen indicated that better procedures are now in place to deal with this.

**Kevin Nielsen** had no comments.

**Dave Ostergaard** had no comments.

**Grant Weed** had no comments.

**Sandy Langdon** addressed the **Declaration of Official Intent to Reimburse Expenditures from Proceeds of Bonds**. She also noted that e-mail was now up and running.

### C. Call on Councilmembers

**Lisa Vares** had no comments.

**Jeff Vaughan** referred to complaints about scooters. Grant Weed indicated that they are compiling information to bring back to Council as a discussion item.

**Jeff Seibert** commended progress by the contractor on the State Avenue Project.

**Lee Phillips** had no comments.

**John Soriano** asked if anyone would be attending the 10<sup>th</sup> Anniversary of the Naval Station. Mayor indicated that the City would have a representative there.

**Donna Wright** reviewed some Health Board issues that included discussion of a smoking/tobacco ban and significantly increased fees for hand-washing stations.

## ADJOURNMENT

Mayor Kendall recessed at 9:10 p.m. into Executive Session, which was to begin at 9:15 p.m. There was one real estate issue to be discussed with possible action to be taken.

**EXECUTIVE SESSION**

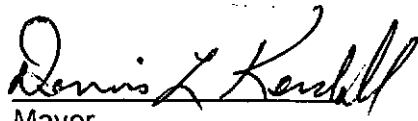
Council convened into Executive Session at 9:18 p.m.; discussed one real estate item; and reconvened into Regular Session at 9:23 p.m.

**Motion** by Councilmember Seibert, second by Councilmember Vares to approve the real estate transaction as discussed in Executive Session. Motion passed unanimously (6-0).

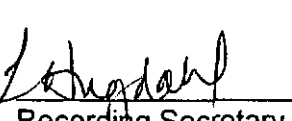
**ADJOURNMENT**

Mayor Kendall adjourned the April 5, 2004 City Council Work Session at 9:26 p.m.

Approved this 12<sup>th</sup> day of April, 2004.

  
\_\_\_\_\_  
Mayor  
Dennis Kendall

  
\_\_\_\_\_  
City Clerk  
Gerry Becker

  
\_\_\_\_\_  
Recording Secretary  
Laurie Hugdahl