

000457

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

November 22, 2004

City Hall

<b>Call to Order/Invocation/Pledge of Allegiance/Roll Call</b>	<b>7:00 P.M.</b>
<b>Roll Call</b>	
Excuse the Absence of Councilmember Vares.	Approved
<b>Approve of Minutes</b>	
Approval of November 8, 2004 City Council Meeting Minutes.	Approved
Approval of November 15, 2004 City Council Work Session Minutes.	Approved
<b>Consent Agenda</b>	
Approval of November 10, 2004 Claims in the Amount of \$625,733.85; Paid by Check No. 18746 through 18885.	Approved
Approval of November 17, 2004 Claims in the Amount of \$2,478,470.95; Paid by Check No. 18886 through 19005 with Check No. 60794, 67255, and 18851 Void.	Approved
Approval of November 5, 2004 Payroll in the Amount of \$757,746.79; Paid by Check No. 13478 through 13552.	Approved
Approval of November 19, 2004 Payroll in the Amount of \$480,045.43; Paid by Check No. 13553 through 13618.	Approved
Approval of Liquor License Renewals for Circle K #8878, Pearl Garden, Jackpot Foodmart #160, and Quil Ceda 76.	Approved
Accept the State Avenue Sewer Project as Complete and Begin 45-Day Lien Filing Period.	Approved
Award Carrol's Creek Pump Station.	Approved
Approval of Retainage Escrow Agreement; Shoreline Construction Company.	Approved
<b>New Business</b>	
Approval of Professional Services Agreement for Emergency Response; Craig Thompson.	Approved
Reconsideration of the Affective Date for General Facility Charges: Option C – Tiered Increase.	Approval
<b>Ordinances and Resolutions</b>	
Approval of An Ordinance of the City of Marysville, Washington Increasing Water and Sewer Rates, Amending Sections 14.07.060 and 14.07.070 of the Marysville Municipal Code.	Approved Ord. No. 2548
Approval of An Ordinance of the City of Marysville, Washington Adding Utility Rate Relief for Low Income Senior Citizens and Disabled Persons and Adding Chapter 3.63 to the Marysville Municipal Code.	Approved Ord. No. 2549
Approval of An Ordinance of the City of Marysville Repealing Sections 2.20.070 and 2.20.080 of the Marysville Municipal Code Relating to Golf Course Manager and Golf Professional.	Approved Ord. No. 2550
Approval of An Ordinance of the City of Marysville, Washington Amending MMC 14.07.010(2) Relating to Sewer and Water Utility Capital Improvement Charges.	Continued
<b>Adjournment</b>	<b>8:00 P.M.</b>
<b>Executive Session</b>	<b>8:10 P.M.</b>
Approve settlement agreement as discussed in Executive Session.	
<b>Adjournment</b>	<b>8:51 P.M.</b>

## MARYSVILLE CITY COUNCIL MEETING

November 22, 2004

7:00 p.m.

Marysville City Hall

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

Mayor Pro Tem Jon Nehring called the November 22, 2004 meeting of the Marysville City Council to order at 7:03 p.m. Tom Albright of the Marysville United Methodist Church gave the invocation. Mayor Pro Tem Nehring then led those present in the Pledge of Allegiance.

**ROLL CALL**

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

**Council:** Mayor Pro Tem Jon Nehring, Lee Phillips, Jeff Seibert, John Soriano; Jeff Vaughan, and Donna Wright.

**Staff:** Mary Swenson, Chief Administrative Officer; Sandy Langdon, Finance Director; Grant Weed, City Attorney; Gloria Hirashima, Community Development Director, Corbitt Loch, Assistant Administrator/Economic Development; Kevin Nielsen, City Engineer; Larry Larson; Public Works Superintendent; Laurie Hugdahl, Recording Secretary.

Mayor Pro Tem Nehring noted that Mayor Dennis Kendall was on a working vacation and Councilmember Vares was absent.

**Motion** made by Councilmember Donna Wright; seconded by Councilmember Jeff Vaughan to excuse the absence of Councilmember Lisa Vares. **Motion** passed 5-0 with Councilmember Lee Phillips abstaining.

**COMMITTEE REPORTS**

Councilmember John Soriano reported that Attorney Thom Graafstra had shared procedural information at the last **LEOFF I** meeting.

Councilmember Jeff Vaughan reviewed the November 10 **Parks Advisory Board** meeting. Highlights included:

- Strawberry Fields – Will possibly have a spring event to kick off the official opening; Phase II work going out to bid shortly; discussion about using part of the property for an off-leash dog park.
- Waterfront Park update.
- Comeford Park renovation and pavilion construction update.

Councilmember Lee Phillips reported that the **Finance Committee** discussed the finalization of the budget at their last meeting. Other topics addressed included:

- New agreement regarding utility billing;
- Mail service company is going out of business;
- Red Cross is able to help with the charity portion of the utility bill;
- Rate ordinance will include criteria to include discount for low income seniors and disabled;
- New telephone system update.

## **PRESENTATIONS**

### ***Employee Service Awards.***

Public Works Superintendent Larry Larson reviewed the work history of each of the recipients although none of them were in attendance.

#### Doug Byde, Wastewater Treatment Plant Lead, Pretreatment – 20 Years.

Mr. Byde grew up in Marysville and graduated from Marysville Pilchuck High School in 1978. He initially worked for Hanson Boat Company in Everett. He was hired by the City in 1984 in the Parks Department. He transferred to Streets a year later, and then 5 years later he transferred to Wastewater Treatment. As the Wastewater Treatment Plant Lead, Mr. Byde is in charge of all the water sampling. He is currently also taking on the duties of the Wastewater Plant Supervisor. Mr. Byde also has achieved a variety of advanced certifications. He and his wife, Charlene, enjoy growing organic vegetables, salmon fishing and hunting.

#### Kevin Gessner – Maintenance Worker II, Utility Construction – 10 Years.

Mr. Gessner also grew up in the area. He graduated from Marysville Pilchuck High School in 1989. He worked at Evergreen Mobile as a framer. His father worked in the street department for over thirty years. Kevin Gessner was hired as a Meter Reader then moved into solid waste. Now he works as a Maintenance Worker II in Utility Construction. In his free time, Mr. Gessner enjoys hunting, fishing and spending time in the outdoors.

#### Darrin Douglas – Solid Waste Collector, Public Works – 5 Years.

Mr. Douglas was raised in Marysville. He worked for Waste Management before becoming employed with the City. On December 1, 1999 he was hired as a Solid Waste Collector. In 2001 he was Employee of the Quarter. He recently was recognized for his involvement in the transition to automated pickup. On a personal note, Mr. Douglas is married and has a four-year-old daughter.

## **AUDIENCE PARTICIPATION.**

Mayor Pro Tem then solicited audience participation on items not already on the agenda. There was none.

## **DISCUSSION ITEMS**

None.

**APPROVAL OF MINUTES.****A. November 8, 2004 City Council Meeting.**

Councilmember Donna Wright indicated she would be abstaining from the vote since she had been absent at the November 8 meeting.

**Motion** made by Councilmember Vaughan; seconded by Councilmember Soriano to approve the minutes as presented. **Motion** passed unanimously (5-0) with Councilmember Wright abstaining.

**B. November 15, 2004 City Council Work Session.**

**Motion** made by Councilmember Vaughan; seconded by Councilmember Wright to approve the November 15 work session minutes as presented. **Motion** passed unanimously (6-0).

**CONSENT**

Mayor Pro Tem Nehring solicited audience comment on any consent agenda items. There was none. He then asked if any councilmembers wished to remove any of the items for discussion. No one did.

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

- A. Approval of November 10, 2004 Claims in the Amount of \$625,733.85; Paid by Check No. 18746 through 18885.**
- B. Approval of November 17, 2004 Claims in the Amount of \$2,478,470.95; Paid by Check No. 18886 through 19005 with Check No. 60794, 67255, and 18851 Void.**
- C. Approval of November 5, 2004 Payroll in the Amount of \$757,746.79; Paid by Check No. 13478 through 13552.**
- D. Approval of November 19, 2004 Payroll in the Amount of \$480,045.43; Paid by Check No. 13553 through 13618.**
- E. Approval of Liquor License Renewals for Circle K #8878, Pearl Garden, Jackpot Foodmart #160, and Quil Ceda 76.**
- F. Accept the State Avenue Sewer Project as Complete and Begin 45-Day Lien Filing Period.**
- G. Award Carrol's Creek Pump Station.**
- H. Approval of Retainage Escrow Agreement; Shoreline Construction Company.**

**REVIEW BIDS**

None.

**PUBLIC HEARINGS**

None.

**CURRENT BUSINESS**

None.

**NEW BUSINESS****A. Professional Services Agreement for Emergency Response; Craig Thompson.**

Grant Weed explained that two sections from the standard Professional Service Agreement have been removed from this given the type of services being provided by this individual. There was no audience comment or council discussion.

Motion made by Councilmember Donna Wright; seconded by Councilmember Jeff Vaughan to approve and authorize the mayor to enter into a written agreement with NCT Engineering. Motion passed unanimously (6-0).

**B. Water and Sewer Rate Increase Ordinance.**

Mayor Pro Tem Nehring explained that this ordinance was related to the ad hoc committee's recommendations for rate relief for low-income seniors and disabled. There were no further comments.

**C. Reconsideration of the Affective Date for General Facility Charges.**

City Engineer Kevin Nielsen reviewed Council's original decision to adopt the ordinance regarding GFC's. With adoption of that ordinance, Council vested applications at the preliminary plat application phase. He stated that he had not provided all the necessary information for Council to make an informed decision. He apologized for not having this information to Council earlier. A critical factor was that the City needs to maintain a cash reserve of approximately \$4.85m for debt service. Mr. Nielsen gave a PowerPoint presentation regarding the situation and the suggested options for Council:

- A. GFC collected at Preliminary Plat.
- B. No vesting.
- C. Increased over two years, tiered approach.

Staff is recommending Option C: GFC at final Plat and to increase over two years (on 1/1/05 and 1/1/06). There was some discussion about the specifics of the different options.

*Public Comment:*

David Toyer, Barclays North, 10515 – 20<sup>th</sup> Avenue SE, Everett, WA 98205.

Mr. Toyer thanked staff and others for keeping the communication open. He voiced his support of the tiered approach. He suggested giving developers the option of paying at either final plat or building permit. There was some discussion about why some developers would prefer making payment at final plat for cash flow reasons. There was no further public comment.

**Motion** made by Councilmember Jeff Seibert; seconded by Councilmember Lee Phillips to adopt Option C for the two-step increase in GFC. **Motion** passed unanimously (6-0).

Mary Swenson applauded Council for taking another look at this issue and making a difficult decision. Councilmember Nehring requested a report on connections in the future.

**LEGAL**

None.

**ORDINANCES AND RESOLUTIONS**

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

**Motion** made by Councilmember Wright; seconded by Councilmember Soriano to adopt Ordinance 2548 increasing water and sewer rates, amending sections 14.07.060 and 14.07.070 of the MMC. **Motion** passed unanimously (6-0).

- B. An Ordinance of the City of Marysville, Washington Adding Utility Rate Relief for Low Income Senior Citizens and Disabled Persons and Adding Chapter 3.63 to the Marysville Municipal Code.**

**Motion** made by Councilmember John Soriano; seconded by Councilmember Vaughan to adopt Ordinance 2549 adding utility rate relief for low-income senior citizens and disabled persons and adding Chapter 3.63 to the MMC. A spelling correction on page 1, line 3 was pointed out. **Motion** passed unanimously to adopt the ordinance with the corrected spelling (6-0).

- C. An Ordinance of the City of Marysville Repealing Sections 2.20.070 and 2.20.080 of the Marysville Municipal Code Relating to Golf Course Manager and Golf Professional.**

**Motion** made by Councilmember Vaughan; seconded by Councilmember Wright to adopt Ordinance No. 2550. **Motion** passed unanimously (6-0).

**D. An Ordinance of the City of Marysville, Washington Amending MMC 14.07.010(2) Relating to Sewer and Water Utility Capital Improvement Charges.**

This item will come back with revisions for the next cycle.

**INFORMATION ITEMS**

***Mayor's Business***

**Mayor Pro Tem Nehring** discussed an email from a citizen, Capt. Chris Crawford in Iraq, requesting equipment. He also announced that the Parks Department needs coaches for the 4th and 5th grade basketball.

***Staff Business***

**Corbitt Loch** had no further comments.

**Larry Larson** had no further comments.

**Kevin Nielsen** noted that the pond ordinance would be coming forward soon.

**Gloria Hirashima** had no further comments.

**Grant Weed** noted that he had two items for Executive Session – acquisition of real property and potential litigation.

**Mary Swenson** commented that the County and City have withdrawn the proposal from ISC.

**Sandy Langdon** had no further comments.

***Call on Councilmembers***

**Lee Phillips** had no comments.

**John Soriano** referenced the annual Snohomish County EDC dinner. Mary Swenson encouraged Council to go.

**Jeff Seibert** requested that in the future all pages of all options be labeled to avoid mix-ups.

**Donna Wright** discussed the Regional Economic Summit with 1,100 attendees. The importance of regional partnerships between public, private and non-profit groups was discussed. On a personal note, she announced that she was a new Grandma to her son Ted and his wife's baby girl!

**Jeff Vaughan** had no comments.

***Park Advisory Board Meeting Minutes; October 13, 2004.***

**ADJOURNMENT**

Mayor Pro Tem Nehring recessed the meeting into Executive Session at 8:00 p.m. The Executive Session was expected to last approximately twenty minutes.

**EXECUTIVE SESSION**

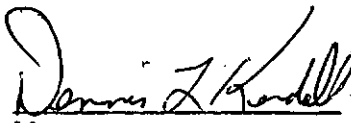
Council met in Executive Session at 8:10 p.m.; discussed a litigation issue; and returned to Regular Session at 8:50 p.m.


**Motion by** Councilmember Phillips, second by Councilmember Seibert to approve the settlement agreement regarding State Avenue Improvements as discussed in Executive Session. Motion carried unanimously (6-0).

**ADJOURNMENT**

Mayor Pro Tem Nehring adjourned the November 22, 2004 meeting of the Marysville City Council at 8:51 p.m.

Approved this 13<sup>th</sup> day of December, 2004.

  
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Mayor  
Dennis Kendall

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

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



## MARYSVILLE CITY COUNCIL WORKSHOP

November 15, 2004

7:00 p.m.

Marysville City Hall

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

Mayor Dennis Kendall called the November 15 workshop 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.

**ROLL CALL**

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

**Mayor** Dennis Kendall

**Council:** Mayor Pro Tem Jon Nehring, Lee Phillips, Jeff Seibert, John Soriano, and Jeff Vaughan; Donna Wright.

**Staff:** Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Sandy Langdon, Finance Director; Gloria Hirashima, Community Development Director; Steve Winters, Police Commander; Larry Larson, Public Works Superintendent; Kevin Nielsen, City Engineer; Jeff Massie, Assistant City Engineer; Jeff Smart, IT Manager; Corbitt Loch, Assistant Administrator/Economic Development Director; Laurie Hugdahl, Recording Secretary.

**Motion** made by Councilmember Wright; seconded by Councilmember Nehring to excuse the absence of Councilmember Vares. **Motion** passed unanimously (6-0).

**COMMITTEE REPORTS**

Councilmember Jon Nehring reported that the Public Works Committee had met tonight and had discussed the wastewater treatment plant operations with a software demonstration by City Engineer Kevin Nielsen. The Lakewood area sewer rates and connection charges were also discussed. Finally, the presentation by Pertect Engineering was reviewed.

**PRESENTATIONS****A. Preliminary Transportation Management Plan; Pertect, Inc.**

Michael Stringam reviewed the results of his firm's Preliminary Transportation Management Plan. He explained that for the purposes of this analysis they had attempted to locate a site with connections to major arterials. He explained that there are proposed three race weekends per year. Two of these are major races where they anticipate having approximately 75,000 fans in attendance on each of the two weekend days (Saturday and

Sunday). The other race weekend had a much lower attendance anticipated. This regional race is expected to have approximately 30,000 on each of the two weekend days.

Mr. Stringam described the two possible scenarios considered for the distribution of spectators coming to the races. The Lower Economic Impact Scenario assumed mostly regional, local traffic, most of which would be coming from the south. The Higher Economic Impact Scenario would be mostly out of state fans with a significant number coming from the north, especially Vancouver, B.C.

Next, he reviewed spectator travel modes. These generally include driving; driving/flying and staying at motels; RV families; tour operators (charter bus); private local shuttles (hotels, restaurants and related recreation); public transportation/shuttles (Community Transit, Park and Ride shuttles, Sounder trains). Assuming unconstrained spectator travel for major race days (4 days per year), Mr. Stringam explained how the current road system would be more than adequate to handle inbound traffic demands. With unconstrained traffic measures there would be some possibility of exceeding available capacity during departure period. He explained how the departure period is generally shorter than the arrival period (3 hours vs. 6 hours), which would put more cars onto the roads in a shorter amount of time.

To alleviate capacity issues they are recommending managed traffic measures, which would reduce drivers onto the site by 20,000 cars. These management measures include increasing park and ride shuttles and private shuttles. He outlined how this would be possible by utilizing private shuttles for 4,000-5,000 fans to reach 1,500-2,000 parking spaces at local hotels, recreation and restaurants (such as Tulalip Casino). Additionally public shuttles could be used for 7,500-12,000 fans to reach 3,000-4,000 parking spaces in Everett, Lake Stevens and Monroe (8,950 parking spaces available). With these managed transportation elements they are very comfortable that the existing regional roads can accommodate either the High Economic Impact Scenario or the Low Economic Impact Scenario. This would allow the departure of 9,400 vehicles per hour and 200 buses per hour using the available capacity.

Finally, Mr. Stringam discussed the recommended transportation improvement. Most of these are already in State, County or City plans. Some are already under construction. Some are funded; some are not. Of the ones that are not funded, Mr. Stringam commented that possibly only parts of the projects may be needed.

There were no further comments or questions.

Mayor Kendall then welcomed Boy Scout Troop 84 who was in the audience.

## **DISCUSSION ITEMS**

### **Other Items Scheduled for November 22, 2004 Meeting**

#### **APPROVAL OF MINUTES.**

##### **A. November 8, 2004 City Council Meeting.**

##### **B. November 15, 2004 City Council Work Session.**

**CONSENT**

- A. Approval of November 10, 2004 Claims in the Amount of \$625,733.85; Paid by Check No. 18746 through 18885.**
- B. Approval of November 17, 2004 Claims.**
- C. Approval of November 5, 2004 Payroll in the Amount of \$757,746.79; Paid by Check No. 13478 through 13552.**
- D. Approval of November 20, 2004 Payroll.**
- E. Approval of Liquor License Renewals for Circle K #8878, Pearl Garden, Jackpot Foodmart #160, and Quil Ceda 76.**

There were no comments or questions on this item.

- F. Accept the State Avenue Sewer Trunk Extension Project as Complete and Begin 45-Day Lien Filing Period.**

There were no comments or questions on this item.

**REVIEW BIDS**

- A. Award Carrol's Creek Pump Station.**

Larry Larson explained that there was only one response to the bid. They are recommending approval of awarding the bid to Gary Harper Construction, Inc. There were no further comments or questions regarding this item.

**PUBLIC HEARINGS**

None.

**CURRENT BUSINESS**

None.

**NEW BUSINESS**

- A. Approval of Retainage Escrow Agreement; Shoreline Construction Company.**

Kevin Nielsen explained that this is for the 71st and Soper Hill Sewer Extension Project. The city attorney has reviewed the contract. There were no further comments or questions on this item.

**B. Professional Services Agreement for Emergency Response; Craig Thompson.**

Larry Larson reviewed this Professional Services Agreement. There were no further comments or questions on this item.

**C. City Telephone System Purchase; Washington State Contract.**

Jeff Smart discussed this contract. Councilmember Vaughan clarified that the equipment and other elements are the same as presented earlier, only contractual elements have been changed. Mr. Smart concurred. Councilmember Nehring asked if this would be ready by the end of the year. Mr. Smart explained that it can all be installed by the year-end, but there is a dial tone issue that needs to be addressed. Councilmember Vaughan inquired about the possibility of having service by two different providers as a backup. Mr. Smart responded that this would not be necessary.

**Motion** made by Councilmember Nehring; second by Councilmember Vaughan to approve the expenditure and authorize the mayor to sign a sales agreement and maintenance contract with CNR, Inc. **Motion** passed unanimously (6-0).

**D. Water and Sewer Rate Increase Ordinance.**

Sandy Langdon explained that this ordinance was adjusting the rates. They are also adding a second ordinance that provides a discount for senior citizens and disabled persons. Councilmember Soriano asked about the accessibility of the RCW definition of low-income senior citizens and disabled citizens. Sandy Langdon indicated this would be available from several different sources for citizens.

**E. Repealing Marysville Municipal Code Sections 2.20.070 and 2.20.080.**

Ms. Langdon explained how the auditors had pointed out that this section of the code did not reflect the actual operations. They are recommending repeal of this section in order to clean up the code.

**LEGAL**

None.

**ORDINANCES AND RESOLUTIONS**

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

**B. An Ordinance of the City of Marysville, Washington Adding Utility Rate Relief for Low Income Senior Citizens and Disabled Persons and Adding Section 3.63 to Title 3 of the Marysville Municipal Code.**

**C. An Ordinance of the City of Marysville Repealing Sections 2.20.070 and 2.20.80 of the Marysville Municipal Code Relating to Golf Course Manager and Golf Professional.**

**INFORMATION ITEMS****Mayor's Business**

Mayor Kendall had no additional comments.

**Staff Business**

**Commander Winters** had no comments.

**Sandy Langdon** commented that the Public Works Committee was asking Council to revisit the GFC decision and the effective date. The effect it will have on utilities in the future is extreme and needs to be reevaluated. Mary Swenson concurred. Ms. Langdon noted she would be making a formal presentation to Council. Councilmember Jon Nehring added that the vesting issue was larger than he had realized and had greater ramifications than they had realized. Ms. Langdon added that they would be having a Finance Committee meeting on Wednesday, November 17th at 4:30 p.m.

**Corbitt Loch** had no comments.

**Kevin Nielsen** thanked the Public Works Committee for accommodating a change in schedule.

**Jeff Massie** had no comments.

**Larry Larson** had no comments.

**Gloria Hirashima** reminded Council of the Joint Planning Commission/City Council Workshop tomorrow night. Ms. Hirashima will be giving an overview of issues on the Comprehensive Plan. They will also be looking at population and employment targets and land use alternatives.

**Grant Weed** commented that an Executive Session was needed to discuss two matters.

**Mary Swenson** had no comments.

**Call on Councilmembers**

**Jeff Seibert** had no comments.

**Jon Nehring** made a **motion** to revisit the GFC rate ordinance at the next meeting. The motion was seconded by Councilmember Jeff Vaughan. **Motion** passed unanimously (6-0).

**Lee Phillips** had no comments.

**John Soriano** had no comments.

**Jeff Vaughan** thanked Mayor Kendall for taking the time to talk with the Boy Scouts in the audience tonight. He discussed what an impression this might have on the young men.

**Donna Wright** had no comments.

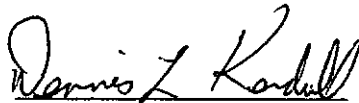
**ADJOURNMENT**

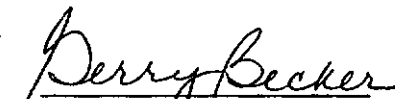
Mayor Kendall recessed at 7:45 p.m. into Executive Session, which was scheduled to begin at 7:50 p.m.


**EXECUTIVE SESSION**

Council met in Executive Session at 10:05 p.m.; discussed one potential litigation item and one real estate issue; returned to Regular Session at 10:15 p.m.; took no further action, and adjourned.

Approved this 22<sup>nd</sup> day of November, 2004.

  
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Mayor  
Dennis Kendall

  
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City Clerk  
Gerry Becker

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