

MINUTES RECAP

00226

MARYSVILLE CITY COUNCIL MEETING MARCH 7, 1994

CALL TO ORDER: 7:00 p.m.

ROLL CALL: All present

MINUTES OF PREVIOUS MEETING: 2/28/94 Approved

AUDIENCE PARTICIPATION: None

STAFF'S BUSINESS:

MAYOR'S BUSINESS:

CALL ON COUNCILMEMBERS:

PRESENTATION:

1. Library Bldg. Up-Date	Lewis Architectural Firm
2. "Marysville Beckons" Project	Chamber of Commerce/
Caldie Rogers & Tom Graham	Graham & Carlson Open Hse.
	3/10/94

PETITIONS & COMMUNICATIONS: None

PUBLIC HEARINGS: None

REVIEW BIDS: None

CURRENT BUSINESS:

1. Professional Services Addendum #1 to JAK Engineering Contract	Approved
2. Animal Control Officer Position Review	Approved for full time to end of the year

NEW BUSINESS:

1. Thorpe Rezone; PA 9309027	Public Hrg.set 4/4/94
2. Planning & Bldg. Dept. request for temporary Inspector	Approved

CONSENT AGENDA: None

ORDINANCES & RESOLUTIONS:

1. Ord. Amending 1993 Budget.	Cont. to 3/14/94
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LEGAL MATTERS:

1. Consultant Agreement; Purchasing Manual; Creative Consultants	Approved
2. Contract Plumbing Inspector Agreement; Bill Bailey	Approved
3. Agreement for Plan Review Contractor; Pacific Rim Code Svcs.	Approved

ADJOURNMENT INTO EXECUTIVE SESSION: 10:12 p.m.

1. Real Estate	Action (See Minutes)
2. Pending Litigation	No Action

RECONVENED & ADJOURNED: 11:06 p.m. & 11:08 p.m.

MARYSVILLE CITY COUNCIL MINUTES

MARCH 7, 1994

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:
 Dave Zabell, City Administrator
 Grant Weed, City Attorney
 Gloria Hirashima, City Planner
 Bob Dyer, Police Chief
 Ken Winckler, Director of Public Works
 Jim Ballew, Parks & Recreation Director
 Wanda Iverson, Recording Secretary

CORRECTED: SEE 3/14/94
 MINUTES

CALL TO ORDER:

Mayor Weiser called the meeting to order and led us in the flag salute.

ROLL CALL:

City Administrator Zabell called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilor Pedersen noted in the 2/28/94 Council Minutes on page 3 in the first paragraph, it was Councilor Wright and not Councilor Pedersen who presented the 4th St. issue to a state representative.

Councilor Herman noted on page 1, in the second to last paragraph that the location should be 8th & Beach, not 8th & Grove. Also, on page 7, in the last paragraph, second line, the word should be "here" not "her."

There being no further corrections to the minutes, Councilor McGee moved and Councilor Herman seconded to approve the 2/28/94 minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

STAFF BUSINESS:

City Administrator Zabell updated Council on a couple of personnel issues: He stated 3 custody officers have been hired and the hiring of police officers is ongoing. He noted Deb Soren is now a permanent employee. He referred to a DOE letter received regarding the City's NPDS permit. He noted we are operating under a Consent Order at this time. Also, Mary Swenson will be attending City Council next meeting as City Administrator Zabell will be on vacation.

City Planner Hirashima said in following up on the junk vehicles reported on Cedar the file was closed but another letter has now gone out as the matter has come up again. She thanked the Mayor and Councilmembers who attended last week's open house; over 70 people were in attendance and she is now compiling a summary of all the comments received for Council. By next week, they should have the revised policies done, she said and there will probably be another Comp Plan public hearing; she suggested establishing a date for that tonight, in early April or late March.

Consensus was for a Comp Plan Public Hearing to be held Tuesday, 4/5/94 at 7 p.m. in Council Chambers.

CORRECTED: SEE 3/14/94
 MINUTES 5/6 work shop

City Planner Hirashima stated the Planning Commission will be reviewing the subdivision code and building height definition code tomorrow night. Another issue that needs to be addressed is a new animal code which needs a public hearing also. She stated one has been drafted allowing certain animals in certain areas, eg. rural parcels, grandfathering in animals, etc., relating more to zoning and because Council had prioritized issues the Planning Commission is to deal with on a more immediate basis, she suggested Council perhaps would like to hold their own public hearing on the animal code so as not to delay the other items the Planning Commission is working on. It was agreed to have the Planning Commission send their comments to the Council regarding the animal code prior to a public hearing being set.

Councilor Baxter asked if this puts those areas that have animals into a conditional use permitting situation and City Planner Hirashima explained that if you have over an acre, animals will be permitted outright according to the draft document at this time.

Public Works Director Winckler covered Change Order #2 to the Wilder Construction 172nd St. project for relocation of utilities. He stated the change order amounts to \$5,963.86 and includes sidewalk restoration not on the original plan, overtime compensation as a result of night work so as not to inconvenience local merchants, side sewer stubs, underground utilities that had to be worked around. The change order now brings the total contract to \$177,360.08, he said.

He reported that the 64th St. striping was completed today and reminded Council of the RUSA meeting Thursday, 7 a.m. in the Public Works Building.

Councilor Baxter commented on the extra expenses on the change order--sidewalks, curbs and gutters which were not included in the original county plan, as well as overtime.

Public Works Director Winckler explained the City is going to be saving a lot of money in the long run, even with these added expenses.

MAYOR'S BUSINESS:

Mayor Weiser reported there is a court case pending regarding someone in Marysville which has been postponed twice due to lack of court space in Everett and he said he would like to suggest to Seth Dawson that they could use Marysville's court space, if Council is agreeable.

Councilor Pedersen asked about there being enough room for a jury and Mayor Weiser said with a 12 person jury that could be a problem; Marysville's juries are usually only 6 people. Also, the equipment, etc. would have to be up to the judge, he said.

Councilor Pedersen suggested making the offer if they only need a 6 person jury or less and Councilor Herman suggested putting the item on an upcoming Council agenda.

City Attorney Weed stated there is a state statute that says a defendant would be tried in the jurisdiction in which they were charged and that would have to be considered.

Mayor Weiser said he would do more exploration on this. Also, there will be an upcoming meeting with DOT, the Tulalip Tribes people, Downtown Merchants and perhaps Welco regarding the 4th St. Bypass issue 3/21 or 3/22 at 9 a.m. He reminded Council that they had indicated they wished to have up to 3 members present. Councilors McGee, Wright and Baxter indicated they could attend a meeting on Tue. 3/22 and Councilors Pedersen and Herman said they would only be available on Mon. 3/21.

It was decided that Councilors Baxter, McGee and Wright would attend the meeting on 3/22 unless something came up in conflict.

Mayor Weiser talked about a letter regarding the passenger and freight train speed increase issue and City Administrator Zabell asked if the City should let Mr. Curl know about the City's concerns about high speeds within our City limits.

Councilor Herman asked about the possibility of a public hearing with other surrounding cities on this issue.

Mayor Weiser reported there was a significant delay of a train on Saturday for about an hour or so because apparently there was a dispute regarding a crew that had worked over eight hours and so they had to wait for a replacement crew from Everett. He stated the problem is with crossings that are blocked as a result and emergency vehicles can't get through. He said he has indicated to BN that we have a concern regarding this and would like to have a meeting with them, with the Marysville Fire Dept. and Police Dept. represented.

Councilor Baxter stated he is going to suggested to the fire board that we send a letter to BN regarding these concerns and he said he would like to have the concurrence of the Council.

Mayor Weiser said he thinks we should get the Snohomish County Sheriff's Dept. involved as well.

Councilor Pedersen asked if there were enough calls if the dispatch time could be charged to BN.

City Attorney Weed said he knows there is an ordinance on the books that makes it unlawful for trains to block crossings/roadways for over 5 mins. and perhaps that ought to be brought to the attention of BN.

Councilor McGee asked if there is a penalty mentioned in the ordinance and City Attorney Weed said he believes it is a \$1000 fine and perhaps jail time.

Councilor Pedersen said we could also remind BN of the time the crew got off the train at Burger King for hamburgers and held up rush hour traffic on 4th St. in Marysville, for over 5 mins.

Councilor Baxter said he would like it to be on record about the Council's displeasure on this issue. It sounds like they don't have their internal issues resolved and they (BN) are doing it at the public's expense, he said.

Councilor Herman suggested mailing a citation to the responsible party at BN.

CALL ON COUNCILMEMBERS:

Councilor Pedersen thanked the Marysville Historical Society on behalf of City Council for tonight's annual dinner and asked that a formal thank you letter be sent to them.

She asked about the adopt-a-plum-tree program.

Parks & Recreation Director Ballew said the letter from Mr. Hagen was regarding a tree that had been installed in front of Allen Creek school in Mr. Hagen's name. The Parks Dept. was not aware a school was going in there and Mr. Hagen's tree was removed as a result, he said. He said staff is meeting with Ernie Berg to decide where another tree could be planted for Mr. Hagen. He added there were about 6 trees that had to be removed in that immediate area for access, etc. and in any future adopt-a-tree programs, the Parks Dept. will let people know of possible future

contingencies and get people's addresses so they may be contacted, also.

Councilor Pedersen asked about the metal tags and Parks & Recreation Director Ballew said they will be replaced also. He added that a couple of the trees were transplanted but did not survive and the Parks Dept. still has not contacted the people who adopted them as they do not have their addresses.

Councilor Pedersen said she knows some Councilmembers had donated trees and that the City should be responsible for making sure the trees are replanted, if necessary.

Parks & Recreation Director Ballew agreed, stating they are trying to adapt as best they can. He explained over 260 trees were planted and the one he donated personally, for example, had to be replaced by a State Highway sign and there is no more space left for planting trees now.

Councilor Baxter suggested transferring name tags to trees that were planted but not donated or adopted by anyone before.

Councilor Pedersen said she thinks if you let people know that their tree had to be taken out or whatever, they would understand if the Parks Dept. transfers their name tag to another tree.

Councilor Baxter reminded Jim Ballew he had wanted to donate more trees originally. He added that he drove along 64th today and was happy with the road widening and improvements. He asked about the fence in front of the mobile home park and City Administrator Zabell explained it is to be a private concrete fence.

Councilor Myers said he had heard some positive comments from citizens concerning wheelchair ramps recently installed on State.

Councilor McGee reported there is a Golf Board presentation being sent to Council.

Councilor Herman said he would like an update on anticipated grant requests for human services from organizations within the community look for funding from the City.

City Administrator Zabell stated that process has now started.

Councilor Herman noted accessory unit zoning is mandatory in cities with a population of 20,000 or more and asked about Marysville's status on this.

City Planner Hirashima concurred that we will need to address that in our zoning code update.

Councilor Herman asked about public comments on the Comp Plan and City Planner said if they are in within the next week they can be included in the compilation.

Councilor Leighan asked about work being done on 10th between Cedar and Beach and City Administrator Zabell stated it is a private contractor.

Councilor Leighan reported the Snohomish County jail is going to be contacting Marysville regarding leasing space to them as they are overbooked. He noted Lynnwood has a nice mural painted in front of the fire station, painted by local kids and offered this as an activity for Marysville to allow kids to paint an assigned wall rather than choosing their own.

Councilor Wright noted there are still a lot of junky looking cars in the property at Grove & Cedar. Also, there should be flag people directing traffic at 94th & State because of a dangerous situation there.

Public Works Director Winckler said there was a sanitary system emergency and he said he would look into the lack of flagging personnel.

PRESENTATIONS:

1. Library Building Update.

Councilor Pedersen gave a bit of history about the many meetings that have been held and introduced Myron Lewis and Ross Jamieson, architects.

Mr. Lewis stated they are still refining some site plan issues, that this presentation is an overview, basically.

Mr. Jamieson referred to the schematic design package in the packets noting the following:

- part of the site has been left free of driveways and utilities for possible future use
- parking and building can be expanded
- a trail system has been incorporated
- the building is visible from the street with deemphasis on the parking lot
- a drop off area and book return have been incorporated into the design, as well as a service entrance
- there is a nice view from the inside of the building
- there is room for 1/3 again expansion of the building floor space
- parking exceeds code minimum so that with the expanded building, it will meet code
- they are still exploring a different parking configuration with the same number of parking places (one stall per 200')
- both site plans would be about the same design cost

Councilor Baxter left Council Chambers at 8:07 p.m.

Mr. Jamieson reviewed the floor plan and noted it has been designed so that the lobby, meeting rooms, kitchen and rest rooms can be used when the library is closed. He described the Children's Activities area.

Councilor Baxter returned to Council Chambers at 8:09 p.m.

Mr. Jamieson reviewed components of the building including:

- 1500 sq. ft. of meeting rooms
- outdoor patio area
- staff and maintenance area
- Circulation desk, open concept of interior with areas defined by furniture for flexibility
- Reference area
- Center area has a low profile for better visibility both for the users and for better supervision
- total of about 23,800 sq. ft.
- capacity of meeting rooms approx. 110 people

Mr. Jamieson then reviewed the exterior elevation drawings and said they were trying to make it fit in with the residential area. He also noted the center section has higher elevations with 4 light wells and the exterior of the building is planned to be mainly brick with a metal roof. Also, there is an overhang to protect the book drop area, he explained.

Councilor Leighan asked about extension/addition to the building when it comes time to expand and Mr. Jamieson explained that. Mr. Lewis then showed a beautiful three dimensional model of the building and there were several positive comments about the roof line.

Councilor Baxter commented that once a shell of a building is in place, other things can be phased in, if necessary.

Mr. Jamieson then reviewed the Preliminary Cost Projects and referred to the information in the packets. It was noted the projected costs exclude the property purchase price, permits, in house project manager and there would be an 8% design contingency. He pointed out that the Schematic Design Phase is a little over the \$2.4 million but the intent is to monitor and keep it within budget.

Councilor Leighan brought up the issue of having the capability of having CD ROM flexibility for computers. Mr. Jamieson said the plan is probably to install carpet squares and utilize flatwire which will accommodate computers, electrical, communications.

Jonalynn Woolf-Ivory, Asst. Director of the Library District, addressed Council and noted flatwire was installed in a library she was familiar with and the carpet squares work well and can be moved when needed. She said they have added terminals and the flatwire worked well, also, there.

There was a short break so people could view the model closeup.

It was moved and seconded that the building be given intermediate approval and then to move on to the schematic development phase. Passed unanimously.

2. "Marysville Beckons" Project; Caldie Rogers & Tom Graham.

Caldie Rogers, Executive Director of the Marysville Chamber of Commerce, introduced Tom Graham, President of the Chamber of Commerce.

Mr. Graham thanked the City for their support of the project and said the Chamber is impressed with the scope of the brochure and think it will be a real asset to the community. He invited the Council to the premiere viewing of "Marysville Beckons" at the new Graham & Carlson Building, 1612 4th St., on Thursday at 5 p.m. This will also be an open house for Graham & Carlson, CPAs. He talked a bit about the brochure, stating it is in full color, 140 pages and 1000 complimentary copies will be given to the Navy, 1000 to Chamber of Commerce members, also complimentary copies to the City, Library and Visitor Information Center. He stated they feel everyone has worked together on this and he commended everyone on their teamwork. He noted this was a group working toward a common goal to produce an uncommonly unique publication.

Mayor Weiser noted it was originally planned to get this publication out earlier, with another printing in the spring or summer.

Ms. Rogers explained they expected this to be done by October, which did not happen; the plan was to have it come out each spring but they are going to start another issue in 2 months for the next year, she said. She added that 5000 will fulfill the needs through December, 1994 with a new edition to come out in Jan/95.

Councilor Pedersen asked about the handout and Ms. Rogers said that is just a newsletter with testimonials about "Marysville Beckons."

Mayor Weiser noted there has been quite a bit of interest as far as the City having the copies available and he said he thinks the City may want to have more than originally planned at City Hall and at the Parks Dept.

PUBLIC HEARINGS: None.

CURRENT BUSINESS:

1. Professional Services Addendum #1 to JAK Engineering Contract.

Public Works Director Winckler reviewed the agenda bill, noting it is for an extension of 200 hours at \$30 per hour (increased from \$27/hr.). He stated Mr. Kresge has applied for funding so far totalling \$1,103,517 plus \$4.1 million to be applied for in a number of general areas. He said part of the process is for Mr. Kresge to follow up on the grant applications and staff feels the pay back is 100:1, i.e., very successful for the City.

Councilor Baxter said he thought the City had inhouse people to do this grant work and Public Works Director Winckler stated the City has a City Engineer who has worked on getting the City certified however there is a tremendous amount of work involved. He noted there is generally a very tight time schedule on grants and it's very difficult to have it done inhouse.

Councilor Wright asked about negotiation and Public Works Director said no, Mr. Kresge asked for \$30/hr.; his fee outside of the City is \$65/hr.

There was discussion about the increase in hourly rate from \$27, need for a consultant, visualizing results.

Public Works Director Winckler stated Mr. Kresge was paid \$13,500 for 1993 by the City plus \$522 in expenses and \$14,000 represents an exceptional opportunity for the City to have someone of his expertise so reasonably.

Councilor Baxter asked where Mr. Kresge's office is and Public Works Director Winckler stated Mr. Kresge works out of his own home where he has a computer.

Councilor Baxter moved and Councilor Leighan seconded to authorize the Mayor to sign the contract with Jim Kresge/JAK Engineering. Passed unanimously.

2. Animal Control Officer Position Review.

City Administrator Zabell stated several needs within departments have been identified as things that could be part of the Animal Control Officer's job description.

Chief Dyer reported that over the last couple months there has been a significant increase in workload and the Police Dept. even had a case where they had to have a private citizen bring the dog in himself because of a shortage of manpower. He stated they also have had more work in the area of enforcement and community service officer.

City Administrator Zabell stated a new job description is being developed and Chief Dyer mentioned some of the duties would be Community Service Officer, checking on abandoned vehicles, traffic signs, working with the schools and any other assignments as necessary. He pointed out that this is a civil service position and so they would need civil service approval and they also are going to have the Animal Control Officer keep a daily diary of activities.

Councilor Pedersen asked about the income from pet licenses and putting a reminder message about renewing your pet license on utility bills.

City Administrator Zabell said that was considered but it was decided it could be confusing to the general public and would cause too many phone calls to City Hall.

Mayor Weiser talked about the possibility of a split shift or flex time to cover evening and weekend hours, for example.

Councilor Myers asked if investigating noise complaints would be part of the Animal Control Officer's duties and Chief Dyer said probably not, that would be handled by the Police Dept.

Councilor Leighan pointed out these same problems have been around for a couple of years and he said he is concerned and would like to see a detailed log and Council could review this again in 6 months.

City Administrator Zabell said that was the intent, to be reviewed in August or September when the budget will be reviewed again and there will be 6 months of his activities to review and it can be determined at that time whether the position should be half time or full time.

Councilor Leighan said he would rather see it funded only until September.

Councilor Baxter pointed out this is a situation where we have a position that's taken care of a problem for a number of years and he doesn't think we should be changing something that works, he said. He added that there are a lot more people living in Marysville with a lot more dogs, creating a lot more problems and he said he agrees with the flex time patrol, such as early in the morning when people decide to let their dogs out to run.

Councilor Leighan stated he agrees if there is some real proactive patrol, then a full time position is probably justified but it's only been a part time position in the past and he said he doesn't think the Animal Control Officer had enough duties to make it a full time position. He said he would like Council to fund it only until September.

Councilor Herman clarified that the intent would be to review the full time position in September and Councilor McGee noted once the budget process is started they would have a good idea of whether it should be a full or part time position.

Councilor Leighan stated his concern is with fundign through the end of the year, it might take the heat off making the decision between part time and full time.

Councilor Myers said he would be in favor of funding it to the end of the year because it is going to take a couple months to compile information.

Chief Dyer said with regard to workload, there is a certain amount of work that's generated by the public and some that's generated by the officer.

Councilor Baxter said he is glad to see the program they wish to put in place and that he thinks the position should be funded through to the end of the year.

Councilor Baxter moved and Councilor Myers seconded to approve the Animal Control Officer position as a full time one, with the job description to be developed as discussed, funded to the end of the year and reviewed in August or September during the budget process. The motion passed with Councilors Herman and Leighan against.

NEW BUSINESS:

1. Thorpe Rezone; PA 9309027.

Mayor Weiser explained the hearing examiner process and stated

CORRECTED: SEE 3/14/94
MINUTES slb funding

public testimony has been taken at this point in the past but on the advice of the City Attorney all public testimony has to be at a public hearing of Council or in front of the hearing examiner. He mentioned the 14 day protest period.

City Planner Hirashima said the City received 2 letters since the hearing examiner's decision was given, within the 14 day period, and they could be considered an appeal.

Mayor Weiser asked about the hearing examiner verbally stating the appeal process and City Planner Hirashima stated the hearing examiner does state this at the beginning of the hearing examiner public hearing.

It was noted there were a number of people in the audience who wished to speak on this matter.

Councilor McGee said he believed there to be a couple of people who wished to talk about the procedure only; the notification and timing of the hearing examiner's recommendations, etc.

City Attorney Weed said he didn't see a problem with this.

Mayor Weiser noted a petition has been submitted and asked if it would be OK for Council to look at it.

City Attorney Weed said not technically; the Council can set its own public hearing and can receive public testimony at that time. Letters and petitions after the 14 day appeal period would not be appropriate at this time, he said.

Councilor McGee asked about public testimony regarding procedure only and City Attorney Weed said yes, that would be permissible.

Councilor Herman noted previously Council took testimony regarding whether or not Council should have a public hearing and he said he knows it did not work very well but he is seeing at least a couple of letters on public record who are opposed. He noted there is a limited amount of information but on the other hand, a public hearing may or may not be an unnecessary delay to the developer.

City Attorney Weed said some of the Council may remember that the hearing examiner system was set up so that Council does have control with the hearing examiner recommendations being just that. There are problems with how much testimony should come up at this stage now, he said and he noted Council ends up with an informal public hearing and a formal public hearing a lot of times. The agreement was the hearing examiner would explain the process thoroughly and for the Council not to take additional information at this stage until the public hearing.

Councilor Pedersen stated she can ignore the petition but she sees a lot of interest in the audience and so she is leaning toward a public hearing.

City Attorney Weed reminded Council they should be basing their decision on what is in the file.

Councilor Pedersen asked about the hearing examiner holding the hearing open until the following Monday and City Planner Hirashima explained it was left open administratively for specific information only.

Councilor Pedersen asked about the reference to stacked parking and City Planner Hirashima stated the applicant asked for a variance to allow stacked parking--their argument was that it would be more desirable to have a parking lot that would blend in with the surrounding area vs. a parking lot area, she said.

MARCH 7, 1994

Page 10

Councilor Pedersen asked if she disagrees with that decision and feels they don't meet the criteria, whether that would be a legitimate need for a public hearing and Councilor Herman agreed with her concerns.

City Attorney Weed agreed that would be enough basis for the Council to call its own public hearing.

Councilor Pedersen moved and Councilor Herman seconded to hold a public hearing 4/4/94. Passed unanimously.

Mayor Weiser stated the petition would be submitted to the Planning Dept.

City Planner Hirashima stated the procedure would be to mail notification of the public hearing to everyone within 300' of the subject property plus parties of record.

After a brief discussion, Councilor Pedersen moved and Councilor Herman seconded to include the people on the petition for the public hearing notification. Passed unanimously.

2. Planning and Building Dept. Request for Temporary Inspector.

City Planner Hirashima reviewed the agenda bill and Councilor Pedersen asked about revenue.

City Planner Hirashima stated revenues are higher than anticipated and would cover this temporary inspector position.

Councilor Pedersen asked about hiring an inspector on a contract basis vs a regular temporary employee and City Attorney Weed said it could be done.

Councilor Pedersen asked about City liability with a contract employee vs a temporary employee.

City Attorney Weed explained the threshold for the City having the liability of benefits would be 24 hours a week, after which the City would have to cover benefits vs a contract employee having to cover their own benefits.

There was discussion about Workmen's Comp benefits and liability on the part of the employer vs being an independent contractor.

City Planner Hirashima said the City does have some contract employees, for example plumbing and plan check services, but no other jurisdiction utilizes building inspectors on a contract basis and staff wasn't sure if they would be able to find anyone who would do this. She said they also have some concerns as far as this person driving a City vehicle.

Councilor Pedersen asked if this would be a full time employee and City Planner Hirashima said yes, 40 hours a week.

There was discussion about mileage reimbursement for use of personal vehicle which would take liability away from use of a City vehicle, finding someone on a contract basis, it may be possible to get a temporary employee because of recent layoffs in surrounding jurisdictions, volume/demand projections in the Bldg. Dept., hard to predict and that's why a temporary position is more feasible/cost effective.

Councilor Pedersen stated she would like Grant Weed to take a look at contracting an employee vs a full time employee.

City Attorney Weed said he thinks as far as liability, the City could be covered either on a part time or full time basis. City Administrator Zabell stated the threshold is 20 hrs./week, after

which the City would pay benefits.

Councilor Myers said he thinks the City probably would need at least a 20 hr. a week person, judging by the amount of work that needs to be done.

City Administrator Zabell said if the Council is willing to expand the funding, staff could look into a contract situation and that could be brought back to Council.

Councilor Herman said that in view of 4/1/94 being right around the corner, he would be happy with staff making the decision.

Councilor Herman then moved and Councilor Leighan seconded to approve the Budget Amendment with staff exploring and making the administrative decision between a part time employee or contract employee. Passed unanimously.

City Administrator Zabell clarified that it is Council's preference to have a contract employee.

CONSENT AGENDA: None.

ORDINANCES & RESOLUTIONS:

1. Ordinance Amending 1993 Budget.

Councilor Pedersen noted she had a question for Finance Director Wilson on this but he is absent this evening.

Councilor Herman moved and Councilor Pedersen seconded to continue this to next week, when Finance Director Wilson will be present. Passed unanimously.

LEGAL MATTERS:

1. Consultant Agreement; Purchasing Manual; Creative Consultants.

City Administrator Zabell reviewed the agenda bill, stating this is just formalizing the agreement as previously discussed before Council.

Councilor Myers moved and Councilor Pedersen seconded to authorize the Mayor to sign the contract with Creative Consultants. Passed unanimously.

2. Contract Plumbing Inspector Agreement; Bill Bailey.

City Planner Hirashima reviewed the agenda bill, noting George Braaten was forced to retire due to health reasons. This contract is for \$20 per inspection and \$10 for reinspections which fees the builders pay and more than that is collected from the developer, she said.

John Dorcus, City Building Official, explained a plumbing permit is \$20 plus fixtures and the average is \$7 to \$9 per fixture with the average home having 6-10 fixtures, so the total for a plumbing permit would run from \$70 to \$100. He said normally only one inspection is done per home, reinspections would be for major changes and would be \$10.00, he said.

Councilor Herman asked about qualifications of a plumbing inspector and Mr. Dorcus explained they have a plumbing inspector certification process.

Councilor Leighan moved and Councilor Myers seconded to authorize the Mayor to sign the contract with Bill Bailey. Passed unanimously.

3. Agreement for Plan Review Contractor; Pacific Rim Code Svcs.

City Planner Hirashima reviewed the contract and gave history. She said they looked at getting a good plan check rate, which Pacific Rim is offering the City; staff could not find one contractor even close to this in surrounding jurisdictions--he is a very experienced individual, he's a building official in Stanwood with experience with the county also, she said and they they get good feedback form the builders about him. He has meetings with the builders about their projects at no extra charge to them. This would be the contract for services for the year 1994, she said.

Councilor Baxter moved and Councilor Leighan seconded to authorize the Mayor to sign the contract with Pacific Rim Code Services. Passed unanimously.

ADJOURNED INTO EXECUTIVE SESSION: 10:12 p.m.

- 1. Litigation. (Councilor Myers was not in attendance
- 2. Real Estate. at the Executive Session.)

RECONVENED: 11:06 p.m.

councilor Baxter moved and Councilor Leighan seconded to purchase the property for use as a reservoir for price discussed in Executive Session. Passed 6-0.

Councilor Pedersen moved and Councilor McGee seconded to authorize the City to trade property owned by the City for property discussed in Executive Session. Passed 6-0.

ADJOURNED: 11:08 p.m.

Accepted this 14th day of March, 1994.

David Weiser

MAYOR

Mary Swenson

CITY CLERK

Wanda A. Swenson

RECORDING SECRETARY