

June 7, 2004

7:00 P.M.

City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the June 7, 2004 work session of the Marysville City Council to order at 7:00 p.m. There was no 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: Mayor Pro Tem Jon Nehring, Councilmembers Lee Phillips, Jeff Seibert, John Soriano, Lisa Vares, Jeff Vaughan and Donna Wright.

Staff: Grant Weed, City Attorney; Mary Swenson, Chief Administrative Officer; Sandy Langdon, Finance Director; Gloria Hirashima, Community Development Director; Larry Larson, Public Works Superintendent; Jerry Jacobsen, Fire Marshal; Gerry Becker, City Clerk; Kevin Nielsen, City Engineer; Bill Spies, Fleet and Facilities Manager; Jim Ballew, Parks and Recreation Director; and Laurie Hugdahl, Recording Secretary.

COMMITTEE REPORTS

Councilmember Lee Phillips reported that the **Finance Committee** would be holding its next meeting on June 30 at 5:00 p.m. At the last meeting, they discussed the budget meeting being held on June 11, revenue bond refunding, and the IT manager position.

Councilmember John Soriano reported on the May 27 **Public Safety Committee** meeting.

- Sgt. Doug Lee had discussed a proposal to issue free pet licenses to citizens.
- Officer Mike Ingraham discussed the low jack system.
- Commander Steve Winters reviewed fireworks safety information. There was discussion about a proposal limiting the dates on which fireworks will be allowed.
- Commander Robb Lamoureux noted that there was a new candidate for the Police Corps.

PRESENTATIONS

None.

ACTION ITEMS**A. Snohomish County Human Services Grant Contract; Senior Services Project Program.**

Parks and Recreation Director Jim Ballew explained that this grant would cover reimbursement for the part-time position at the Ken Baxter Senior Community Center. Immediate action was necessary on this item in order to be reimbursed for the costs of the employee for May.

MOTION made by Councilmember Seibert, seconded by Councilmember Wright to authorize the Mayor to sign the Snohomish County Human Services Grant which will provide \$7,500 in reimbursed funds for the salaries and benefits of the Recreation Assistant II position at the Ken Baxter Senior Community Center through 2004. **Motion passed unanimously (7-0).**

Other Items Discussed:**CONSENT AGENDA ITEMS****E. Approval of New Liquor License Application for Marysville Oriental Store (1092 State Avenue).**

There were no comments or questions regarding this item.

REVIEW BIDS**A. Comeford Park Play Equipment.**

Councilmember Nehring inquired about the possible need to address this issue in Executive Session. City Attorney Grant Weed indicated that this would not be necessary. Councilmember Soriano asked what would be done with the old equipment. Jim Ballew explained how most of it would be incorporated into the new design.

B. Jennings Park Play Equipment.

There were no comments or questions regarding this item.

PUBLIC HEARINGS

None.

CURRENT BUSINESS**A. Park Property Lease Agreement; R & D Park Creek, LLC.**

Jim Ballew pointed out the revisions on pages 4 and 5 that had already been approved by the lessee. Grant Weed added that the language in Section 9 was expanded from the original version approved by Council.

A. Approval of Fireworks Applications.

Councilmember Vaughan inquired about the eight-stand limit. He asked how they are selected. City Clerk Gerry Becker stated that they generally do not have more than eight applications. Mary Swenson added that at the one time when they did have more than eight applications, they were approved on a first come - first serve basis.

B. Ebey Slough Waterfront Park Construction Management Services; Entranco Engineers.

Councilmember Seibert referred to the tasks outstanding in the contract with Hammond Collier Wade-Livingstone. Mr. Nielsen explained that the work could be done by someone else if necessary.

C. Sisco Reservoir (formerly Northend 240-Zone Reservoir) Design Services; Contract Supplement; RH2 Engineers.

Kevin Nielsen discussed the scope of this agreement. There was discussion about limiting the management reserve to 5%.

D. Extension #1 to Contract Agreement with Waste Management NW for Curbside-Collected Recyclables, Yard Waste, Multi-Family and Commercial Collection, Processing Marketing and Disposal Services.

Larry Larson reviewed the Contract Extension and the Franchise Agreement with Waste Management NW. He reviewed the modifications to the agreement and noted that the goal of the work with Waste Management NW was to implement a Single-Stream Recycling Program. Councilmember Nehring inquired about the two three-year extensions. He had concerns about granting the extensions automatically without further review. There was some discussion about the \$100 that will be credited to the City for missed pickup.

E. Automated Collection of Solid Waste.

Larry Larson explained the request for budget amendment for the purpose of purchasing carts and curatto cans and the retrofit of trucks required to implement automated collection. There was some discussion about the color of the new cans. Councilmember Vaughan suggested using a lighter color due to the heat absorption of darker colors. No one seemed to have a strong opinion about the issue.

F. Peter Hegge Street Vacation; PA 04-014.

Gloria Hirashima explained that this item referred to a petition they received for vacation of a portion of unimproved 75th Avenue NE right-of-way. She noted that Council would need to establish the method of compensation based on the three options provided. There was discussion about maintaining a utility easement in that location. Grant Weed pointed out factors to be considered when deciding on the method of computation. Ms.

Hirashima clarified that the action required on this item is simply to set the date for a hearing and to determine the method of compensation.

G. Development Code Revisions.

Gloria Hirashima presented the final recommendations from the Planning Commission concerning revisions to Titles 15, 19 and 20 of the Marysville Municipal Code. She explained that the revisions are the result of a combination of housekeeping items, letters and requests received from citizens and developers, and issues raised at meetings during the year. Councilmember Vaughan inquired about the rationale in moving from 4 to 9 model homes. Ms. Hirashima explained this. She also noted that the SEPA threshold was bumped from 4 to 9. Councilmember Seibert had concerns about citizens not having significant recourse if they have issues with a development. He then referred to Code Amendment No. 3 (19.02.070). His concern was regarding the subjective nature of interpretation and the possibility of legal action against the City. Ms. Hirashima responded that the three criteria listed would be the basis for determining the approval. Councilmember Seibert then addressed concerns regarding Code Amendment 10a and Code Amendment 11 (net density calculation).

LEGAL

A. Professional Services Contract for Bond Counsel; Foster, Pepper Shefelman.

Grant Weed noted that this is the same form as received on the previous agreement, but the changes recommended by him had been incorporated. He recommended approval of the contract.

Councilmember Vares asked about the possibility of accepting proposals from other bond counsels in order to ensure they were getting the most competitive rate. Jeff Seibert was also in support of this idea. There was discussion about the feasibility of doing this. Sandy Langdon responded that she could call around to some other cities to see what they are paying. She explained that there are only two bond counsels that she is aware of that most cities use. She will attempt to get some responses by next week.

B. Recovery Contract for Trunk F to A Intertie.

Gloria Hirashima reviewed modifications to this, which include new calculations and new boundaries as shown on the map.

ORDINANCES & RESOLUTIONS

- A. An Ordinance of the City of Marysville Amending the 2004 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in 2004 and Amending Ordinance No. 2500.**
- B. An Ordinance of the City of Marysville Amending Chapter 15.07.010 of the Marysville Municipal Code.**

- C. An Ordinance of the City of Marysville Amending Sections of Chapter 19 of the Marysville Municipal Code 19.02.070, 19.02.080(5), 19.06.340, 19.08.040, 19.08.060, 19.08.060(2) 10, 19.08.070, 19.08.100, 19.12.060, 19.12.090, 19.18.160, 19.22.030, 19.26.030(5) 6b and c, 19.27.030, 19.27.040, 19.44.030, 19.44.040; and Adding 19.04.220; and Repealing 19.04.200.
- D. An Ordinance of the City of Marysville Amending Chapter 20 of the Marysville Municipal Code, 20.12.120, 20.24.070, 20.24.160, 20.48.050; and 20.24.290 is Repealed.
- E. Resolution of the City of Marysville Establishing July 12, 2004 as the Date upon which a Hearing Shall Be Held Before the Marysville City Council to Consider Vacation of a Portion of Unimproved 75th Avenue NE Right of Way, North of 55th Place NE and West of 77th Avenue NE in the City of Marysville.

INFORMATION ITEMS

A. Mayor's Business

Mayor Kendall reminded councilmembers of the AWC conference next week.

B. Staff Business

Sandy Langdon noted that Grant Writer Greg Young had left the City. The title of that position is being changed from grant writer to grant administrator to more accurately depict the position's responsibilities.

Kevin Nielsen gave an update on State Avenue.

Gloria Hirashima reviewed grant money received from the Department of Ecology.

Grant Weed reviewed the State Supreme Court's recent decision regarding driving while license suspended 3. He will have more information, as it is available. He also noted that he would have three items for Executive Session - 2 pending litigation items and 1 real estate item.

Mary Swenson added that she might have one more property issue for Executive Session, if time. Other information from Ms. Swenson included:

1. They are educating employees regarding the rising costs of health benefits.
2. Economic Committee's goal statement will be on the agenda next week.
3. They are working on recruiting for a new Public Works Director.
4. They are finalizing the job description for the economic development position.

C. Call on Councilmembers

Jeff Vaughan reported on the AWC Workshop on communication with citizens using technology. The methods discussed included the following:

- Use of list serve (e-mail service)
- Pulse pads – these are free for use by the AWC

- Automated calling – costs less than sending a postcard
- Budget calculator – available for websites to use

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Donna Wright had nothing to report.

Jeff Seibert

- Brought up using the paperless agenda as proposed by Microsoft. This had been discussed at the Finance Committee meeting. Sandy Langdon and others are looking into this further.
- Stated the need to make a decision regarding the Doleshel property. Mary Swenson replied that there would be information coming regarding this at next week's Executive Session.
- Asked that a moment of silence be observed at the beginning of next week's meeting for the local young men killed in action in Iraq.
- Asked for more information regarding the 88th Street extension.

Lee Phillips commented favorably on the NASCAR forum.

John Soriano

- Echoed Councilmember Phillips' comments on the NASCAR forum.
- He also reported on the Chelan Fire Conference that he and Donna Wright attended. He stated that they were given disks with a budget model that made the impacts of I-64 very visible.

Lisa Vares had nothing to report.

Jon Nehring had some questions about the grant writing position that were addressed by Mary Swenson.

INFORMATION ITEMS

A. Motorized Foot Scooters.

There was no discussion on this issue at this time. Mayor Kendall noted that the information was for council to review.

ADJOURNMENT

Mayor Kendall recessed the meeting at 8:55 with Executive Session scheduled to begin at 9:00 p.m.

EXECUTIVE SESSION

Council went into Executive Session at 9:00 p.m. and discussed two potential litigation and two real estate issues. They reconvened into Regular Session at 9:50 p.m.; took no further action and adjourned.

Approved this 14th day of June, 2004.

Dennis L Kendall
Mayor
Dennis Kendall

Gerry Becker
City Clerk
Gerry Becker

Laurie Hugdahl
Recording Secretary
Laurie Hugdahl