

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

NOVEMBER 2, 1998

00265

CALL TO ORDER/FLAG SALUTE:

7:00 p.m.

ROLL CALL:Councilmember Pedersen
excusedMINUTES OF PREVIOUS MEETINGS:

1. City Council Meeting 10/26/98

Approved

AUDIENCE PARTICIPATION:

None

CONSENT AGENDA:

Approved:

1. Set public hearing date for Closed Appeal Hearing on Dec. 7,
1998; DGR Construction Rezone; PA9805027.STAFF'S BUSINESS:MAYOR'S BUSINESS:CALL ON COUNCILMEMBERS:PUBLIC HEARINGS:

None

REVIEW BIDS:

None

CURRENT BUSINESS:

None

NEW BUSINESS:

1. Revised & Updated City of Marysville Accident Prevention Program
2. TMDL - Snohomish River Dry Season Study; Memorandum of Agreement

Res. 1904 Approved 6-0

Approved 6-0

ORDINANCES & RESOLUTIONS:

1. Ord. 2211 Approved 5-1 Affirming Hearing Examiner Decision and Rezoning Property Owned by Insite Housing partners and Amending Official Zoning Map Prev. Adopted in Ordinance 772.
2. Res. 1905 Approved 6-0 Providing for Hearing of Petition for Vacation of a Portion of 75th Ave. NE.
3. Res. 1906 Approved 6-0 Providing for Hearing of Petition for Vacation of a Portion of 52nd Ave. NE, Pacific St. (Undeveloped) and Two Other Portions of Undeveloped Right of Way East of 52nd Avenue NE.
4. Res. 1907 Approved 6-0 Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale Thereof.

LEGAL MATTERS:

1. Recovery Contract #212 Approved 6-0 for recovery of utility construction cost for water; Jess A. "Bud" Darling.

ADJOURNMENT:

8:10 p.m.

EXECUTIVE SESSION:

1. Litigation
2. Real Estate
3. Personnel

8:20 p.m. to 9:11 p.m.

No Action

No Action

No Action

RECONVENED & ADJOURNED:

9:11 p.m.

MARYSVILLE CITY COUNCIL MINUTES

NOVEMBER 2, 1998

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor

Councilmembers:

Donna Wright, Mayor Pro Tem

Brett Roark

NormaJean Dierck

Donna Pedersen (excused)

Mike Leighan

Otto Herman, Jr.

Shirley Bartholomew

Administrative Staff:

Grant Weed, City Attorney

Dave Zabell, City Administrator

Ken Winckler, Public Works Director

Robert Carden, Police Chief

Eric Thompson, Senior Planner

Paul Rochon, Code Enforcement Officer

Ed Erickson, Finance Director

Robin Nelson, Project Manager

Wanda Iverson, Recording Secretary

00200

CALL TO ORDER/FLAG SALUTE:

Mayor Weiser called the meeting to order at 7:00 p.m. 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 THE PREVIOUS MEETINGS:

1. City Council Meeting; 10/26/98.

Councilmember Roark noted under Executive Session, that he made the motion to renew the City Administrator's contract and Councilmember Herman seconded the motion. Also, with regard to the letter from the Master Builders, referenced on page 3, 4th paragraph, that he did receive the letter but did not read it.

Councilmember Bartholomew moved and Councilmember Roark seconded to approve the 10/26/98 Council Minutes as amended. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

CONSENT AGENDA:

1. Set public hearing date for Closed Appeal Hearing on Dec. 7, 1998; DGR Construction Rezone; PA9805027.

Councilmember Bartholomew moved and Councilmember Herman seconded to approve Consent Agenda Item #1. Passed unanimously.

STAFF BUSINESS:

City Attorney Weed stated that following Council's approval of the school impact fee ordinance last week, both the City and school district staff took a closer look at the assessed values as well as tax credit figures and the Planning Director has provided a memo describing in some detail her check with the assessor's office. He said Gloria asked him to present this to Council tonight; there is difficulty with the assessor's records, to use the figures required/approved by Council and she asked for Council to reconsider this.

After lengthy discussion regarding the assessed values vs new construction values, as well as an 18 month lag in the date base, it was noted the plan was to bring back an ordinance next week as well as additional information for Council. There was speculation as to how much difference a change in formula would translate out to in the impact fee.

Councilmember Herman said his interpretation is that it would still follow the original motion without the inclusion of "#8."

The consensus was to bring this item back showing both options, before a full Council, 11/23/98. (Councilmember Wright will be out of town next Monday.)

Public Works Director Winckler reviewed two change orders:

The first one was for Change Order #1 to the Edwards Springs Reservoir Liner Project. He said the inlet and outlet require additional steel work to prevent contamination and the cost will be \$2,693.80 which amounts to .63% of the total project of \$427,456.

The second one was for Change Order #2 to the 88th Street Lift Station Project; Change Order #1 was for \$42,000 and Change Order #2 is for \$2378 for erosion protection and modification to the generator. With these two change orders, the total of the project is now \$353,428.75.

After clarifying about vibration dampening/mounting, Councilmember Leighan moved and Councilmember Bartholomew seconded to approve Change Order #2 in the amount of \$2378.00. Passed unanimously.

Public Works Director Winckler reported the State closed off a portion of SR 529 for routine bridge inspection today and this was something they did not notify the City of ahead of time. He said because of the sensitive nature of this, he will be contacting Mr. Mitchell of WSDOT to let him know we would appreciate their notification in future.

Councilmember Roark said he would like to make that a requirement and Public Works Director Winckler suggested writing WSDOT a letter to that effect.

He noted there will be a Utility Committee Meeting 11/12/98 at 7:30 a.m. at the Public Works Building.

Finance Director Erickson announced that the Preliminary Budget has been completed and copies are available at City Hall. He said it is a balanced budget and includes a \$6 million interfund transfer. He also noted several unfunded items coming up including the 800 MHZ system, to which the City has already made a commitment and so that will be the number one priority for obtaining funding.

Mayor Weiser thanked him for all his many hours of hard work and explained that Council knew 3 or 4 years ago that 1999's budget would be a tight year and all revenue and expenditures will be watched very closely throughout the year in order to check on where we are relative to the budget.

It was noted the 800 MHZ system is going to require funding of \$150,000 to \$180,000 per year, plus improvements to Dispatch, relocation of the operation, upgrading of radios and equipment.

Councilmember Herman asked if the TMDL study is included and it was noted that is included in this year's Professional Services budget.

It was also noted the 11/12/98 meeting has been rescheduled to 11/17/98, 2 p.m., at City Hall, for the Special Council/Bond Refinancing Meeting, with Steve Gaidos in attendance.

It was decided to set up the last Budget Workshop meeting for 11/16/98, 7 p.m., location to be announced. This is for Councilmembers to discuss where and how they see certain budget items can be reduced.

CALL ON COUNCILMEMBERS:

Councilmember Bartholomew noted there will be a TVW presentation on Thursday from 9 to Noon on the new DUI laws and all courts are recommended to be closed down in order to watch this very important documentary. She asked if it could be put on Channel 29.

City Attorney Weed said he knows the Everett Courts will be shut down in order to watch this and he will also be watching.

Mayor Weiser said he will be taping the broadcast and will check whether it can be aired on Channel 29.

Councilmember Wright noted she will be out of town November 5th through 10th. She reminded everyone that tomorrow is election day and encouraged everyone to vote.

NEW BUSINESS:

1. Revised and Updated City of Marysville Accident Prevention Program.

Code Enforcement Officer Rochon reviewed the information in the packets, noting he and the safety committee have been working on updating the ordinance for the last year and a half. The new ordinance will also revise and update administrative and dept. specific safety rules and regulations as per L&I requirements, he said.

There was discussion about L&I rates, the possibility of the City becoming self-insured, safety inspections, safety awards and incentive programs, how Paul has done an outstanding job on updating the safety policies, good participation by all employees in the safety program and safety awareness that has contributed to a lowering of the number of accidents that have occurred.

Councilmember Leighan asked about elected officials' responsibilities and City Administrator Zabell agreed this could be wordsmithed slightly. After a few minutes of discussion about what to do in the event of a fatal accident, rescue training with the fire dept., manhole rescue training, City Administrator Zabell suggested the following changes:

II. RESPONSIBILITIES

A. Elected Officials (Mayor, City Council)

The City's Elected Officials' Responsibilities are:

- Provide adequate funding to provide safe working conditions for all employees;
- To support reasonable safety initiatives brought to them for consideration
- Ensure through proper oversight that the City has an active and compliant safety program.

B. City Administrator (no change in wording)

C. Department Heads

The City's Department Heads' Responsibilities are:

(no other changes in wording under previous "B")

D. Safety Officer (no change in wording)

E. Supervisors (no change in wording)

Councilmember Roark moved and Councilmember Bartholomew seconded to adopt Resolution 1904, including the suggested language above. Passed unanimously.

2. TMDL - Snohomish River Dry Season Study; Memorandum of Agreement.

Public Works Director Winckler reviewed the agenda bill, recommending signing of the Memorandum of Agreement and approval of the request for \$20,000. There was brief discussion about billing, payments, panel of experts, consultants, DOE requirements, validation of their model, value engineering.

Councilmember Wright moved and Councilmember Leighan seconded to authorize the Mayor to sign the Memorandum of Agreement with the City of Marysville, City of Everett, City of Snohomish, the Lake Stevens Sewer District, the Snohomish Regional Water Authority and Weyerhaeuser for the purpose of developing a response to Ecology's Lower Snohomish River TMDL study and to authorize the \$20,000 (NTE) expenditure. Passed unanimously.

ORDINANCES & RESOLUTIONS:

1. An Ordinance of the City of Marysville Affirming Decision of the Hearing Examiner and Rezoning Property Owned by Insite Housing Partners, and Amending the Official Zoning Map Previously Adopted in Ordinance No. 772.

Councilmember Bartholomew moved and Councilmember Wright seconded to adopt Ordinance 2211. Passed 5-1 with Councilmember Dierck against.

2. Resolution Providing for Hearing of Petition for Vacation of a Portion of 75th Ave. NE.

Councilmember Bartholomew moved and Councilmember Dierck seconded to adopt Resolution 1905. Passed unanimously.

3. Resolution Providing for Hearing of Petition for Vacation of a Portion of 52nd Ave. NE, Pacific St. (Undeveloped) and Two Other Portions of Undeveloped Right of Way East of 52nd Avenue NE.

Councilmember Bartholomew moved and Councilmember Dierck seconded to adopt Resolution 1906. Passed unanimously.

4. Resolution Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale Thereof.

After brief discussion, Councilmember Roark moved and Councilmember Dierck seconded to adopt Resolution 1907. Passed unanimously.

LEGAL MATTERS:

1. Contract for Recovery of Utility Construction Cost for Water; Jess A. "Bud" Darling.

Councilmember Bartholomew moved and Councilmember Herman seconded to adopt Recovery Contract 212. Passed unanimously.

ADJOURNMENT: 8:10 p.m.

EXECUTIVE SESSION: 8:20 to 9:11 p.m.

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|-----------------|------------|
| 1. Litigation. | No Action. |
| 2. Real Estate. | No Action. |
| 3. Personnel. | No Action. |

RECONVENED & ADJOURNED: 9:11 p.m.

Accepted this 9th day of November, 1998.

David Weiss

MAYOR

Mary D. Swenson

CITY CLERK

Wanda R. Swenson

RECORDING SECRETARY