

| | |
|--|---------------------------|
| Call to Order/Pledge of Allegiance/Roll Call | 7:00 p.m. |
| Presentations | |
| Approval of Minutes | |
| Approval of January 12, 2009 City Council Meeting Minutes. | Approved |
| Consent Agenda | |
| Approval of the P-13 December 31, 2008 Claims in the Amount of \$498,965.19; Paid by Check No.'s 52592 through 52745 with no Check No.'s Voided. | Approved |
| Approval of the January 7, 2009 Claims in the Amount of \$1,188,598.41; Paid by Check No.'s 52581 through 52591 with no Check No.'s Voided. | Approved |
| Approval of January 14, 2009 Claims in the Amount of \$987,623.92; Paid by Check No.'s 52746 through 52867 with Check No.'s 50669, 51230, 51390 and 52402 Voided. | Approved |
| Approval of January 20, 2009 Payroll in the Amount of \$735,370.25; Paid by Check No.'s 20867 through 20916. | Approved |
| Authorize the Mayor to Sign the Comcast Work Order to Expand I-Net Infrastructure to the New Fire Administration Building in the Amount of \$12,808.00. | Approved |
| Authorize the Mayor to Sign the Professional Services Agreement between City of Marysville and Macaulay and Associated, LTD for Consultant Services on the I-5 Overpass at 156 th Street NE Evaluating Potential Local Improvement District (LID) in the Amount of \$56,200.00. | Approved |
| Authorize the Mayor to Sign the Visitor & Community Information Center Services Agreement for the Greater Marysville Tulalip Chamber of Commerce & City of Marysville. | Approved |
| Approval of a Part Time Confidential Administrative Assistant Position for the Legal Department and Placement on the Non-represented Pay Grid at Pay Code N2. | Approved |
| Authorize the Mayor to Sign the Interlocal Cooperative Agreement for Northwest Mini-chain Services between the City of Marysville and Whatcom County for Prisoner Transport. | Approved |
| Review Bids | |
| Award 2009 Concrete Construction Contract to Merlino Bros., LLC in the Amount not to exceed \$200,000 Including Washington State Sales Tax. | Approved |
| Public Hearings | |
| New Business | |
| Approve Equipment Lease Renewal with Public Utility District No. 1 of Snohomish County for Two Transformers for the Period of September 30, 2008 through August 31, 2013 in the Amount of \$8,766.60. | Approved |
| Approve Notice of Termination of Lease with Clear Channel/Ackerly Communication. | Approved |
| Adopt an Ordinance of the City of Marysville, Washington, Amending the City's Development Regulation by Adopting Design Standards and Guidelines and Streetscape Plan for the East Sunnyside/Whiskey Ridge Master Plan Area and by Adopting Chapter 19.14B MMC. | Approved Ord. No. 2762 |

| | |
|--|---------------------------|
| Adopt an Ordinance of the City of Marysville, Washington Amending the City's Code Enforcement and Nuisance Regulations and Amending Chapters 4.02 and 6.24 of the Marysville Municipal Code. | Approved Ord. No. 2763 |
| Adopt an Ordinance of the City of Marysville, Washington, Amending the 2009 Budget and providing for the increase of certain expenditure item as budgeted for in 2009 and Amending Ordinance No. 2751 and Ordinance No. 2761. | Approved Ord. No. 2764 |
| Legal | |
| Mayor's Business | |
| Staff Business | |
| Call on Councilmembers | |
| Adjournment | 8:39 p.m. |
| Executive Session | 8:49 p.m. |
| Litigation – One matter 42.30.110 (1)(i) | |
| Personnel –One matter concerning discipline 42.30.110 (1)(g) | |
| Adjournment | 9:00 p.m. |

COUNCIL



MINUTES

Regular Meeting *January 26, 2009*

Call to Order / Invocation / Pledge of Allegiance

Mayor Dennis Kendall called the January 26, 2009 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Pastor Donald Williams, from the Latter Day Saints Church. 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: Councilmember Jon Nehring, Councilmember Lee Phillips, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

Absent: None

Also Present: Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, City Attorney Grant Weed, Chief Smith, Community Development Director Gloria Hirashima, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Operations Manager Terry Hawley, Code Enforcement Officer Paul Rochon, Judge Gillings, Court Administrator Suzanne Elsner and Assistant Administrative Services Director Tracy Jeffries.

Committee Reports

Councilmember Carmen Rasmussen reported on the January 14 Park Advisory Board meeting where the following topics were discussed:

- Update of the off-leash park. It is open and being heavily used. There have been many positive comments. Only two concerns have been raised. One is regarding the probable need for shade and the other is that the long walk on the unpaved trail to the park is a challenge for some.

- Healthy Communities 2009. Media is being made aware of what the City is trying to do to combat obesity. Healthy Communities sub-committees are working on collaborating with Get Moving in June. Jim Ballew talked about a program in Colorado that asks citizens to increase their steps by adding 2,000 steps and subtracting 100 calories every day.
- Fee for Park Board meetings was being waived for the City facility rental for the Snohomish County Search and Rescue organization.
- Park Board decided to meet only once every other month.
- Level of Service standards were discussed.
- Kiwanis will be providing popcorn for the Popcorn in the Park movies.
- Father-Daughter dance continues to be very popular.
- Basketball program has 800+ kids involved. Spring soccer registration begins soon.
- ASAP (After School Activity Program) has added some additional components such as a service component.

Councilmember Jeff Seibert reported on the January 14 Snohomish County Solid Waste Advisory Committee meeting where the following topics were discussed:

- The e-waste program. Transfer stations are taking e-waste as part of the Return It program that is free to users.
- Operations during inclement weather were reviewed.
- Budget was discussed. Tonnage is down which means revenue is down. The County approved a new disposal rate of \$1.05 per ton which goes into effect March 1.
- There will be an increase in the fee paid to the Health District to monitor some of the issues associated with solid waste.
- Recycling commodities value is way down. There is no market now for recycled goods, especially glass which is piling up.
- The scale automation system is going back out for an RFP.
- Comprehensive Plan update will be coming in the next year for solid waste.
- A preliminary draft of the 5-year plan for solid waste Committee was reviewed.

Councilmember Seibert also reported on tonight's Finance Committee meeting which was held prior to the Council meeting. The following items were addressed at the meeting:

- iCompass software was discussed.
- Financial update on the sales tax. Revenues for November were down only .4% which is better than expected.
- Utility billing rate study is out. The model is being reviewed to see how the annexation will affect the rate.
- Solid waste study is still in the planning process.
- Information Service/ I-Net Update - Money saved from being able to use existing fiber for the new fire station on 71st will be used for the funding fiber to the new fire administration building.

Presentations

- A. Employee Service Award.
- John Tatum recognized Tom King - SR Traffic Control Tech – Streets for his 10-year Service Award.
 - Judge Gillings recognized Kim Ricker – Court Business Office Supervisor for her 15-year Service Award.
 - Gloria Hirashima recognized Bianca Korkeakoski – Com. Dev. Program Specialist (not present) for her 5-year Service Award.
 - Mayor Dennis Kendall recognized Donna Wright – Councilmember, for her 15-year Service Award.
 - Mayor Dennis Kendall recognized Lee Phillips -Councilmember, for his 5-year Service Award.
 - Mayor Dennis Kendall recognized Jeff Vaughan - Councilmember, for his 5-year Service Award.
 - Mary Swenson recognized Mayor Dennis Kendall for his 5-year Service Award.
- B. Waste Management Presentation.

Tom Leland and Susan Robinson from Waste Management presented a PowerPoint on Waste Resource and Recycling Partnership.

Audience Participation

Mike Gribler, 8117 75th St NE, asked Council to consider reinstating what is now 12B in the Nuisance code regarding expired registration tabs. He discussed advantages and disadvantages of putting this back in the code.

Approval of Minutes

1. Approval of January 12, 2009 City Council Meeting Minutes.

Councilmember Seibert referred to page 5 of 9, under Councilmember Rasmussen's comments, "*12-foot vegetation issue*" should be corrected to "**12-inches**".

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to approve the minutes as corrected. **Motion** passed unanimously (7-0).

Consent

3. Approval of the P-13 December 31, 2008 Claims in the Amount of \$498,965.19; Paid by Check No.'s 52592 through 52745 with no Check No.'s Voided.
5. Approval of the January 7, 2009 Claims in the Amount of \$1,188,598.41; Paid by Check No.'s 52581 through 52591 with no Check No.'s Voided.

6. Approval of January 14, 2009 Claims in the Amount of \$987,623.92; Paid by Check No.'s 52746 through 52867 with Check No.'s 50669, 51230, 51390 and 52402 Voided.
7. Approval of January 20, 2009 Payroll in the Amount of \$735,370.25; Paid by Check No.'s 20867 through 20916.
9. Authorize the Mayor to Sign the Comcast Work Order to Expand I-Net Infrastructure to the New Fire Administration Building in the Amount of \$12,808.00.
12. Authorize the Mayor to Sign the Professional Services Agreement between City of Marysville and Macaulay and Associated, LTD for Consultant Services on the I-5 Overpass at 156th Street NE Evaluating Potential Local Improvement District (LID) in the Amount of \$56,200.00.
14. Authorize the Mayor to Sign the Visitor & Community Information Center Services Agreement for the Greater Marysville Tulalip Chamber of Commerce & City of Marysville.
15. Approval of a Part Time Confidential Administrative Assistant Position for the Legal Department and Placement on the Non-represented Pay Grid at Pay Code N2.
17. Authorize the Mayor to Sign the Interlocal Cooperative Agreement for Northwest Mini-chain Services between the City of Marysville and Whatcom County for Prisoner Transport.

Motion made by Councilmember Nehring, seconded by Councilmember Soriano to approve Consent Agenda items 3, 5, 6, 7, 9, 12, 14, 15, and 17. **Motion** passed unanimously (7-0).

Review Bids

8. Award 2009 Concrete Construction Contract to Merlino Bros., LLC in the Amount not to exceed \$200,000 Including Washington State Sales Tax.

Councilmember Phillips asked why the contract amount was \$200,000 when the lowest bid amount was \$114,300. Public Works Director Nielsen explained that this is for the annual concrete work and there may be other work that comes up.

Motion made by Councilmember Soriano, seconded by Councilmember Rasmussen, to award the bid for the 2009 Concrete Construction Contract to Merlino Bros., LLC in the Amount not to exceed \$200,000 Including Washington State Sales Tax and to authorize the Mayor to sign the contract documents. **Motion** passed unanimously (7-0).

Public Hearings

New Business

10. Equipment Lease Renewal with Public Utility District No. 1 of Snohomish County for Two Transformers for the Period of September 30, 2008 through August 31, 2013 in the Amount of \$8,766.60.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to authorize the Mayor to sign the Equipment Lease Renewal with Public Utility District No. 1 of Snohomish County for Two Transformers for the Period of September 30, 2008 through August 31, 2013 in the Amount of \$8,766.60. **Motion** passed unanimously (7-0).

11. Notice of Termination of Lease with Clear Channel/Ackerly Communication.

Motion made by Councilmember Nehring, seconded by Councilmember Seibert, to authorize the Mayor to sign the Notice of Termination of Lease with Clear Channel/Ackerly Communication. **Motion** passed unanimously (7-0).

13. An **Ordinance** of the City of Marysville, Washington, Amending the City's Development Regulation by Adopting Design Standards and Guidelines and Streetscape Plan for the East Sunnyside/Whiskey Ridge Master Plan Area and by Adopting Chapter 19.14B MMC.

Motion made by Councilmember Seibert, seconded by Councilmember Rasmussen, to approve Ordinance 2762. **Motion** passed unanimously (7-0).

16. An **Ordinance** of the City of Marysville, Washington Amending the City's Code Enforcement and Nuisance Regulations and Amending Chapters 4.02 and 6.24 of the Marysville Municipal Code.

Councilmember Seibert pointed out a typo on the last sentence under item 12 on 16-88, page 14 of 17.

Motion made by Councilmember Seibert, seconded by Councilmember Nehring, to approve Ordinance 2763. **Motion** passed unanimously (7-0).

18. An **Ordinance** of the City of Marysville, Washington, Amending the 2009 Budget and providing for the increase of certain expenditure item as budgeted for in 2009 and Amending Ordinance No. 2751 and Ordinance No. 2761.

Sandy Langdon mentioned that there may be more amendments this year due to the fact that the auditors make it a point to make sure that staff has Council's full approval.

Motion made by Councilmember Nehring, seconded by Councilmember Soriano, to approve Ordinance 2764. **Motion** passed unanimously (7-0).

Legal

Mayor's Business

Tomorrow morning he will be doing a State of the City presentation at Marysville High School auditorium. He will also be presenting this at the Chamber meeting.

There will be a joint-meeting with the Planning Commission next week.

Staff Business

Jim Ballew

- It looks like on-line registration will be available mid-year and hopefully in time for summer registration
- First open swim sponsored as a Healthy Community event was held on Friday night. 115 people showed up.
- Leadership planning meeting was held last week. Each committee will be focused on producing some tangible strategies, particularly for the June 6 Family Day that will be associated with the Healthy Communities project.
- The program referenced earlier by Councilmember Rasmussen is America on the Move. The program was very successful in that Colorado city for reducing obesity among its residents.
- Today the Washington Recreation and Park Association publication came out and Tara Mizell was spotlighted in the professional piece. He congratulated her on that.
- Legislative update on Senate Bill #4018 – Gender Equity bill
- Legislative Senate Bill #1069 – Athletic Field Lighting
- Legislative Senate Bill #5659 – Expanding the immunity for liability

Chief Smith

- They have two sworn vacancies right now. They are very close to filling one of the positions with a lateral officer.
- Sent Sgt. Strickland of the jail staff to Springfield, Illinois to witness the New World Systems for CAD, RMS, and AFR systems. There is a lot of excitement surrounding this.
- There will be a Public Safety meeting on Wednesday at 4:30.
- He discussed the jail outlook with Sheriff Lovik. They also talked about the City's upcoming annexation and partnerships with the County and Marysville.

Kevin Nielson remarked that they are working hard to keep the roads from freezing.

Gloria Hirashima thanked the Council for their support on the Whiskey Ridge Design Guidelines and the Nuisance Ordinance.

Sandy Langdon had no comments.

Grant Weed stated he had one matter for Executive Session concerning potential litigation. It was expected to take 10 minutes with no action expected.

Mary Swenson gave an update on legislative issues.

Call on Councilmembers

Jon Nehring

- Congratulated the Mayor, Councilmembers and staff who received Service Awards tonight.
- Citizens have contacted him about Pilchuck Pool closure. Jim Ballew explained that the school district is contemplating several options at this point. The school district is looking for some sort of partnership with the City. Mayor Kendall added that they intend to discuss this at Council retreat.
- He was pleased with the reports of the November sales tax not being as low as expected.

John Soriano reported that he attended the Snohomish County Cities dinner last Thursday. Councilmember Donna Wright was elected as the first alternate and he was elected as the second alternated to the PSRC Transportation Policy Board. There was an interesting presentation by Snohomish County Prosecutor Janice Ellis. She spoke of Dawson Place as a resource for child abuse victims.

Lee Phillips had no comments tonight, but stated he needed to leave for work. He left at 8:36 p.m.

Carmen Rasmussen mentioned that the Park Board received pictures of Strawberry Fields after the flooding event when it was saturated one day and drained the next. The drainage system is proving to be a very good investment.

Jeff Vaughan had no comments.

Donna Wright had no comments.

Jeff Seibert:

- Received call from a business owner on Cedar Street who was frustrated with being burglarized and who felt more should have been done by the police. Chief Smith replied that they have followed up with this citizen.
- He distributed handouts regarding medical waste and e-cycle programs.

Mary Swenson stated she would also be giving a quick update on one personnel issue concerning discipline during the Executive Session.

Adjournment

The Mayor recessed the meeting at 8:39 p.m. for 10 minutes before entering into Executive Session to discuss one pending litigation item and one personnel item concerning discipline. It was expected to last 10 minutes with no action.

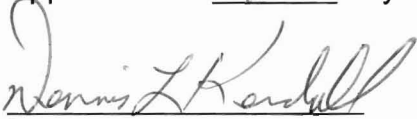
Executive Session

- A. Litigation – One matter 42.30.110 (1)(i)
- B. Personnel – One matter concerning discipline 42.30.110 (1)(g)
- C. Real Estate

Adjournment

Seeing no further business Mayor Kendall adjourned the meeting at 9:00 p.m.

Approved this 10 day of February, 2009.



Mayor
Dennis Kendall



Asst. Admin. Svcs. Director
Tracy Jeffries