

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING APRIL 5, 1993 00001

CALL TO ORDER: 7:00 p.m.

ROLL CALL: All present

MINUTES OF PREVIOUS MEETING: 3/22/93 Approved

STAFF'S BUSINESS:

MAYOR'S BUSINESS:

1. Public Health Week Proclamation

CALL ON COUNCILMEMBERS:

AUDIENCE PARTICIPATION: Jeffrey & Matt Moses, Tom Mayer

PRESENTATIONS:

1. Patty Church, MPHS Treble Choir

2. Robin Pastor, Coordinator SR 9 Corridor Safety Project - Postponed

3. Myron Lewis, Library Architect

PUBLIC HEARINGS: None

CONSENT AGENDA:

1. 4/5/93 Claims - \$150,312.91 Approved

2. Purch. of Scanner & Printer for Approved
Mechanics/Equipment Rental

3. Letter of Endorsement; Evt. Approved
Tramps Semi-Pro Football Team

4. Acceptance of 80th St. Improvement Projects - Approved

5. Snohomish County Local Voters' Approved
Pamphlet Participation

6. Computer Equip. for WWTF Approved

REVIEW BIDS: None

CURRENT BUSINESS: None

NEW BUSINESS:

1. Report on 1992 General Fund To be continued
Revenues & Expenditures

2. Telemetry System for Marysville Approved
Wastewater Collection System

3. JAK Engineering Contract Extens. Approved

4. Sno-Isle Library Util.Variance Approved

LEGAL MATTERS: None

ORDINANCES & RESOLUTIONS:

1. Ord. Rezoning Property Owned by Ord. 1944 Approved
Carlson & Graham

2. Res. approving Prel. Plat of Res. 1611 Approved
Waterford East

3. Res. granting variance for Keen/ Res. 1612 Approved
Brenmar Builders, Inc.

4. Res. granting variance for Steve Res. 1613 Approved
Cox property

5. Res. amending Personnel Rules Res. 1614 Approved
relating to employment of relatives

ADJOURNMENT INTO EXECUTIVE SESSION: 11:11 p.m.

1. Pending Litigation

RECONVENED AND ADJOURNED: 11:31 p.m.



MARYSVILLE CITY COUNCIL MINUTES

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7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
Donna Pedersen, Mayor Pro Tem
Dave McGee
John Myers
Ken Baxter
Donna Wright
Mike Leighan
Otto Herman
Administrative Staff:
Grant Weed, City Attorney
Steve Wilson, Finance Director
Dale Thayer, WWTF Operator
Dave Zabell, City Administrator
Ken Winckler, Public Works Director
Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Weiser called the meeting to order at 7:00 p.m. and led the flag salute.

ROLL CALL:

Finance Director Wilson called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilor Herman referenced page 6 of the 3/22/93 minutes, third paragraph from the bottom, noting that the "change order and policy" should be "change order policy" and in the last paragraph on that same page, in the last paragraph, he wanted it made clear that his older truck is not a commuter vehicle because of cost/financial issues and he asked that the third to last sentence be deleted in the last paragraph.

Councilor Myers noted on page 5 in the last paragraph, that the Adopt-A-Street program was approved late last year.

Councilor Myers then moved to approve the minutes as corrected and Councilor Herman seconded the motion. Passed unanimously.

STAFF BUSINESS:

Finance Director Wilson said he was informed today that the bond refunding issue will possibly go to market tomorrow, in which case a special City Council meeting must be called for Wednesday. Consensus was to hold the meeting at 8:00 p.m. at City Hall 4/7 and if there are any changes to this, Council will be notified.

City Administrator Zabell announced a Disaster Plan Meeting will be held Tue. 4/13 at 4 p.m. in the Fire Training Rm.; the Jennings Nature Park Grand Opening and Easter Egg Hunt will be from 10-2 this Saturday.

City Attorney Weed apprised Council of several Bills being considered at this time, the outcomes of which will be very important to the City of Marysville, eg. concerning annexation, extensions to the GMA mandates, negligence actions being taken by LEF 2 members, interest arbitration for cities under 15,000 population. He said he would keep Council informed.

Public Works Director Winckler reported that effective 4/2/93 the City is using rerefined oil in all their vehicles. Also, we are one permit away from the Notice to Proceed on Phase III of the WWTF, which is expected this week. He referred to the packets and information about the Stimulus Program, noting Marysville was successful in getting one of our projects on the list--136th/Smokey

Pt. Blvd. He noted the design was already done by the county prior to annexation, also part of the project is funded by other sources however there was a \$245,000 amount that needed funding. If the grant is given to Marysville we would have to sign an interlocal agreement with the county who would be the lead agency, he explained and he added that construction could probably start this spring.

Public Works Director Winckler handed out proposals for a large sign on one of the Public Works buildings. He stated there were 3 bids received--from \$1300 to \$1600 to paint the sign and he would be providing more information about this.

He said he would like to see a RUSA meeting scheduled soon and the Council consensus was for 4/15 at 7 a.m. at City Hall.

There was discussion about the sign for the public works building, noting the estimates seemed rather high, it would cost an additional \$1000 to add "City of Marysville", more estimates to be sought, information to be brought back to next Council meeting re where funding would come from, information about directional signs at 1st & State, 4th & Cedar possibly.

MAYOR'S BUSINESS:

Mayor Weiser announced that Roger Kelley will be taping parts of next week's meeting as a test only to see if our present equipment would be adequate.

There will be a presentation at next Council meeting by CT to talk about rapid transit. Mayor Weiser noted that the county council will be voting on this issue soon.

A proclamation proclaiming the week of April 4-10 Public Health Week was read and signed by the Mayor.

CALL ON COUNCILMEMBERS:

Councilor Wright said she is interested in serving on the Assn. of Washington Cities ~~Legislative~~ Committee. She also noted the resignation/retiring of Stan Schaeffer from the Library Board and proposed a resolution thanking him for his services over the years.

Councilor Pedersen presented the Mayor with a button saying "Public Health Week". She reported on the recent Snohomish Health District hearing where the topic was a possible Needle Exchange Program in Snohomish County. She said those in favor and those against were about 50/50; the majority of people in counseling drug addicts, eg. were in favor of the Needle Exchange Program, law enforcement feels it sends a double message--conflicting with the DARE program, eg. She said this will again be the topic at the next Health District meeting.

Councilor Baxter noted there is a Utility Coordination Committee meeting Wed. from 9-12. He also noted more and more staff parking in the south parking lot of the Public Safety Building again and reminded staff and Council that the north parking lot is a better choice, especially if there is a large hearing and need for more parking in the south lot for the general public. With regard to the rerefined oil program, he said he hopes the City will continue testing to make sure it's working. Public Works Director Winckler assured him the testing would continue.

Councilor Baxter said he didn't think the filming of Council meetings had been approved and Mayor Weiser pointed out that it will just be a test for quality and to see whether or not the City needs new equipment, in the event it is approved.

Councilor Baxter pointed out that the WCIA attorneys have recom-

CORRECTED MINUTES SEE 4/12/93
5/6 RESOLUTIONS
CORRECTED MINUTES SEE

mended not to film Council meetings because of liability issues.

Mayor Weiser said if it's decided to go ahead, the City would like to know if we need better equipment or not. He admitted there are 2 issues and nothing has been decided as yet--next week is a test only and will not be broadcast, he said.

There was discussion about the 15-20 min. test actually being part of the public record, if the first part of the Council meeting is recorded, it would not constitute much of a liability issue, whether or not it's a City employee operating the camera, it would be the same liability if it was requested by the City for someone other than an employee to operate the camera.

City Attorney Weed said not knowing what is going to be said, it is hard to say whether there may be a liability issue.

Councilor Herman pointed out the angles of cameras needed for the first part of the meeting and whether we have adequate equipment --that would be a good test (the first part of the meeting).

Councilors McGee, Myers and Baxter all agreed that liability issues should be discussed first, before the test. More discussion followed about putting off taping, having a workshop before next meeting if possible, discussion about land use issues, etc. and the liability ramifications that might result, however a 15 min. test would not have any liability repercussions probably. Councilor Pedersen felt the test should be done down to Call on Council. More discussion regarding liability and feasibility of taping--being the 2 issues, taping test to be done and then discussed along with liability at a workshop.

Councilor Baxter said he strongly objected to the test without first discussing liability issues.

City Attorney Weed said he would like to submit a memo on the liability issues to Council with a recommendation regarding the testing and would like at least 2 weeks to put that together.

Councilor Pedersen suggested perhaps it could be done by the 3rd week of April and it was the consensus not to have the test next week.

Councilor McGee reported he will be out of town on 4/13 and 4/22.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Jeffrey Moses, 7022 Armar Rd., Marysville, addressed Council. He distributed a handout to Councilmembers and asked first of all if the City owns the Sno Isle Library building, were they in fact subcontracting the building out to the library?

City Attorney Weed explained it's a separate entity and operates independently, they have a library board who governs their activities and operations.

Mr. Moses noted that if the fire dept. had equipment in a building which the City owned, the City would be responsible for the fire equipment.

City Attorney Weed explained the library has authority by statute to operate just as the City of Marysville operates within the laws that are there to protect its citizens.

Mr. Moses explained that his son has just turned 9 and checked out a tape from the library called "RAP" and a book called "RAP--the Lyrics" because they wanted to learn the lyrics for a project at school. He said the contents of the book were brought to his attention and even as a car salesman, he found it very offensive.

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Matthew Jeffrey Moses, age 9, addressed Council. He asked the Mayor why 8 year olds are allowed to check out books without warning labels.

Mayor Weiser explained the City doesn't contract for the library system any more, it's operated by the Sno Isle System but there just happens to be someone here tonight from the library board who may be able to address the problem the Moses have brought up.

Tom Mayer, Manager, Sno-Isle Regional Library, addressed Council. He noted that Mr. Moses has made a request for reconsideration of library materials and is in the appeal process, they received a response but apparently did not agree with the library's criteria of keeping the book in the system and so have asked for the reconsideration. Mr. Mayer explained he hasn't had a chance to review the matter but the library does have a procedure to accommodate this situation and the Moses are in this process now.

Mayor Weiser asked about their labeling or categorizing the books and Mr. Mayer explained there is a label "Parental Guidance" and this has been reviewed; Stan Schaeffer wanted to set up policy whereby materials would be limited from children whose parents have requested it but it was decided not to go with this because it would require too much monitoring and staff time. Mr. Mayer added that they do not label anything unless it comes to the library with the "explicit" label on it or "R", for example. They make no attempt to put labels on or take them off, he said. He noted the MPAA/video rating system has been around for a long time but the lyrics labeling is a little different, done by each audio publisher.

Councilor Wright noted this problem came up a couple of years ago and it was understood that a children's librarian was to be hired to monitor this as far as the videos shown to children.

Mr. Mayer said he was not sure they have a video machine any more at the library at all, that they do have a list of MPAA ratings as well as the staff being there to assist.

Mayor Weiser asked if other library systems have a rating guide for books and Mr. Mayer said no.

Councilor Herman said he understands about the freedom of speech issue being important, that there are also some liability issues for the library and he asked how the library would regulate parental responsibility.

Mr. Mayer said their policy is that each parent has the responsibility for his child and as a direct result of last year's controversy, they began sending a letter ot parents of children regarding the fact that a child may check out an offensive book and the parents are to discuss this with the child.

Mr. Moses pointed out that he did not receive this letter to parents until just the other day. He added that the library's position is they wouldn't recommend the book for a child but once on the shelf, there is clearly access for all. He quoted from a letter sent to him by Mr. Laxton in which Mr. Laxton seemed to have misquoted Mr. Moses and Mr. Moses felt he needed to make his point clearer--that they would just like the book labeled, not taken off the shelves all together. He noted that in his opinion some of the content is obscene, but he did not wish to push his opinion on others and he said he felt Mr. Laxton was very antagonistic in the letter under the circumstances and did not seem very sympathetic to the Moses' cause. Mr. Moses then read his letter requesting the book "RAP--the Lyrics" be labeled as "explicit" or given a "parental advisory" warning label. He noted his son had been encouraged to go to the library as much as possible, to check out books, etc. and his son has had a library card for many years.

Mr. Moses expressed a deep disappointment in a system that would allow this whole thing to happen and then for them to tell him to wait 45 days--he said this is something he feels needs to be addressed immediately. He then made sure all the kids were taken out of the building and gave some examples from the book--they were very graphic and shocking examples of lyrics of rap songs. He said this is totally unacceptable and the City needs to take a part in what's going on at the library--45 days is too long for people to have to wait, he reiterated. This is not right to have in our libraries and accessible to his 8 or 9 year old son, he concluded.

City Attorney Weed said he would suggest an agency be set up to take care of a situation such as this where a citizen is not satisfied with the library board response, for example, but it sounds like the appeal is in process and so he would not recommend the City interject itself at this time.

Councilor Baxter noted the City has an ordinance against pornography and with the library within City limits, he would say they should be charged--the principals who have put the books into the library. He asked what would happen if this were a retail book store selling this type of book--it would not be allowed, probably, he guessed and suggested the same rules should apply to the library.

City Attorney Weed said the City needs to have a system that can oversee the library board/system but it's now part of the Regional Library System and he said he felt the City needs to respect that. He pointed out that the Sno-Isle Regional System operates differently from a book store and has a special procedure and they need to respond here and it would not be appropriate for the City to interject at this time. Once the 45 days is up and there is still a problem, then perhaps the City would be in a better position to act on Mr. Moses behalf.

Mr. Moses asked where the common sense is here because this book is clearly not tasteful for 99.9% of the population, he felt.

City Attorney Weed noted the City has a guide under which to prosecute and Mr. Moses it appears has directed his concerns to the appropriate authority--to the Sno-Isle Regional Library Board--Council has no authority over what is on the shelves of the library.

Mr. Moses asked if the Mayor and Council could make a recommendation for labeling of books in this case.

Councilor Pedersen asked Mr. Mayer if he anticipated the process will take the full 45 days and Mr. Mayer explained they need ample time for the library board who only meets once a month, however, there will be a meeting in 3 weeks, he said, but that's the reason for the 45 day period being named; they are to respond by the 2nd meeting after the discussion for the appeal, he said.

Councilor Pedersen asked if it is possible that the board be notified by mail about this to hurry the process and Mr. Mayer pointed out that it's a matter that he would not want to be rushed because when emotions run high, such as in the case last year, they made a bad decision and he said he doesn't want to see that happen.

Councilor Pedersen noted this is not the first time Council has heard these types of complaints and she said she personally found the excerpts from the book Mr. Moses read very offensive.

Councilor Baxter said he can't believe the City's pornographic ordinance is ineffective in this case.

City Attorney Weed explained there is a system in place which is

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in place right now and that process ought to be allowed to continue.

Councilor Baxter asked if Council doesn't have authority over what goes on in the City and City Attorney Weed said Council and staff has a right to review but a criminal complaint has not been filed at this point with the Marysville Police Dept.

Councilor Baxter concluded that Mr. Moses needs to deal with a City entity vs the Sno-Isle Regional Library System then and Mayor Weiser asked about the process of how the boy found the book.

Mr. Moses said he found it on the shelf and he admitted there are some clean lyrics in the book as well as the raunchy ones. He added that Fred Meyer has a similar problem and that is where he borrowed the "parental advisory" cover idea from. He said they are not trying to put his values on others, they just would like to see some kind of label because obviously, parents can't read all the books at the library, but we need to have some kind of label to make the choice, he said. He said he would like to see something done and whether the Council can recommend some kind of parental advisory.

Mayor Weiser asked about the stickers identifying this book for "young adults" and Mr. Mayer said that would be for the 11-14 age group, that it is not considered a "children's" book.

Councilor Pedersen asked if the majority of the 7-12 age group go to the library unaccompanied by their parents and Mr. Mayer said he didn't know; that that's about the age they are encouraged to start coming to the library on their own.

Mr. Moses explained they are very close to the library and they have encouraged their son to go there a lot, thinking it would help him but that is not the case any more. He pointed out that if a book is on the shelf, it's available for anyone and with no advisory sticker, there is no parental control at all.

Councilor Herman said he understands the problem but pointed out we do not live in a totalitarian society where we would go ahead and burn books that we felt needed to be burned. He said he was not at all impressed with the lyrics but the issue of censorship is tough--where do you draw the lines, whose judgement prevails? These are issues/decisions he said he is sure the library finds very tough, too. He said he would like to see the process expedited for Mr. Moses.

Mr. Moses reiterated they are not asking for the book to be removed, they would just like to see more control as far as selection goes. The lyrics, he pointed out, have been deemed obscene in some courts but we may have different standards in this community. He noted he included the three part obscenity test in the handouts and said he would like some kind of commitment from Council at this point, if possible.

Mayor Weiser said he will be sending a letter to the Sno-Isle Regional Library System, as a parent, that when they review the books they should label as necessary "explicit language" or "parental advisory", as appropriate.

Councilor Pedersen said she appreciated Mr. Moses' not trying to place his values on others, but if she were in Mr. Moses' place she would also appreciate the type of labeling he is recommending.

Councilor Baxter said he would echo Stan Schaeffer's comments.

Councilors McGee and Wright both agreed with comments regarding labeling. Councilor Myers also said there should be some kind of warning to parents.

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Mayor Weiser said perhaps it should be clear that books for "young adults" should be reviewed closer.

Mr. Mayer pointed out that "young adults" is not necessarily a warning, it's indicative of an interest level.

Councilor Leighan said he is not sure a label is the answer; it may attract people to the objectionable material and he added that he doesn't like the idea of censorship.

Councilor Baxter said he feels he is being very open on this and doesn't think he should be compromised on this--this is a moral issue and he said he doesn't feel this material belongs in the local library. If you want this type of material, go to the other places that sell that kind of stuff, he suggested.

Mr. Moses agreed this is a moral issue and he said he is glad to see the interest from Council. He said the parents thought that an advisory would be middle ground to steer their children away from this filth.

Councilor Baxter left Council Chambers at 8:40 p.m.

Mr. Moses noted that everyone says you can't legislate morality, but murder is against the law and that's a moral issue. He concluded they are just looking for an "advisory" label.

Councilor Baxter returned at 8:42 p.m. Councilor McGee left Council Chambers at 8:43 p.m.

PRESENTATIONS:

Marv Ryser, S.R. 9 Corridor Safety Project Program Manager, asked if they could reschedule their presentation. It was agreed that he would be in touch with Roger Kelley and he left some information packets and a phone number (486-4341) where he could be reached.

Councilor McGee returned at 8:44 p.m.

1. Patty Church, Marysville Pilchuck High School Treble Choir.

Mrs. Church introduced herself as one of the parents of a choir member. She noted this choir is one of only 40 groups from North America invited by the Lord Mayor of Vienna to come to Austria in July 1994 to compete against other choirs in an open competition. In order to raise \$110,000 estimated travel expenses, the choir is having an auction on May 1st and Mrs. Church invited the Mayor and Council to attend, noting the choir will be on hand to entertain that night also. She said it is anticipated that 35-40 members of the choir will be going to Vienna and they are soliciting any and all donations for this very worthwhile trip. She was also able to convince Mayor Weiser that a "lunch with the Marysville Mayor" would be a very valuable and sought after auction item.

3. Myron Lewis, Library Architect.

Mr. Lewis of Lewis, Cannon & Jamieson, 2800 Northrup Way, Bellevue, addressed Council and Mr. Jamieson passed out agendas for their presentation. It was noted that approximately 3 years ago they did the feasibility study for the Marysville Library and it is exciting to see the plans take shape. Mr. Lewis explained they have worked for 8 years on numerous library projects and he showed slides depicting the Historic Port Townsend Library addition, the Historic Enumclaw Library, the Mountlake Terrace Library (part of the Sno-Isle Regional Library System)--12-13,000 sf; the Mercer Island Library which is 15,000 sf and has a residential look and the South Hill Library in Pierce County, south of Puyallup which is most similar to the Marysville proposed facility. He then showed elevations of a similar site, pointing out how they can easily expand a 25,000 sf facility to 35,000 sf, for example. He

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mentioned their attention to parking, interior layout, working with the building committee, library function, need, aesthetics, ambience, lobby area, rest rooms, meeting rooms, circulation, book return, information and reference desk, staff lounge, public reading lounge, children's area, supervisory access. With the Marysville site, he noted the need to look at expansion for possible future use of remaining parcel, parking, expansion of the facility, 23,000 sf long range need, site information needs to be reviewed with building committee. Mr. Lewis stressed the importance of having people on the building committee that represent the needs of the library and the community at large.

Ross Jamieson then talked a bit about their general approach to designing libraries and in addition to working with cities' unique circumstances, there are some common denominators such as flexibility in order to allow for more reference areas, power cords, audio/video needs, movable furniture, ease of supervision, sight lines, utilizing a minimum of personnel, he explained. He noted they like to design user friendly buildings so that when a person walks into the entryway, there is immediate orientation by way of signs, etc., that let that person know where he is and makes him feel he is protected, too. Knowing the library is open enhances usability, he pointed out.

As far as project management, Mr. Jamieson said their approach is a team approach and they would welcome any input and additions to their ideas. He said they use this approach in the construction phase also, trying to think ahead and anticipate any problems that might come up and it usually pays off in having a good relationship with the contractor, he said. He noted cost control plays a key role throughout the process while still keeping in mind flexibility, past experience, unique circumstances, similarities, etc. He said they also track costs through national publications as well as an outside cost estimating consultant to get input on overall costs. He concluded that they have yet to rebid a project because of cost overruns, using the methods just described. They passed out folders describing their firm of architects.

Mayor Weiser asked if there was a hard and fast rule for a percentage spent on the artwork on the outside of the buildings, such as that shown in the slides.

Mr. Lewis said no, there was no rule; Mountlake Terrace had more money to spend and went with about 2% of the project but 1% is probably more average, he said. He pointed out that the sooner they know what the city wants, the better it is so it can be budgeted in. He cautioned about accepting donated artwork.

Mayor Weiser noted CT has indicated a building closer to the road would be more transit friendly and he asked Mr. Lewis about setbacks. Mr. Lewis said that would be up to the building committee for the most part.

Councilor Baxter asked if there were any figures that would tell how many people a 23,000 sf facility would serve and Mr. Lewis said he did not have that information.

Councilor Baxter noted that the City has been talking in terms of not having projected enough for growth management and Mr. Lewis said that ratio would be developed at staff level.

Mr. Jamieson noted also it would depend on many factors such as the density of the community; growth management projections would be important.

Mr. Lewis said it's becoming more common to have to add to buildings only 10 years old and Mr. Jamieson pointed out that Mill Creek's library was only 5 years old when they put an addition on it.

Mayor Weiser asked how long the design phase would be expected to take and Mr. Lewis said 5-6 months, 8 months for construction, a month for bidding, a month for contract negotiations, a month for building permits, so a total of about 15 months total.

CONSENT AGENDA:

1. 4/5/93 Claims in the Amount of \$150,312.91.
2. Authorize Purchase of Scanner & Printer for Mechanics/Equipment Rental.
3. Authorize Mayor to Sign Letter of Endorsement; Everett Tramps Semi-Pro Football Team.
4. Acceptance of 80th St. Improvement Projects.
5. Authorize Mayor to Sign Snohomish County Local Voters' Pamphlet Participation Authorization.
6. Purchase of Computer Equipment for Wastewater Treatment System.

Councilor Herman asked about Voucher 15173 for road services, county road fund and City Administrator Zabell explained it is for a signal maintenance charge the City pays to the county road dept. to maintain our signals. He added that when the City Engineer comes on board these charges will be less.

Councilor Herman asked about the 116th St. railroad crossing improvement and everyone talked about how expensive an item it was to put in the rubber around the tracks but the resultant smoother crossing is well worth it to drivers.

Councilor Baxter moved to approve Consent Agenda Item #1. Councilor McGee seconded and the motion passed unanimously.

Councilor Baxter moved to approve Consent Agenda Item #2, Councilor Herman seconded. Councilor Herman noted he would like to see more detail as to competitive products and Public Works Director Winckler said he would make more effort to do that in the future. Passed unanimously.

Councilor Herman moved to approve Consent Agenda Item #3. Councilor Pedersen seconded and the motion passed unanimously.

Councilor Pedersen asked about Marysville Night at the Mariners and City Administrator Zabell said he would check further on that.

Councilor Baxter moved to approve Consent Agenda Item #4. Councilor McGee seconded and the motion passed unanimously.

There was discussion about the Voters' Pamphlet Item #5 with Councilor Herman asking about the cost to the City and he noted he did think participation a good idea. City Administrator Zabell noted the City participated in 1991 and paid \$407 (biannual cost). It was pointed out that the cost depends on the population, it is a per capita charge.

Councilor Herman moved and Councilor Leighan seconded to approve Consent Agenda Item #5. Passed unanimously.

On #6, Councilor Leighan asked why the computer system was being purchased out of Texas rather than locally. Dale Thayer, WWTF Operator, said Dave Marty of City Instruments recommended looking around at several computers and the Austin system came out the best.

There was discussion about various options--getting DOS 6.0 just released by Microsoft, extras that are and are not included. Mr. Thayer said the computer will be purchased for lab data and one of the first programs to be set up on the computer will be the industrial waste program for which there is no computer now. They are also getting a compact computer, he said, but that won't be for a year yet. He said he felt they are getting a good deal here, recommended by staff.

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Councilor Pedersen asked about the new computer being covered by a maintenance agreement and Finance Director Wilson said it would not be for at least the first two years and he said he would not recommend a maintenance agreement unless the equipment is a very critical piece.

Councilor Pedersen encouraged Mr. Thayer to get the current version of DOS--6.0.

Mayor Weiser commented that the company Councilor Leighan was talking about gives a substantial discount for cash.

Councilor Baxter moved and Councilor Pedersen seconded to approve Consent Agenda Item 6. Passed unanimously.

NEW BUSINESS:

4. Sno-Isle Library Utility Variance; UV 93-02.

Public Works Director Winckler reviewed the agenda bill, noting the building houses administrative support (61 people) and the present site is ideal for the Sno-Isle Library purposes and so the plan is to expand with connection to the City's sewer system, with completion of renovation in 1995. It would be 2300' of 10" sewer pipe on 35th to connect to existing line, he said and currently they are connected to a septic system where they would like to expand their parking, he explained.

Councilor Baxter asked why it has to be a 10" line and Public Works Director Winckler said because of the flat terrain.

Councilor Herman asked about the routing of the sewer line.

Bob Harding, Project Manager, 415 118th SE, Bellevue, addressed Council, noting the routing would be on the west side of 35th down to approx. Roy Robinson Chevrolet.

Mayor Weiser asked if there have been any problems with the existing septic system and Mr. Harding said no, the reason for the request is because of the feasibility to move parking to where the existing septic system is now.

Mayor Weiser asked if there would be a 15 year recovery contract and Mr. Harding said there would be none, that the entire project would be covered by the Sno-Isle Regional Library System.

City Administrator Zabell added that this is similar to the school district request where there are no other participants in the system; Sno-Isle Regional Library System built their building prior to RUSA and water comes from a 6" main under Grove, he said he believes. He said staff's recommendation would be for the library facility only on the line.

Councilor Herman asked if another property went in between Roy Robinson and Sno-Isle, if they would be excluded from participating on the sewer line and City Attorney Weed explained that with the school district, it's public use and they had an immediate need for expansion because of overcrowding and with an urgent need such as that, that would be the criteria.

Councilor Herman said his concern is with a differentiation and precedence, for example.

City Administrator Zabell said public use is the main criteria being used for the Sno-Isle renovation.

Councilor Baxter moved to approve the variance as per staff recommendations and limitations. Councilor Herman seconded. It was noted that findings of fact would be:

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- Expansion of a public building
- Public sewer makes the expansion more feasible
- Already on public water (which was allowed prior to RUSA plan)

The motion passed with Councilor Leighan opposing.

1. Report on 1992 General Fund Revenues & Expenditures.

Finance Director Wilson reviewed the agenda bill, explaining that the increased revenues were unexpected and basically because of lifting of the sewer moratorium which resulted in increased growth in Marysville. He noted there is now an unencumbered fund balance of \$192,329 as a result. (He showed some overheads.)

Councilor Herman asked about the residual equity transfer and Finance Director Wilson explained these were funds per Phil Dexter's direction, which involves a lawsuit.

Councilor Pedersen asked about miscellaneous revenues and Finance Director Wilson said these pertain to interfund charges and some interest earnings.

Mayor Weiser asked about intergovernmental revenues and Finance Director Wilson explained this is mainly Parks & Recreation grant money which has not come in yet, also some Tribes revenue (\$40,000) expected to come in in 1993. He explained that all accounting is done on an accrual basis; he also noted some of the areas where money was saved were the City Hall roof and a City Engineer, where money was budgeted but not used in 1992. He then showed a fourth chart (not in the packets) that gave a better idea of exactly where the revenue came from: property taxes, retail sales tax, hotel/motel tax, criminal justice system, utility taxes, business licenses and permits due to building permits/growth, state shared (excise) taxes, intergovernmental revenue from the Tribes, Dispatch, court fines, totalling a net of 106% of projected revenue collected for the year.

Councilor Pedersen asked about the court collections and said she would like a report from Sue Jensen on this.

Finance Director Wilson said most of the excess revenues came in as a result of unexpected growth in 1992 and so he would not recommend counting on it every year; revenue was below projections in 1991, for example.

City Administrator Zabell handed out a proposal listing ideas of where the carryover could be used effectively. It was noted that basically, after holiday decorations, the sound system and reserve fund monies have been set aside, there is \$50,000 left and the following projects need some prioritizing:

Voters' Pamphlets participation	\$1,000	*
Computer Network (Executive/City Clerk)	10,000	
Computerized Receipting System	11,000	*
Personal Computer Municipal Court	3,000	
Personnel Software	750	
City Mini Van	10,000	
Copy Machine City Hall	15,000	*
City Hall Mini Remodel (paint & carpet)	7,500	*
Police Bike Patrol	2,000	*
Human Services Request (beyond \$5,000 budg.)	5,000	*
Newsletter Enhancement	22,000	*
Chamber of Commerce Pamphlet	12,000	*
Police Cadet Program	5,000	
Marysville Promotional Videos	20,000	
136th St. signaling	??	
88th St. improvement	??	
	<u>\$124,250+</u>	

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(* items were shown a considerable amount of interest by Council.)

City Administrator Zabell added that a lot of these items were either cut in the budgeting process last year or else were held back, knowing that it was going to be a tight year and in an attempt to present a "bare bones" budget.

Finance Director Wilson explained the "computerized receipting system" which would save about 2 hours a day, it was noted that the Chamber brochure could be assisted by hotel/motel tax funds and City Administrator Zabell reviewed other items on the list. He added the 136th St. signaling and 88th St. improvement projects but also stressed the prudence in keeping a cumulative reserve fund.

The consensus was that more information should be presented at next Council meeting on the following projects:

- Computerized Receipting System
- Copy Machine City Hall
- Police Bike Patrol (need breakdown of what that is)
- Breakdown on Newsletter Enhancement
- Court PC
- Marysville Promotional Videos
- Chamber Pamphlet

2. Telemetry System for Marysville Wastewater Collection System.

Public Works Director Winckler reviewed the agenda bill and explained the advantages of having the sophisticated system as recommended. This would not affect the present function, he noted.

Councilor McGee moved and Councilor Baxter seconded to approve the purchase of the system from City Instrument for \$19,795.00. Councilor Baxter seconded and the motion passed unanimously.

3. JAK Engineering Contract Extension.

Public Works Director Winckler reviewed the agenda bill, noting the 100 hour cap is almost up (we are at 88 hours) and with several more grant requests and applications to be made, and with Jim Kresge doing a great job so far, it is felt the City needs to stay on top of this process and staff is looking for an extension of Mr. Kresge's contract. The monitoring and tracking process would continue with all meetings attended by Mr. Kresge being only after approval of Public Works Director Winckler, he said. He added that Mr. Kresge has shown so far that he is very effective.

Councilor Pedersen said she would recommend an extension of 100 hours and Councilor Herman said he sees a need for cost control and would like some input on how to accomplish that.

Public Works Director Winckler said he thought 100 hours would be a very minimum amount because that's only about 2 weeks worth of time and the City is in a very short time phase for STP projects. Probably we need to attend a lot of meetings in the next 2 weeks, he said and said he would recommend identifying certain grant periods, for example, the next deadline is 6/24 and rather than coming before Council in the middle of a grant process, it could be based on the grant periods. Jim has to look at a maximum he can work, also, or it will affect his retirement income with the county, it was pointed out.

Discussion followed about the number of hours Mr. Kresge has put in, upcoming grant deadlines, the various opportunities for grants, a \$3,000 investment may bring in \$1,000,000 for example, which is an excellent "buy back" for the City, the City of Marysville being in the prioritized list for the 136th St. project,

with \$80,000 of old money that needs to be used which puts us high on the priority list, having an open ended contract, other alternatives being placing an upper limit of \$10,000 on the contract, quarterly billing, billing/hiring on an hourly basis as has been done in the past, extension of 200 hours.

Councilor Pedersen moved for an extension of 200 hours, with a breakdown of hours spent and possibly regarding which project hours spent on. Councilor Myers seconded and the motion passed unanimously.

ORDINANCES & RESOLUTIONS:

1. Ordinance Rezoning Property Owned by Steven M. Carlson & Thomas C. Graham.

Mayor Weiser noted that off street parking will be removed on 4th between Columbia and State but it was decided that this subject could be discussed at a later time.

Councilor Herman moved to adopt/approve Ordinance 1944, Councilor Wright seconded and the motion passed unanimously.

2. Resolution Approving the Preliminary Plat of Waterford East.

Councilor Wright moved and Councilor Myers seconded to approve/adopt Resolution #1611. Passed unanimously.

3. Resolution Granting a Variance for Alexander B. Keen/Brenmar Builders, Inc.

Councilor Leighan moved and Councilor Baxter seconded to approve/adopt Resolution #1612. Passed unanimously.

4. Resolution Granting a Variance for Property Owned by Steve Cox

Councilor Myers moved and Councilor McGee seconded to approve/adopt Resolution #1613. Passed unanimously.

5. Resolution Amending Chapter IV, Section 2, of the Personnel Rules Relating to Employment of Relatives.

Councilor Wright moved and Councilor Herman seconded to approve/adopt Resolution #1614. Passed unanimously.

(It was explained that this would prevent one relative from being in a supervisory capacity over another relative.)

ADJOURNED INTO EXECUTIVE SESSION: 11:11 p.m.

1. Pending Litigation. (No Action)

RECONVENED & ADJOURNED: 11:31 p.m.

Accepted this 12th day of April, 1993.

David Weiser
 MAYOR

Mary D. Juerson
 CITY CLERK

Tranda A. Juerson
 RECORDING SECRETARY