

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Approval of Minutes	
Approval of November 2, 2009 City Council Meeting Minutes.	Approved
Consent Agenda	
Approval of November 4, 2009 Claims in the Amount of \$1,706,145.83; Paid by Check No. 59035 through 59157 with Check No.'s 49938, 54888, and 58889 Voided.	Approved
Review Bids	
Award Edwards Springs Baffle Project to MPC Containment International in the Amount of \$144,416.45 Including Washington State Sales Tax and Approve a Management Reserve of \$14,000 for a Total Allocation of \$158,416.45.	Approved
Public Hearings	
2010 Proposed Budget	Held
New Business	
Authorize the Mayor to sign the Acceptance of Lake Goodwin Well Disinfection Improvements Project Starting the 45-Day Lien Filing Period for Project Closeout.	Approved
Authorize the Mayor to sign the City Attorney Retainer Agreement for the Calendar Year 2010.	Approved
Adopt a Resolution of the City of Marysville, Washington Indicating Participation in the National League of Cities Prescription Discount Card Program.	Approved Res. No. 2274.
Adopt a Resolution of the City of Marysville, Washington Declaring a 1923 Pacific Car, Foundry Company Model PAC1112174 to be Surplus and Authorizing the Sale or Disposal Thereof.	Approved Res. No. 2273
Adopt a Resolution of the City of Marysville, Washington Authorizing an Interfund Loan Not to Exceed \$700,000 from the Waterworks Utility Fund 401 to the Golf Fund 420, and Providing a Formula for Payment of Interest.	Approved Res. No. 2272
Adopt an Ordinance of the City of Marysville, Washington, Adopting Snohomish County Codes and Ordinances as Required for the Central Marysville Annexation.	Approved Ord. No. 2800
Adopt an Ordinance of the City of Marysville, Washington, Setting the Threshold and Tax Rates in Accordance with RCW 82.14.415 with Respect to the Central Marysville Annexation.	Approved Ord. No. 2799
Adopt an Ordinance of the City of Marysville Adopting a Budget for the City of Marysville, Washington, for the Year 2010, Setting Forth in Summary Form the Totals of Estimated Revenues and Appropriations for Each Separate Fund and the Aggregate Totals of All Such Funds Combined.	Approved Ord. No. 2798
Adopt an Ordinance of the City of Marysville Making a Declaration of Substantial Need for Purposes of Setting the Limit Factor for EMS Property Tax Levy.	Approved Ord. No. 2794

Adopt an Ordinance of the City of Marysville Levying EMS Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2010.	Approved Ord. No. 2795
Adopt an Ordinance of the City of Marysville Making a Declaration of Substantial Need for Purposes of Setting the Limit Factor for Regular Property Tax Levy.	Approved Ord. No. 2796
Adopt an Ordinance of the City of Marysville Levying Regular Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2010 and Levying Taxes in Addition to the Regular Property Tax for Payment of Debt Service on the City's Unlimited General Obligation Bonds, 1986 and Refunded in 1996 (0% with 1% banked)	Approved Ord. No. 2797
Legal	
Authorize the Mayor to sign the Notice of Exercise of Option to Extend Lease Term.	Approved
Mayor's Business	
Staff Business	
Call on Councilmembers	
Adjournment	8:55 p.m.
Executive Session	9:05 p.m.
Litigation – one item pursuant to RCW 42.30.110(1)(i)	
Adjournment	9:10 p.m.

COUNCIL



MINUTES

Regular Meeting
November 16, 2009

Call to Order / Pledge of Allegiance

Mayor Kendall called the November 16, 2009 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. Mayor Kendall led those present in the Pledge of Allegiance.

Roll Call

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

Mayor: Dennis Kendall

Council: Councilmember Jon Nehring, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright, Councilmember Lee Phillips

Also Present: Chief Administrator Mary Swenson, Community Development Director Gloria Hirashima, Finance Director Sandy Langdon, Public Works Director Kevin Nielsen, City Attorney Grant Weed, Parks and Recreation Director Jim Ballew, Police Chief Rick Smith, Community Information Officer Doug Buell, and City Clerk Tracy Jeffries

Committee Reports

Presentations

- A. Oath of Offices.
- B. Dr. Nyland – Superintendant Marysville School District.

Audience Participation

Approval of Minutes

- 1. Approval of November 4, 2009 City Council Budget Workshop Minutes.

2. Approval of November 9, 2009 City Council Meeting Minutes.
3. Approval of November 16, 2009 City Council Meeting Minutes.

Consent

4. Approval of November 11, 2009 Claims in the Amount of \$409,142.07; Paid by Check No.'s 59158 through 59269 with No Check No.'s Voided.
5. Approval of November 18, 2009 Claims in the Amount of \$502,926.86; Paid by Check No.'s 59270 through 59415 with Check No. 49060 Voided.
6. Approval of November 25, 2009 Claims in the Amount of \$425,715.04; Paid by Check No.'s 59416 through 59585 with Check No. 59089 Voided.
7. Approval of December 2, 2009 Claims in the Amount of \$87,939.54; Paid by Check No.'s 59586 through 59692 with No Check No.'s Voided.
8. Approval of November 20, 2009 Payroll in the Amount of \$763,822.68; Paid by Check No.'s 22058 through 22106.
12. Authorize the Mayor to Extend the Plat of Palmer Place – Plat Extension (PA 04-034).
13. Authorize the Mayor to Sign the Historic Preservation Agreement between Courtney C. Williams / Marysville Opera House and the City of Marysville.
14. Authorize the Mayor to Sign the Visitor and Community Information Center Services Agreement with the Greater Marysville Tulalip Chamber of Commerce and the City of Marysville.
15. Authorize the Mayor to Sign the Interlocal Agreement with Snohomish County for Emergency Management Services.
16. Authorize the Mayor to Sign the Buy / Sell Agreement with Habitat Bank, LLC in the Amount of \$100,800.00.
17. Authorize the Mayor to Sign the State Funding Agreement Supplement No. 1 with WSDOT for the 47th Avenue NE Improvements Project.
18. Acceptance of the 2009 Watermain Renewal and Replacement of the 47th Avenue Project Starting the 45-Day Lien Filing Period for Project Closeout.
20. Authorize the Mayor to Sign the Interlocal Agreement with Snohomish County for Jail Services.

21. Authorize the Mayor to Sign the Professional Services Agreement between the City of Marysville and Calm River, Inc. for Annexation Census Services.
34. Approval of December 5, 2009 Payroll in the Amount of \$1,252,975.28; Paid by Check No.'s 22107 through 22156.
35. Settlement Agreement with Otak for the Jones Creek Project.
37. Approval of December 9, 2009 Claims in the Amount of \$1,065,010.28; Paid by Check No.'s 59693 through 59840 with No Check No.'s Voided.

Review Bids

9. Award Ingraham Boulevard Project to SRV Construction, Inc. in the Amount of \$2,775,249.96 Including Washington State Sales Tax and Approve a Management Reserve of \$138,762.50 for a Total Allocation of \$2,914,812.46.

Public Hearings

10. Public Hearing to Consider a New Ordinance Chapter 3.103 of the Marysville Municipal Code Creating a Multifamily Housing Property Tax Exemption Code and Designating a Residential Targeted Area
(refer to item 27).
11. Public Hearing Regarding Planning Commission Recommendation for Zoning Code Amendment: Master Planned Senior Community Code *(refer to item 28).*

New Business

- 19A. An **Ordinance** of the City of Marysville, Washington Authorizing an Interlocal Agreement between Snohomish County and the City of Marysville Relating to Completion of Roadway Improvements to the Intersection of 51st Avenue, N.E. and 100TH Street, N.E. Pursuant to RCW 35.77.020.
- 19B. Interlocal Agreement between Snohomish County and the City of Marysville Concerning the Completion of Improvements to the Intersection of 51st Avenue NE and 100th Street NE.
22. An **Ordinance** of the City of Marysville Amending Sections 3.64.020(1), 3.64.030, and 3.64.040 of the Marysville Municipal Code, Relating to the Utility Tax on Tax on Telephone Services, Sale of Gases, and Sale of Electricity.
- 23A. An **Ordinance** of the City of Marysville, Washington, Relating to School Impact Fees and Amending Sections 18C.10.010 of the Marysville Municipal Code.

- 23B. An **Ordinance** of the City of Marysville, Washington Relating to Development Fees and Amending Sections 15.12.010 and 18C.12.040 of the Marysville Municipal Code.
24. An **Ordinance** of the City of Marysville, Washington, Establishing an Admission Tax; Providing for, and Levying, Providing for Necessary Administrative Procedures for the Collection and Enforcement of Such a Tax; Providing Penalties for Failure to Timely Pay the Tax; and Providing for the Effective Date of this Ordinance.
25. A **Resolution** Supporting the Application to Snohomish County for a Community Development Block Grant (CDBG).
26. A **Resolution** of the City of Marysville Establishing a Non-Discrimination Policy for City Parks and Recreation Facilities and Programs.
27. An **Ordinance** of the City of Marysville, Washington Enacting a New Chapter 3.103 Marysville Municipal Code Entitled Multifamily Housing Property Tax Exemption.
28. An **Ordinance** of the City of Marysville, Washington Establishing Development Regulations for Master Planned Senior Communities, Amending MMC 19.08.030 to Add Master Planned Senior Communities to the Table of Residential Land Uses, and Adopting a New Chapter 19.47 of the Marysville Municipal Code.
29. An **Ordinance** of the City of Marysville, Washington Amending the 2009 Budget and Providing for the Adjustment of Certain Expenditure Items as Budgeted for in 2009 and Amending Ordinance No. 2751, Amending Ordinance No. 2761, Amending Ordinance No. 2764 and Amending Ordinance No. 2777.
30. An **Ordinance** of the City of Marysville, Washington Adopting an Update to the City's Surface Water Comprehensive Plan.
31. An **Ordinance** of the City of Marysville, Washington Amending Marysville Municipal Code Section 19.14.095 Related to Small Lot Single Family Development Standards.
32. An **Ordinance** of the City of Marysville, Washington Amending Marysville Code Section 19.14.080 Related to Temporary Uses-Permitted Uses.
33. Lease Agreement for Mother Nature's Window with Todd and Shellie Freeman.
36. Employment Agreement for Golf Course Professional with Michael Davis.

Legal

Mayor's Business

Staff Business

Call on Councilmembers

Executive Session

- A. Litigation
- B. Personnel
- C. Real Estate

Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at p.m.

Approved this _____ day of _____, 2009.

Mayor
Dennis Kendall

Asst. Admin. Svcs. Director
Tracy Jeffries

XXXXXXXXXXXXXXXXXX

Presentations

- A. Employee Service Awards.

Tracy Glidden presented DAWN ISOM-KEITH, POLICE PROGRAM SPECIALIST with her 5-year award.

Terry Hawley presented SEAN OLSON, PW-UTILITY MAINTENANCE WORKER II with his 5 year award.

Terry Hawley informed everyone that RICK LYONS, SOLID WASTE, PW-SANITATION has reached his 5 years of service but was unable to come tonight.

Terry Hawley informed everyone that KEVIN GESSNER, PW-UTILITY MAINTENANCE WORKER II has reached his 15 years of service but was unable to come tonight.

Larry Larson presented DOUG BYDE, WATER QUALITY MGR with his 25 year award.

Audience Participation - None

Approval of Minutes

1. Approval of November 2, 2009 City Council Meeting.

Motion made by Councilmember Nehring, seconded by Councilmember Rasmussen, to approve the November 2, 2009 minutes as presented. **Motion** passed unanimously (7-0).

Consent

2. Approval of November 4, 2009 Claims in the Amount of \$1,706,145.83; Paid by Check No. 59035 through 59157 with Check No.'s 49938, 54888, and 58889 Voided.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan to approve Consent Agenda item 2. **Motion** passed unanimously (7-0).

Review Bids

3. Award Edwards Springs Baffle Project to MPC Containment International in the Amount of \$144,416.45 Including Washington State Sales Tax and Approve a Management Reserve of \$14,000 for a Total Allocation of \$158,416.45.

Kevin Nielsen reported said that they received two bids on this project. He discussed the specific requirements and qualifications for this job because it would be putting baffles in a wet installation in the underground reservoir at Edward Springs. Staff received a letter from Layfield questioning the qualifications of MPC Containment International. These have been reviewed by the city attorney. Director Nielsen entered a staff report into the record which was intended to address the qualifications of MPC Containment International to successfully implement the installation of Edward Springs reservoir baffles as intended by the bid proposal documents. MPC has provided supporting documentation that satisfies requirements of the qualifications put forth on the technical specifications including over 2 million square feet of floating reservoir cover and over 5.5 million square feet of membrane fabrication since 1994. Director Nielsen further reviewed their qualifications and documentation.

Councilmember Seibert asked why the baffles are needed. Kevin Nielsen explained the need for this. Councilmember Vaughan asked about measures that would be taken to protect from possible contamination of the water from the divers. Director Nielsen reviewed sanitation measures that would be taken.

Motion made by Councilmember Seibert, seconded by Councilmember Vaughan, to authorize the Mayor to Award Edwards Springs Baffle Project to MPC Containment International in the Amount of \$144,416.45 Including Washington State Sales Tax and Approve a Management Reserve of \$14,000 for a Total Allocation of \$158,416.45. **Motion** passed unanimously (7-0).

Public Hearings

4. 2010 Proposed Budget.

Mary Swenson and Sandy Langdon presented a PowerPoint presentation on the 2010 Preliminary Budget.

The public hearing was opened at 7:51 p.m. Seeing no comments, the hearing was closed at 7:52 p.m.

Council comments and questions:

Councilmember Phillips asked why they did not receive budgets by department. Finance Director Langdon replied that they were distributed to Council at the work session. Councilmember Phillips recommended withdrawing funding from the visitor center and having them go through the Hotel/Motel Grants Committee instead.

Councilmember Nehring asked for the revised budget numbers for 2009. Staff provided these numbers. Councilmember Nehring pointed out that they had cut the budget significantly. When there is more money available he would like to see it used for streets, ball fields, and possibly field turf. Overall he feels this is a solid budget and appropriate for the times we are in.

Councilmember Seibert pointed out that the Hotel/Motel Grant money has already been given out for this year. He asked Councilmember Phillips if he was proposing that the Visitor Center apply for 2010, noting that with the Olympics coming in 2010 they have already asked for supplemental funding. Councilmember Phillips noted that the Hotel/Motel Grant Committee meets in the spring and would be able to approve an application at that time. CAO Swenson commented that in the past the City has given them that money in January and they are relying on it for operating expenses. Councilmember Seibert suggested that the Visitor Center could apply for the Hotel/Motel Grant funding and if they receive funding they either refund the City's contribution or use that for the next year. He spoke against pulling their funding now.

Councilmember Vaughan asked Director Nielsen about the history of the overlay budget. Director Nielsen reviewed the budget history of the overlay budget and discussed how they are trying to keep up with the level of service on the major roadways.

Councilmember Soriano asked Chief Smith if he anticipates a significant increase in overtime as a result of the annexation. Chief Smith said they do anticipate that initially since they will not be able to fill the positions right away. Councilmember Soriano asked if they are expecting a high number of calls in the area. Chief Smith stated that there are two areas that have high call loads and will demand service. He stated that they plan to help educate that area about their response and how they do business. Mary Swenson commented that the police department has been analyzing this area for at least two years and they know exactly what they are dealing with.

New Business

13. An **Ordinance** of the City of Marysville Making a Declaration of Substantial Need for Purposes of Setting the Limit Factor for EMS Property Tax Levy.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to approve Ordinance No. 2794. **Motion** passed unanimously (7-0).

14. An **Ordinance** of the City of Marysville Levying EMS Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2010.

Motion made by Councilmember Soriano, seconded by Councilmember Rasmussen, to approve Ordinance No. 2795. **Motion** passed unanimously (7-0).

15. An **Ordinance** of the City of Marysville Making a Declaration of Substantial Need for Purposes of Setting the Limit Factor for Regular Property Tax Levy.

Motion made by Councilmember Nehring, seconded by Councilmember Phillips, to approve Ordinance No. 2796. **Motion** passed unanimously (7-0).

16. An **Ordinance** of the City of Marysville Levying Regular Taxes Upon All Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2010 and Levying Taxes in Addition to the Regular Property Tax for Payment of Debt Service on the City's Unlimited General Obligation Bonds, 1986 and Refunded in 1996.

Motion made by Councilmember Rasmussen (0% with 1% banked), seconded by Councilmember Phillips, to approve Ordinance No. 2797.

Councilmember Seibert spoke against banking 1%.

Councilmember Wright asked how much they have banked at this point. Mayor Kendall stated that they have none.

Councilmember Nehring asked if it would require a supermajority to use the banked capacity at any time. City Attorney Weed said that it requires a supermajority to raise the property taxes up to the 101% maximum. To use the banked capacity only requires a majority vote.

Upon a roll call vote, the **Motion** to adopt Ordinance 2797 passed (4-3) with Councilmembers Rasmussen, Phillips, Soriano and Nehring voting in support and Councilmembers Seibert, Wright and Vaughan voting against the motion.

Councilmember Rasmussen strongly emphasized the need to citizens to shop locally, especially since the Council is not raising property taxes.

12. An **Ordinance** of the City of Marysville Adopting a Budget for the City of Marysville, Washington, for the Year 2010, Setting Forth in Summary Form the Totals of Estimated Revenues and Appropriations for Each Separate Fund and the Aggregate Totals of All Such Funds Combined.

Motion made by Councilmember Nehring, seconded by Councilmember Soriano, to approve Ordinance No. 2798. **Motion** passed (6-1) with Councilmember Phillips voting against the motion.

11. An **Ordinance** of the City of Marysville, Washington, Setting the Threshold and Tax Rates in Accordance with RCW 82.14.415 with Respect to the Central Marysville Annexation.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to approve Ordinance No. 2799. **Motion** passed unanimously (7-0).

10. An **Ordinance** of the City of Marysville, Washington, Adopting Snohomish County Codes and Ordinances as Required for the Central Marysville Annexation.

Motion made by Councilmember Soriano, seconded by Councilmember Vaughn, to approve Ordinance No. 2800. **Motion** passed unanimously (7-0).

9. A **Resolution** of the City of Marysville, Washington Authorizing an Interfund Loan Not to Exceed \$700,000 from the Waterworks Utility Fund 401 to the Golf Fund 420, and Providing a Formula for Payment of Interest.

Director Langdon discussed the need for this interfund loan.

Motion made by Councilmember Vaughan, seconded by Councilmember Nehring, to approve Resolution No. 2272. **Motion** passed unanimously (7-0).

8. A **Resolution** of the City of Marysville, Washington Declaring a 1923 Pacific Car, Foundry Company Model PAC1112174 to be Surplus and Authorizing the Sale or Disposal Thereof.

Parks and Recreation Director Ballew stated that there are two parties who are interested in this item. He stated that they have received funds from the insurance company and would like to use them towards continuing the gateway efforts as described within the Gateway Master Plan.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve Resolution No. 2273. **Motion** passed unanimously (7-0).

7. A **Resolution** of the City of Marysville, Washington Indicating Participation in the National League of Cities Prescription Discount Card Program.

Mayor Kendall explained that this is provided at no charge to the City. They provide us with discount prescription cards which can be provided to the public. Councilmember Nehring thanked staff for bringing this forward.

Motion made by Councilmember Nehring, seconded by Councilmember Rasmussen, to approve Resolution No. 2274. **Motion** passed unanimously (7-0).

6. City Attorney Retainer Agreement for the Calendar Year 2010.

Mary Swenson stated that this is the same agreement they had in 2009 with no changes. She thanked Grant Weed for not increasing rates.

Councilmember Nehring thanked City Attorney Weed for that also. He asked when it might be more efficient to have an in-house attorney. CAO Swenson said they have started the process with the in-house prosecutors and they are evaluating that with regard to the city attorney on an annual basis. She thanked Tracy Jeffries with her assistance with the day-to-day reporting operations with courts. Grant Weed agreed that Tracy has been a tremendous help with lessening the amount of time that he would be spending administering the program with the prosecutors. She is very familiar with the work that they do given her past experience as a court administrator.

Motion made by Councilmember Nehring, seconded by Councilmember Phillips, to authorize the Mayor to sign the City Attorney Retainer Agreement for the Calendar Year 2010. **Motion** passed unanimously (7-0).

5. Acceptance of Lake Goodwin Well Disinfection Improvements Project Starting the 45-Day Lien Filing Period for Project Closeout.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to authorize the Mayor to sign the Acceptance of Lake Goodwin Well Disinfection Improvements Project Starting the 45-Day Lien Filing Period for Project Closeout. **Motion** passed unanimously (7-0).

Legal

17. Notice of Exercise of Option to Extend Lease Term.

Grant Weed explained that the deadline for exercising the option to extend the lease is on December 2. He recommended that they extend the lease for a one-year period.

Motion made by Councilmember Rasmussen, seconded by Councilmember Soriano, to authorize the Mayor to sign the Notice of Exercise of Option to Extend Lease Term. **Motion** passed unanimously (7-0).

Mayor's Business

Staff Business

Jim Ballew:

- The Eagle Scout project at Strawberry Fields was done this weekend. They did an excellent job.
- The Turkey Chase Fun Run is this Saturday at 10:00 p.m.

Rick Smith:

- There will be no Public Safety meeting next Wednesday.
- Happy Thanksgiving to everyone.
- Today we had five sergeant interviews. We will be interviewing five more candidates over the next three days.

Kevin Nielsen:

- 27th seemed to operate at a good level of service this weekend. The manager of Costco seemed pleased with the traffic situation.
- He thanked Grant Weed and his firm for the work they do for the City.

Sandy Langdon reminded everyone that there will be no Finance Committee meeting this week.

Gloria Hirashima had no comments.

Grant Weed:

- Thanks to the Council for approving their agreement for another year. He stated that January will mark the 20th year that he has been the City Attorney. He reminisced about his early years with the City.

- He notified Council that there would be a local memorial for the late Judge Allendorfer on Thursday at 4 p.m. at the Snohomish County Courthouse.

Mary Swenson:

- There was a request from Judge Allendorfer's family that Marysville has a presence at the memorial since it was such a huge part of his career.
- She commended Sandy Langdon and Denise Gritton for a great job on the budget. She thanked all the directors for their work during this difficult process.
- There is the need for an executive session expected to last 5 minutes to discuss one item concerning potential litigation with no action expected.

Call on Councilmembers

Carmen Rasmussen:

- She extended thanks to Sandy Langdon and Denise Gritton for their hard work on the budget. She thanked Grant Weed for staying with us for another year.
- She asked if staff could let Council know when the bids are open for Ingraham since they will not be meeting at that time. Kevin Nielsen said they would send it out as soon as they receive the certified bid tab.
- She acknowledged Fire Commissioner Kay Smith in the audience and thanked her for her faithful service to the fire district.

Lee Phillips:

- He wished everyone a Happy Thanksgiving.
- He reiterated appreciation for all the work on the budget. He stated that he voted against it because of his beliefs in the line item part and the checks and balances, but he does appreciate all the work that goes into it.

John Soriano:

- He welcomed Fire Commissioner Kay Smith to the meeting.
- He thanked Sandy Langdon, Denise Gritton and all the department heads for all their work on the budget.

Jon Nehring echoed thanks to Denise Gritton, Sandy Langdon and department heads.

Jeff Vaughan:

- He also commended staff for their work on the budget.
- He welcomed Kay Smith to the meeting.
- He discussed the medical marijuana clinic in Mountlake Terrace whose license was denied by the city, but approved by the state. He wondered if this could be addressed ahead of time through zoning. City Attorney Grant Weed said there was an earlier test case in the City of Spokane that may establish a precedent. He believes this type of activity can be regulated through our business licensing code. He discussed concerns related to the medical marijuana law. CAO Swenson said this was a topic that was brought up at a city manager meeting

because this is starting to creep up around the state. A heightened awareness of the applications is critical. Staff is aware of this issue and keeping their eyes open. Grant Weed added that the application for a business must be a lawful business which meets all legal requirements. The question is whether or not the specific use of marijuana is a lawful activity.

Donna Wright:

- Thanks to all who worked so hard on the budget.
- Welcome to Fire Commissioner Kay Smith.
- Happy Thanksgiving to everyone.

Jeff Seibert:

- He asked if anyone was planning on going to comment at the Transportation Commission meeting in Everett. Kevin Nielsen and Mary Swenson are both planning on attending.
- He thanked everyone who worked on the budget this year during these difficult times.

Recess

Mayor Kendall recessed the meeting at 8:55 p.m. for a short break before reconvening into Executive Session expected to last 5 minutes to discuss one item concerning potential litigation with no action expected.

Executive Session


Executive session started at 9:05 p.m.

- A. Litigation – one item pursuant to RCW 42.30.110(1)(i)
- B. Personnel
- C. Real Estate

Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 9:10 p.m.

Approved this 14th day of December, 2009.



Mayor
Dennis Kendall



Asst. Admin. Svcs. Director
Tracy Jeffries