

MARYSVILLE CITY COUNCIL WORK SESSION

May 7, 2006

7:00 P.M.

CITY HALL

CONTACTED: SEE 5/19/07
MINUTES page 3 of 13

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the May 7, 2007 meeting 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

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

Mayor: Dennis Kendall

Council: Mayor Pro Tem Jon Nehring, Lee Phillips, Carmen Rasmussen, Jeff Seibert, John Soriano, and Donna Wright

Staff: Mary Swenson, Chief Administrative Officer; Grant Weed, City Attorney; Sandy Langdon, Finance Director; Paul Roberts, Public Works Director; Kevin Nielsen, City Engineer/Assistant Public Works Director; Gloria Hirashima, Community Development Director; Robb Lamoureux, Police Commander; Tracy Jeffries, Assistant Administrative Services Director; Jim Ballew, Parks and Recreation Director; Worth Norton, Information Services Manager; Steve Roberge, Senior Planner; John Cowling, Engineering Services Manager, Land Development; and Laurie Hugdahl, Recording Secretary.

Mary Swenson noted that Councilmember Vaughan was unable to attend due to a family matter.

Motion made by Councilmember Nehring, seconded by Councilmember Seibert, to excuse the absence of Councilmember Vaughan. **Motion** passed unanimously (6-0).

COMMITTEE REPORTS

Councilmember Phillips commented that the TV Advisory Committee is planning a charette on Wednesday from 3 to 4.

PRESENTATIONS**A. Healthy Communities.**

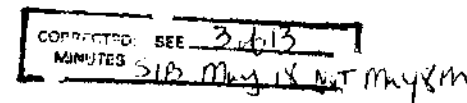
Eric Hatzenbuehler, Health Educator, Snohomish Health District delivered a PowerPoint presentation which discussed the alarming obesity trends among adults in the United States and the Healthy Communities' plan to prevent this. The three aspects of the plan are:

1. Increasing the number of active community environments – safer biking and walking trails
2. Increasing access to healthy foods – food banks, school lunches, community gardens, congregate meals for seniors, menu labeling at restaurants
3. Increasing access to low cost/free recreational opportunities – community involvement, adopt-a-park program, activity courses, community centers, intramural sports.

Implementation of the plan is expected to begin in the fall.

B. Marysville Juror Appreciation Week.

Mayor Kendall read the proclamation designating May 7-11, 2007 as Marysville Juror Appreciation Week. He then presented the proclamation to Court Administrator Suzi Elsner.

C. Marysville Bike to Work Day

Mayor Pro Tem Nehring read the proclamation designating Friday, May 8 as Marysville Bike to Work Day and presented it to Kristin Kittleman.

DISCUSSION ITEMS

None.

APPROVAL OF MINUTES

1. **Approval of April 23, 2007 City Council Meeting Minutes.**
2. **Approval of May 7, 2007 City Council Work Session Minutes.**

CONSENT AGENDA

3. **Approval of April 25, 2007 Claims in the Amount of \$344,751.95; Paid by Check No. 38660 through 38809.**
4. **Approval of May 2, 2007 Claims in the Amount of \$731,826.31; Paid by Check No. 38810 through 38956 with Check No. 37023 Void.**

5. **Approval of May 9, 2007 Claims.**
6. **Approval of April 20, 2007 Payroll in the Amount of \$610,397.61; Paid with Check No. 17745 through 17803.**
7. **Approval of May 4, 2007 Payroll.**
8. **Authorize Mayor to Sign Final Plat Mylar for Waldow Heights PRD.**

Councilmember Rasmussen requested a map that was easier to read. Community Development Director Hirashima indicated they would get this.

9. **Acceptance of 2006 Sewer Replacement Project and Begin 45-Day Lien Filing Period.**

City Engineer/Assistant Public Works Director Kevin Nielsen was pleased to announce that this project had come in \$60,000 under the bid amount.

10. **Authorize Mayor to Sign Corrected Water and Sewer Mutual Aid Agreement with EWUC.**

Public Works Director Paul Roberts reviewed the changes in the agreement with the Everett Water Utility Committee.

11. **Approval of Curriculum Plan by Marysville School District No. 25 & Allow 100% Surface Water Rate Reduction Applicable for Five Years Subject to End of the Year Progress Updates from the Marysville School District.**

Public Works Director Paul Roberts explained that this would allow the City to give Marysville School District a reduction in surface water rates because of their educational program.

12. **Authorize the Mayor to Sign Interlocal Agreement with Snohomish County in the Amount \$369,556.00 for 51st Avenue/122nd Place NE Intersection Improvements Project.**

Public Works Director Paul Roberts explained that this would eliminate a significant line-of-sight problem where the road dips down.

13. **Authorize Mayor to Sign Professional Services Agreement in the Amount of \$250,000 with HDR Engineering; Updating Water Comprehensive Plan.**

Mr. Roberts explained that this would be used to update the Water Comprehensive Plan as required by the Department of Public Health and legislative requirements. Additionally they will be looking at capacity and conservation elements.

Councilmember Soriano asked what type of capital improvement projects could come from this. Kevin Nielsen and Paul Roberts reviewed implications for projects. City Attorney Grant Weed added that this is also required for any rate adjustments in the future. Kevin Nielsen commented on the importance of capturing institutional knowledge before several staff members retire.

14. Authorize Mayor to Sign Agreement with HDR Engineering, Inc. to Prepare Phase 1 of the I-5 to City Center Access Study for Estimated Cost of \$361,090.54 Including 5% Management Reserve.

Public Works Director Paul Roberts explained that this is just the beginning of the Interchange Justification Report. Councilmember Seibert said he was very happy to see this. Mr. Roberts commended Jeff Massie and the work he and the rest of their staff have done on this.

15. Approval of Department of Corrections Community Work Crew Contract Renewal.

Chief Administrative Officer Swenson commented that this is a renewal of a contract that has been in existence for nine years.

REVIEW BIDS

16. Edward Springs 327 Zone Reservoir Project.

Mr. Roberts explained that the low bid for this project was 21% above the engineer's estimate. Reasons for the difference between the estimate and the bid included higher costs for earthwork, landscaping, labor and gas. Mary Swenson commented that there is a significant amount of work going on around the region right now. All the contractors are busy and there are not a lot of bids for municipal projects. Councilmember Seibert concurred.

PUBLIC HEARING

17. Moratorium on Filing and Receipt of Applications within Smokey Point Subarea; Ordinance No. 2691.

Community Development Director Hirashima explained that this hearing would be held as required by law.

CURRENT BUSINESS

None.

NEW BUSINESS**18. Strawberry Festival Master Permit/Agreement and 2007 Festival Proposal.**

Parks and Recreation Director Jim Ballew commented that this is a substantial agreement. He reviewed highlights and changes from previous agreements. He said they would be asking the applicant to provide the finance office with a list of vendors.

Councilmember Seibert remarked that it was nice to see the wide variety of events planned.

19. Thorsteinson Lot 6; 152nd Street Building Site Plan (BSP) Amendment.

Community Development Director Hirashima explained that the owner was asking for modification to the condition of road construction and deviation of the road standard due to the fact that they were unable to obtain enough right-of-way to construct their half of the road. Staff is in agreement with this.

20. 10% Notice of Intent to Annex; Calvary Annexation; PA 07031.

Ms. Hirashima explained that this was submitted by Calvary Chapel who is hoping to purchase the adjacent property that is in city limits. Staff is recommending acceptance of the 10% Notice of Intent and establishment of an annexation area for circulation of the 60% petition.

21. 10% Notice of Intent to Annex; Estabrook Annexation; PA 07017.

Ms. Hirashima explained that this request is in Future Annexation Area #7 and incorporates 47.1 acres. She commented that having larger annexations would allow the city the greatest benefit from Senate Bill 6686.

Mary Swenson commented that they might bring something back later this year for annexation consideration in 2009. They are in the process of analyzing the full impacts of a large annexation.

Public Works Director Paul Roberts agreed that this would require careful analysis of impacts to finance, utilities (including rates), and RTID.

Councilmember Seibert asked about restrictions to the use of the money. Gloria Hirashima and Finance Director Sandy Langdon explained that it was pretty broad.

Councilmember Phillips suggested letting the applicants know about the city plans and that they would be better able to take care of them if they waited.

22. Low Impact Development (LID) Proposed Code Amendments; PA 06-066.

Senior Planner Steve Roberge introduced the LID Proposed Code Amendments.

Councilmember Rasmussen asked about the definition of a loop access road. Mr. Roberge explained that it would be used in lieu of a cul-de-sac and generally has a bio-retention site in the center.

Councilmember Seibert expressed concern about swales and the need to make sure residents are aware that they cannot fill them in or otherwise modify them. Community Development Director Hirashima explained that the majority of these cases will be on public right of way. Kevin Nielsen agreed that there is an important educational component to this.

Councilmember Seibert then referred to the Net Product Area and asked about the 50% of the area that could be dedicated. Gloria Hirashima explained this and reviewed some possible scenarios.

Councilmember Rasmussen asked about other density incentives for LIDs. Gloria Hirashima explained that they were contained in the RDs in the code. Steve Roberge discussed the concepts of full buy-in and partial buy-in.

23. Engineering Design and Development Standards Proposed Revisions.

Councilmember Seibert had numerous questions and comments about the proposed revisions.

- He pointed out several sections that had illegible text due to .pdf translation issues.
- He complimented the wording on approving rolled curbing on a case-by-case basis.
- He asked if the traffic circle was a roundabout. Staff replied that it is not.
- He thought that they need to upgrade 80th to a minor arterial. Kevin Nielsen suggested that they would look at that with the Comprehensive Plan Update.
- Building Sewer – expressed concern that the property owner would have the responsibility of maintaining the sewer from the mainline to the building. Mr. Nielsen explained that it is what the homeowner is dumping down the sewer that creates the problem. He discussed the huge costs associated with this. Councilmember Seibert suggested having city crews address the problems,

but billing the homeowner for it. He was more comfortable with having the city do the work. Kevin Nielsen said they could bring back verbiage that reflected that.

- **Marking Side Sewers** – he commented that this was not practical if it ended up in someone's driveway. John Cowling commented that this section referred to new plats prior to the building of the house. Where driveways are already constructed they could do an offset stake.

Councilmember Phillips asked if there is a timeline for the enforcement and penalties on page 4-28. City Attorney Grant Weed indicated there is and it is in the code. Councilmember Phillips wanted to know if residents/homeowners associations would be notified that they were being held liable. Mr. Weed explained that the property owners within the plat would be jointly responsible. The obligation would not go away even if the homeowners association is defunct. Councilmember Phillips suggested adding wording so that all the property owners in the plat would be notified.

Public Works Director Paul Roberts discussed staff's great concern about the surface water maintenance. Mr. Nielsen stated that they would need to address this larger issue of surface water enforcement in the future. Community Development Director Hirashima suggested dropping item B under 4-180 Enforcement and Penalties.

Councilmember Seibert suggested changing the wording of "homeowners association" to "all property owners". Staff indicated they would look into this. City Attorney Weed suggested changing it to "the responsible entity or parties" instead.

Councilmember Rasmussen complimented the requirement for intersection marking on the 90-degree intersection elbow.

LEGAL

24. Recovery Contract for Sewer; RMJ Associates, LLC.

Councilmember Seibert asked about a threshold of where a recovery contract is worthwhile to keep track of. Gloria Hirashima replied that they had never settled on an amount for that. They need to go through and establish a more formal process for recovery contracts.

25. Recovery Contract for Water; Seattle Pacific Homes, Inc.

ORDINANCES AND RESOLUTIONS

26. An Ordinance of the City of Marysville , Washington Amending the City's Development Regulations Related to Low Impact Development

Regulations Related to Low Impact Development and Amending Chapters 12.02A, 14.15, 14.16, 14.17, 19.06, 19.16, 19.24, 19.28, 20.12, and 20.24, and Establishing a New Chapter 19.49 of the Marysville Municipal Code.

Councilmember Seibert noted that the date should be changed from April to May.

He then asked about a dollar amount. Community Development Director Hirashima said that they still needed to add that.

27. **An Ordinance of the City of Marysville, Washington, Amending the City's Engineering Design and Development Standards by Amending the Water Distribution Design and Construction Standards and Specifications (Chapter 2), The Engineering Design and Development Standards (Chapter 3, the Drainage and Erosion Control Design Standards (Chapter 4), and the Sanitary Sewer Design Standards (Chapter 5), Authorizing the City Engineer to Make Technical Amendments to Said Standards, and Amending the Prior Ordinances that Adopted and Amended Said Standards.**
28. **An Ordinance of the City of Marysville, Washington Amending the City's Comprehensive Plan by Adopting the Initial Subarea Plan for the East Sunnyside/Whiskey Ridge Area and Amending the City's Development Regulations by Amending Chapters 19.12 and 19.26 MMC.**
29. **An Ordinance of the City of Marysville Amending the Official Zoning Map of the City and Providing for the Area-Wide Rezoning of Property within the City to Conform to the East Sunnyside/Whiskey Ridge Subarea Plan.**
30. **An Ordinance of the City of Marysville, Washington Amending the City's Development Regulations Related to Residential Density Incentives and Amending Chapter 19.26 of the Marysville Municipal Code.**
31. **An Ordinance of the City of Marysville, Washington, Amending the Comprehensive plan's Transportation Element to Reflect Additions to the Street Capital Facilities Plan and Amending the 2007 Budget to Reflect Additional Revenues from the Increased Proportionate Share Amount of Traffic Impact Fees.**
32. **A Resolution of the City of Marysville, Snohomish County, Washington to Authorize the Mayor to Sign the Water and Sewer Mutual Aid Agreement – 2006 for the Provision of Personnel,**

**Materials and Equipment to Other Water & Sewer Utilities
(Purveyors) in Snohomish County Who Are Parties to the Agreement
and Who Request Assistance to Handle a Disaster or Emergency.**

33. **A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.**

RID/LID for Overcrossing

Mayor Kendall discussed work being done by Bill Binford and Joel Hylback who are looking into creating an RID or LID to do the overcrossing. Staff is determining what needs to be done.

City Attorney Grant Weed reviewed the methods of forming an RID. He noted that they would need an engineer's estimate of the cost of the project before this could be approved.

Chief Administrative Officer Swenson commented that the residents have shown the City that there is significant interest in this. There would be a huge benefit for residents in that area.

Grant Weed commented that they would need a carefully thought out benefit area and design. There was consensus to move forward with this as quickly as possible.

MAYOR'S BUSINESS

Mayor Kendall welcomed the new Assistant Administrative Services Director Tracy Jeffries.

Motion made by Councilmember Seibert, seconded by Councilmember Wright to appoint Tracy Jeffries as City Clerk. **Motion** passed unanimously (6-0).

- Mayor Kendall reported that he had a great time at the fishing derby. There was a good turnout and fun was had by all. He thanked Jim Ballew and the parks staff for their work on that event.
- He noted that the Shred-it event was also very successful.
- Cinco de Mayo on the 4th was a lot of fun.
- ROTC awards program coming up at the high school.

STAFF BUSINESS

Paul Roberts noted that the sustainable development information would be coming to Council soon as requested. He also noted that the well dedication was a great event.

Worth Norton thanked the Mayor for his part in getting the city involved in the Snohomish County's wireless data project as part of the Homeland Security funding.

Sandy Langdon reported the need to have a special meeting to accept an offer on the bond.

Tracy Jeffries reported that they started processing passports full-time on April 30. During one week they processed 78 passports. Mary commented that they would be reviewing staffing needs. Councilmember Wright suggested putting something on TV about passport application requirements. Doug Buell indicated they could do that.

Jim Ballew attended the Active Living Leadership meeting where Representative McCoy spoke very highly of Mayor Kendall and the Healthy Communities program.

Doug Buell said that the YMCA was applying for a pioneering grant and thought their chances were high because of Healthy Communities.

Grant Weed noted the need for a ten-minute executive session to discuss a pending litigation matter and two real estate matters.

Mary Swenson welcomed Tracy Jeffries and acknowledged that she has already been a huge assistance.

The Tribal Alliance event was awesome. They are very happy about the positive working relationship.

This is a very competitive market for employees. Remember to express appreciation to staff, especially Community Development department and engineers.

CALL ON COUNCILMEMBERS

Carmen Rasmussen displayed names of sponsors of the Cinco de Mayo event. This was a successful event and a great example of community partnerships.

The ribbon-cutting event was great.

She welcomed Tracy Jeffries.

Jon Nehring welcomed Tracy Jeffries.

He commended the great working relationship with the Tribes and the alliance event today.

Jeff Seibert thanked Community Development and Public Works for their work on the plans.

He discussed an errant shopping cart in front of his house.

Lee Phillips said he would be late to the Finance Committee meeting next week because of work.

He had fun at the fishing derby.

The Shred-it event was great.

Cinco-de-Mayo was a lot of fun. Thanks to Carmen Rasmussen for her hard work.

The Tribes' event was great. He said he envied the pride that they take in their culture.

The Historical Society dinner was good. He suggested bringing up some of their issues at Council.

Chief Smith will be on TV3 at 6:40 on Wednesday. They will replay it on the city's channel.

TV Advisory Committee's charette will also be on Wednesday.

He welcomed Tracy Jeffries.

John Soriano welcomed Tracy Jeffries.

He thought the ceremony with the Tribes was fantastic. He applauded the logo. Mary Swenson concurred and said they would use that again.

The fishing derby was great. Thanks to the Parks Department, the Fishing Club and the Kiwanis.

Thanks to Jim Ballew and Doug Buell for their work on the Tribes' event today.

Donna Wright commended staff on all the recent events.

She said she would be in Washington DC from May 14-20 and requested an excused absence.

The fire department will be burning a house at 1058 Alder on Saturday the 19th from 8:00 a.m. to 3 p.m.

She welcomed Tracy Jeffries.

INFORMATION ITEMS

None.

ADJOURNMENT

Mayor Kendall recessed at 9:50 into Executive Session which began at 10:00 p.m.

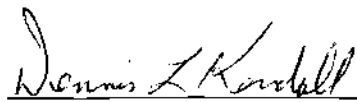
EXECUTIVE SESSION

Council met in Executive Session at 10:00 p.m. to discuss one pending litigation and two real estate matters.

ADJOURNMENT

Council reconvened into Regular Session, and taking no further action, Mayor Kendall adjourned the meeting at 10:12 p.m.

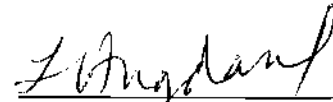
Approved this 14th day of May, 2007.



Mayor
Dennis Kendall



City Clerk
Tracy Jeffries



Recording Secretary
Laurie Hugdahl