



MARYSVILLE CITY COUNCIL MINUTES

00042

JANUARY 2, 1996

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor  
Councilmembers:  
Donna Pedersen, Mayor Pro Tem  
John Myers  
Ken Baxter  
Donna Wright  
Mike Leighan  
Otto Herman  
Shirley Bartholomew  
Administrative Staff:  
Dave Zabell, City Administrator  
Steve Wilson, Finance Director  
Gloria Hirashima, City Planner  
Grant Weed, City Attorney  
Mary Swenson, City Clerk  
Ken Winckler, Public Works Director  
Wanda Iverson, Recording Secretary



CALL TO ORDER/FLAG SALUTE:

Mayor Weiser called the City Council meeting to order and asked that everyone observe a moment of silence in memory of Bob Lashua, former Councilmember, who passed away last Thursday, Dec. 28, 1995. Mayor Weiser then led us in the pledge of allegiance.

ROLL CALL:

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

OATH OF OFFICE:

The Honorable Judge Allendoerfer administered the Oath of Office individually, in the following order and for the office following their name:

David Weiser, Mayor  
Shirley Bartholomew, Councilmember  
Donna Wright, Councilmember  
Michael Leighan, Councilmember  
Otto Herman, Jr., Councilmember

BREAK: 7:12 p.m.

RECONVENE: 7:22 p.m.

ELECTION OF MAYOR PRO TEM:

Councilmember Pedersen, after remarks about the term she has served as Mayor Pro Tem, nominated Councilmember Wright for the position. Councilmember Herman moved and Councilmember Bartholomew seconded that nominations be closed. Passed unanimously and Councilmember Wright elected as Mayor Pro Tem.

MINUTES OF THE PREVIOUS MEETINGS:

Councilmember Herman noted on page 2 of the 12/11/95 minutes, 3rd line up from the bottom of the page, the "City" should be the "Contractor" and in the 2nd line from the bottom, "but" should be "put."

Councilmember Leighan noted under Call on Council on page 2, Dole-shel's Tree Farm is having runoff problems from the subdivision to the south (not to the east).

There being no further corrections, Councilmember Myers moved and Councilmember Bartholomew seconded to approve the minutes of the 12/11/95 meeting as corrected. Passed unanimously.

In the Special Meeting Minutes of 12/18/95, Councilmember Herman wished it clarified that it was the intent of his remarks that he

wished to see a westbound and eastbound left turn lane at 67th & Grove.

There being no further corrections, Councilmember Pedersen moved and Councilmember Bartholomew seconded to approve the 12/18/95 City Council Special Meeting Minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

CONSENT AGENDA:

1. Approval of 1/2/96 Claims in the Amount of \$699,929.36; paid with check nos. 27122 through 27330 with check #27309 void.
2. Approval of Liquor License Renewals for Albertsons #471, Circle K Stores #8878, First Stop Deli, Jackpot Food Mart & Jackpot Food Mart #160.
3. Affirm Hearing Examiner's Recommendation to Approve PA 9510051 Conditional Use Permit, subject to conditions, to Lovell/Roberts.
4. Affirm Hearing Examiner's Recommendation to approve variance request with conditions for J & S Nielson; PA 9510053.
5. Approval of City Attorney Retainer Agreement for 1996 Calendar Year.
6. Approval of 1995 Interlocal Cooperation Agreement for Coordination & Funding of a County-Wide Enhanced Emergency Services Communication System between the City of Marysville, SNOPAC, SNOCOM and Snohomish County.

Councilmember Herman moved and Councilmember Bartholomew seconded to approve Consent Agenda Items 1, 2, 3, 4, 5, 6. Passed unanimously. (Councilmember Baxter abstained from voting on Voucher #27244 under Item #1 and Councilmember Leighan abstained from voting on Voucher #27318 under Item #1.)

STAFF'S BUSINESS:

Finance Director Wilson reported the refinancing of the 1987 Public Safety Bond issue will need Council action to approve the sale of the bond and because Monday, 2/5/96, would not be a good day, suggested Tuesday, 2/6/96, to call a special Council meeting. It was agreed that the meeting should be called for 7:30 p.m.

City Administrator Zabell reported there will be a memorial service for Bob Lashua 1/6/96 at 1 p.m. Also, there will be an AWC meeting Feb. 7 & 8.

Public Works Director Winckler reported on windstorm cleanup efforts throughout the City that involved at least 80 staff man-hours. Also, a 12" water main broke up by Pacific Grinding Wheel & Olympic Ford 12/26/95; this was contained without the particular AT & T contractor hitting the larger force main in that very area. The City program of Christmas tree grinding/recycling will be continued for one more Saturday (1/6/96).

Eileen McDonald, the new City Librarian, introduced herself to Council and commented that there were 34,000 items circulated in the old library and 53,000 for the same number of months in the new library, so traffic has really increased since the opening of the new library. She said she was really excited about being on board and working in such a beautiful new facility.

CORRECTED: SEE 1/8/96 MINUTES

→ for one year  
→ for only one month

Councilmember Bartholomew suggested the possibility of future sight impaired facilities at the library and Councilmember Myers commented on the positive remarks he has heard about the new librarian, as well as adding some of his own.

MAYOR'S BUSINESS:

Mayor Weiser announced the upcoming 1/18/96 CT Board meeting and recommended Councilmember Herman continuing to serve as the City of Marysville's representative on the Community Transit Board of Directors (he is currently Chairman). JANUARY 2, 1996

Councilmember Pedersen moved and Councilmember Bartholomew seconded to nominate Councilmember Herman as the City's representative on the CT Board. Passed unanimously.

CALL ON COUNCILMEMBERS:

Councilmember Wright referred to a letter in the packets regarding a church wanting to do volunteer services and City Administrator Zabell stated the City has given this to Jim Ballew to get back to them.

Councilmember Pedersen said a few kind words in Bob Lashua's memory. She noted Councilmember Leighan had been recently elected Chairman of the Fire Board and that she had been reelected Chairman of the Health Board for the northern small cities.

Councilmember Baxter talked about the fact that the City could not locate immediately drawings for the force main up by Pacific Grinding Wheel and he said he would be willing to help reconstruct these drawings. Public Works Director Winckler said he would follow up on this.

Councilmember Myers asked about the water reservoir and Public Works Director Winckler gave an update and invited Council to visit the site as the concrete pouring is most interesting in a reservoir project.

Councilmember Bartholomew asked about law enforcement grants and whether the Council couldn't have a more detailed report from the Police Dept. She talked about a 12/29 Seattle Times article on a Kirkland Judge where there was an internal investigation that was covered up and asked about Marysville's availability of public records requests.

City Attorney Weed said under the State Right to Know Act, the City can charge 15 cents per copy per page; citizens are allowed to come in and review documents at no charge and City Hall staff is up to speed on the law. There is a room that people can review documents in; most documents are kept on premises.

City Clerk Swenson added that they do have all vital documents on microfilm but do utilize the state archives in Bellingham for documents also. When the new City Hall is ready, more documents will be able to be kept on site there. She noted incineration is strictly supervised for documents allowed to be destroyed, after a certain time period.

Councilmember Herman asked about TCI refunds and City Clerk Swenson said TCI was supposed to come back and tell the City how they were going to distribute the refunds but they went ahead and did the refunds before the City could do a press release on the actual amount of the refund which was fairly significant: \$13+ per customer. She said they will be doing another press release about this.

REVIEW BIDS:

**1. City Hall Remodel.**

City Clerk Swenson reviewed the agenda bill, noting 17 bids were received including several different alternate bid scenarios. She reviewed the uninterrupted power source (UPS) need, 10% contingency recommendation, total bid from M. C. Smith Construction of \$471,965.15, architectural fees to date of \$32,518 with another \$8,000 to come, estimated furniture costs of \$3,000 per workstation and with 17 workstations, total of \$51,000 estimate although this is considered to be on the high side and a rough figure. She said the whole project would be subject to approval of a conditional use permit, said hearing to come before the Hearing Examiner 1/11/96.

Ross Jamieson of the Lewis Company addressed Council and said he did a reference check on M. C. Smith Construction who did an addition to the Stanwood High School. They have good references, are conscientious and client oriented, according to those he checked with. Also, their bid looks valid, because they are so close to the next highest bid, he said. He said in talking with Stanwood High School, they said M. C. Smith Construction only had 1% in change orders and demonstrated willingness to work on small items. Construction International also has good references, he added, if Council decides to accept their bid instead.

Councilmember Pedersen asked about the roofing and there was extensive discussion about the increased contingency because this is a remodel and once the old roof is pulled, dry rot might be found, for example; discussion about life expectancy of a comp roof vs a metal roof vs a shake roof; soffit repair; 150 days for completion of project. Mr. Jamieson noted there is a 60 day period in which to change to an alternate bid, if necessary, and he talked about the UPS. Councilmember Baxter noted that with the new roof and other major expenditures, the City might as well have gone with a new building vs just a remodel and there was further discussion about a metal roof vs composition roof and how an addition to the building might be accommodated in the future.

Councilmember Myers then moved and Councilmember Bartholomew seconded to award the bid to M. C. Smith Construction in the amount of \$471,965.15 plus an allocated amount/contingency of 10% of that amount, to include Base Bid, Metal Roof, Interior upgrades and UPS and all subject to the approval of the conditional use permit.

After further discussion about the UPS, generator, emergency needs, the motion passed 5-2 with Councilmembers Leighan and Baxter against. (Roll call vote.)

*passed 6-1  
Only Council member  
Leighan was against*

CORRECTED: SEE 1/8/96  
MINUTES

## 2. Janitorial Services.

City Clerk Swenson reviewed the agenda bill, noting 3 bids were received and the low bid was from the current janitorial service, P & P Pro Guard. The bid actually came in at \$1000 less than the City is currently paying them, she noted. She added staff had a meeting with P & P Pro Guard, certain issues were addressed and there will probably be an amendment to their contract when City Hall moves to Grove St. She stated staff recommends awarding of the bid to P & P Pro Guard, for 2 years or possibly 1 year with a 1 year extension clause.

Councilmember Bartholomew moved and Councilmember Leighan seconded to award the bid to P & P Pro Guard for a two year term. Passed unanimously.

Councilmember Pedersen asked at this time that as soon as possible the future use of the old City Hall be placed on a future Council agenda, to be discussed in the near future.

## CURRENT BUSINESS:

### 1. Fleet Management Information System.

Public Works Director Winckler reviewed the agenda bill and introduced Robert L. Dunmire.

Mr. Dunmire provided a handout and more information regarding his proposal. He explained at length, first of all, that there would be a six month delay because he will be out of town for six months starting Jan. 15 but the first thing he would do would be to gather data to create an inventory basis and then maintenance records would have to be entered for a full 12 months to establish patterns. He noted the primary concern would be to establish a revolving fund so that the vehicles and equipment owned by the City would have its own self sufficient fund from which replace-

ment items would be purchased and revenue would circulate back into the fund. He said his proposal included high participation of City staff and the program would be specifically designed for the City of Marysville. He talked about the county's fleet management program, how the City's program could monitor and track maintenance, repairs, revenue, rental charges, parts inventory, establish replacement timing, track users and be used as an excellent forecasting tool. He said he would recommend automation of all current processes within the City departments and buying some additional software for implementation of his proposed program by mid 1997. He said his goal would be to have all information into the system by the end of 1996.

He was specifically asked about costs of hardware and software and he estimated about \$3,000 per workstation (recommended at least two) and his estimate of time for his contracted services would be 1500 hours at \$35 per hour. He recommended that there be an initial "seed" or reserve fund established for start up costs and that equipment rental rates could be increased to help defray extra costs.

He explained at length the fact that he is a licensed "Open Insight" software dealer and the City could use his license free of charge with a "run time version" of software or purchase their own full version for about \$3,000.

There was discussion about additions to the system, developing maintenance, inventory, tracking information from within, state of the art system, guarantee that once the job is started it will be finished, performance bonding, borrowing power of the City, review of costs, the county system, full version vs run time version of "Open Insight", Maintenance Management System being used statewide that Mr. Dunmire developed for the county, the fact Mr. Dunmire has good credentials and designs systems specifically for end users, modules that can be used to measure progress, dividing the project up into 5 phases as indicated on the agenda bill, developing criteria for each phase.

Councilmember Baxter left Council Chambers at 9:22 p.m.

Councilmember Bartholomew proposed information about royalties from others who use a system similar to the City's, based on our experience, to be included in the staff package, to be brought back to a future Council meeting.

It was agreed that Public Works Director Winckler would research performance bonding, time lines, goals and the possibility of royalties.

Councilmember Herman moved and Councilmember Bartholomew seconded to continue this agenda item to a date to be established by staff and to give them a chance to bring back the information as discussed. Motion passed 6-0.

ORDINANCES & RESOLUTIONS:

1. **Ordinance of the City of Marysville Affirming the Decision of the Hearing Examiner and Rezoning Property Owned by Forest Park Realty, Wang Youm & Hedy Kim and Gary and Nancy Moen.**

Councilmember Myers moved and Councilmember Bartholomew seconded to approve/adopt Ordinance 2058. Passed 6-0.

2. **Ordinance of the City of Marysville Affirming Decision of the Hearing Examiner and Rezoning Property Owned by R & D Partnership/Bill Porter.**

Councilmember Bartholomew moved and Councilmember Leighan seconded to approve/adopt Ordinance 2059. Passed 5-0. (Councilmembers Pedersen and Baxter did not vote.)

Councilmember Baxter returned at 9:27 p.m.

**3. Resolution of the City of Marysville Granting a Utility Variance for J. B. Hayes for Property Located at 12019 47th Dr. NE, Marysville.**

Councilmember Bartholomew moved and Councilmember Leighan seconded to approve/adopt Resolution 1773, with the blank to be filled in with 12/7/95. Passed unanimously.

**4. Resolution of the City of Marysville Granting a Utility Variance for Steve Bodine for Property located at 16615 45 Rd. Arlington.**

Councilmember Pedersen moved and Councilmember Myers seconded to approve/adopt Resolution 1774, with the blank to be filled in Single Family Residential. Passed unanimously.

**5. Resolution of the City of Marysville Granting a Variance from the City's Sign Code Requirements for Property Owned by Food Maker, Inc., subject to conditions.**

Councilmember Bartholomew moved and Councilmember Myers seconded to approve/adopt Resolution 1775. Passed 6-1 with Councilmember Herman against.

LEGAL MATTERS:

**1. Contract for Recovery of Utility Construction Costs for Water; Terra Firma Development Company, Ltd.**

Councilmember Herman moved and Councilmember Wright seconded to approve/adopt Recovery Contract 183. Passed unanimously.

**2. Contract for Recovery of Utility Construction Costs for Sewer; Marysville Associates.**

Councilmember Wright moved and Councilmember Pedersen seconded to approve/adopt Recovery Contract 184. Passed unanimously.

**3. Contract for Recovery of Utility Construction Costs for Sewer; Jubie Construction, Inc.**

Councilmember Myers moved and Councilmember Herman seconded to approve/adopt Recovery Contract 185. Passed unanimously.

**4. Contract for Recovery of Utility Construction Costs for Sewer; Belmark Industries, Inc.**

Councilmember Pedersen moved and Councilmember Bartholomew seconded to adopt/approve Recovery Contract 186. After discussion about administrative costs driving up the cost of the recovery, the motion passed 6-1 with Councilmember Leighan against.

**5. Contract for Recovery of Utility Construction Costs for Water; Monica M. Baker.**

Councilmember Wright moved and Councilmember Bartholomew seconded to approve/adopt Recovery Contract 187. Passed unanimously.

ADJOURNED INTO EXECUTIVE SESSION: 9:33 p.m.

**1. Pending Litigation.** (No Action)

RECONVENED & ADJOURNED: 10:18 p.m.

Accepted this 8<sup>th</sup> day of January, 1996.

David Weiser  
MAYOR

Mary D. Swenson  
CITY CLERK

Wanda K. Swenson  
RECORDING SECRETARY