

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

FEBRUARY 8, 1999

CALL TO ORDER:

7:00 p.m.

00045

ROLL CALL:

All present

MINUTES OF PREVIOUS MEETINGS:

- 1. City Council Workshop 1/29/99
- 2. City Council Meeting 2/1/99

Approved
Approved

AUDIENCE PARTICIPATION:

John Mulooly, Jerry Goodwin, Guillermo Ruiz

CONSENT AGENDA:

Approved:

- 1. Approval of Jan. 1999 Payroll in the Amount of \$839,202.11; paid by check nos. 33643 through 34009 with check nos. 34008 and 34009 void.
- 2. Approval of Liquor License Renewals for Boulevard Grocery; Contos Pizza & Pasta; Godfather's Pizza #48523; Las Margaritas Family Mexican Restaurant; Loyal Order of Moose Marysville Lodge 1845; Rite Aid #5243; Saigon Garden Restaurant; Skipper's Seafood 'N Chowder House #109; Texaco Refining & Marketing; and 7-Eleven Store #2306-18861D.
- 3. Approval of Feb. 8, 1999 Claims in the amount of \$55,657.06; paid by check nos. 43164 and 43166 through 43284 with check no. 43088 void.
- 4. Renewal of GTE Phone System Lease.

STAFF'S BUSINESS:

CALL ON COUNCILMEMBERS:

PUBLIC HEARINGS:

None

REVIEW BIDS:

- 1. Computer Bids.

Approved

CURRENT BUSINESS:

- 1. Proposed Traffic Revisions; One Way Alleys

Not Approved - Alleys to be left the way they are

NEW BUSINESS:

- 1. Public Address System in City Council Chambers.
- 2. Letter of Financial Commitment to Snohomish County for Phase 2 Planning between Marysville-Arlington-Snohomish County.
- 3. Prepayment of Claims.

Specs to be worked up for Bids
Approved 7-0
Ord. 2229 approved 4-3

ORDINANCES & RESOLUTIONS:

- 1. Ord. 2230 Approved 6-1 Amending Ordinance 2218 Relating to the 1999 Budget and Providing for Increase of Certain Expenditure Items as Budgeted for in 1999.
- 2. Ord. 2231 Approved 7-0 Amending Ordinance 2218 Relating to the 1999 Budget and Providing for Increase of Certain Expenditure Items as Budgeted for in 1999.

ADJOURNED:

10:44 p.m.

EXECUTIVE SESSION:

- 1. Real Estate

10:50 to 11:04 p.m.

RECONVENED:

11:04 p.m.

ORDINANCES & RESOLUTIONS:

- 3. Ord. 2232 Approved 7-0 Authorizing Condemnation, Appropriation, Taking and Damaging of Land and Other Property for the Widening of SR 528 between 67th Ave. NE & 83rd Ave. NE.

ADJOURNMENT:

11:10 p.m.

MARYSVILLE CITY COUNCIL MINUTES

FEBRUARY 8, 1999

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor

Councilmembers:

Donna Wright, Mayor Pro Tem

Brett Roark

NormaJean Dierck

Donna Pedersen

Mike Leighan

Otto Herman, Jr.

Shirley Bartholomew

Administrative Staff:

Dave Zabell, City Administrator

Bruce Keithly, Acting City Attorney

Owen Carter, City Engineer

Gloria Hirashima, City Planner

Ed Erickson, Financial Director

Ken Winckler, Public Works Director

Mary Swenson, City Clerk/Asst. to the City Administrator

Roger Kennedy, Fleet & Facilities Manager

Wanda Iverson, Recording Secretary

00046

CALL TO ORDER:

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

ROLL CALL:

Mayor Weiser asked Recording Secretary Iverson to note for the record that all Councilmembers were present.

MINUTES OF PREVIOUS MEETINGS:

1. City Council Workshop; 1/29/99.

Councilmember Herman moved and Councilmember Wright seconded to approve the 1/29/99 Workshop minutes as presented. Passed unanimously.

2. City Council Meeting; 2/1/99.

Councilmember Leighan asked that on page 2, in the 2nd paragraph under Call on Councilmembers, "RFP" be changed to "RFQ." Also, on page 12, 5th paragraph down, Councilmember Roark's name was misspelled and should be corrected.

Councilmember Pedersen noted on page 2 in the last paragraph, "citizen at large" should be "citizen from a civic or non-profit organization." On page 8 in the next to last paragraph, she asked that instead of "asked how far they are from 51st, where there is a proposed stop light" the following should be inserted: "asked how this is different from the project at 51st & 80th." Also, on page 11, in the paragraph in the middle of the page beginning "Councilmember Bartholomew," the word "interes" should be "interested."

There being no further corrections, Councilmember Bartholomew moved and Councilmember Pedersen seconded to adopt the 2/1/99 meeting minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Two gentlemen from Northwest Composites addressed Council: John Mulooly, 11604 34th St. NE, Lake Stevens and Jerry Goodwin (General Manager), 12655 60th Ave. W., Mukilteo.

Mr. Mulooly explained they are here to request that the requirement for a gated railroad crossing to be installed be waived prior to the building being completed. He said the property at the crossing is privately owned and one of the requirements was to have it gated when they went for their building permit. He read from the Mitigated Determination of Non-Significance that they are to have a gated crossing completed or

post a bond and they would like to have this requirement waived as

- Northwest Composites paid BN \$140,000 to install the gate and the railroad is scheduled to have it completed in 2 mos.
- There is no increase in traffic at the crossing as their new building is for the same people--they are just moving personnel from their north facility to the south facility.

Mr. Mulooly said they have been talking with BN for 2 years and they would appreciate being able to move forward with this project at this time, with the City's help.

Councilmember Pedersen asked what the Public Works concerns are and Public Works Director Winckler stated they did not know there would be no increase in traffic--that was the safety concern prior to this new information tonight.

Councilmember Pedersen said she thought there was a sign on the building with a name other than Northwest Composites and Mr. Goodwin said yes, that is their subcontractor's advertising sign. He added that with the rates going down in airplanes, their risk is actually lower now as far as increased traffic/personnel going across the railroad crossing.

Acting City Attorney Keithly said he believed this matter should go before the Hearing Examiner.

Mr. Mulooly said the City Engineer indicated it would be the ultimate decision of the City Council as to whether or not they can occupy their new building prior to having the crossing gate complete.

Councilmember Pedersen asked if there is a hold harmless document Northwest Composites could sign to indemnify the City if they are to go ahead with occupancy of their new building.

Acting City Attorney Keithly said yes, but if something happens in the interim, it could be a difficult situation.

Mr. Goodwin explained Northwest Composites has had to keep the road up and put the crossing in; they paid BNSF 1.5 years ago and they are now caught in the middle. He said they need to get some equipment and personnel into that building.

Councilmember Herman said he sees it as crucial that BN make a commitment as well as the City having assurance/hold harmless agreement from Northwest Composites.

Mr. Goodwin said he had some photos (he held them up) to show they are about half way done the gate and he added they have a letter from BNSF that says they will have the gate done 4/30/99. He noted the building is almost complete, as well.

It was the consensus that the City Attorney would draw up the hold harmless agreement for Northwest Composites to sign and that, along with a letter of commitment from BN, would allow Northwest Composites to proceed with occupancy of their building and resulting crossing of the tracks through an incomplete gate.

Guillermo Ruiz, 7103 63rd Pl. NE, addressed Council. He reminded Council he came before them about 2 months ago about the City wanting to acquire some of his property for expansion of 528. He said several things have happened since then and he wanted to bring the Council up to date on the items that have been discussed. He had overheads and supporting documents (which he passed around to Councilmembers). He said the original offer from the City was for a 12' section but then the City reviewed this and decided they only needed 6' as part of the slope easement. He showed an elevation of the roadway, sidewalk (proposed) and his fence and said the decision is whether he should move the fence or not. If he leaves it where it is it will be only 3' higher than the land when he looks at it from his house, i.e. he loses his privacy of a 6' high fence. But if he moves it closer to his

house, it will be 6' high because of the slope but he said he would like some indemnity so he won't be liable on the land behind the fence (which would still be his). Another option would be for the City to purchase that strip of land, he suggested. He said he and the City have agreed on the landscaping and trees but the fence and liability issues remain unresolved.

Councilmember Herman pointed out that there is virtually no liability on land that Mr. Ruiz has no control over and also, if the City owns the right of way, Mr. Ruiz would not be able to put his fence there at all.

Mr. Ruiz said he feels he has no choice but to move his fence; Mr. and Mrs. Larson (his neighbors) have the same problem. He said there is about 6' between the existing fence and the proposed fence.

There was discussion about there needing to be negligence before the property owner is liable, maintenance obligations, effect this would have on the property on either side.

Mr. Ruiz explained his property is 65' at the fence and it was his understanding that the City would maintain it, no problem. One of the things he would like to touch on is the "little" risk, he said. He said he knows the City is liable but his insurance company says he needs to raise his liability insurance and he would like it a lot better if there was no risk rather than a "small" risk. If the City is going to use his land in the same way as if they owned the land, then he said he would like the City to take another look at this; they changed the 12' requirement to only needing a 6' section and he said his questions would be: 1) Is he getting compensated for the strip of property? or 2) Does he have to be liable for it?

Councilmember Leighan suggested he dedicate 6' to the City and that would remove him from having any liability.

Mayor Weiser noted this is probably more appropriate to be discussed in Executive Session.

Councilmember Pedersen explained the negligence issue again and suggested he talk to his insurance carrier again.

Mr. Ruiz said the money is not the issue; it is the principle of it and Larsons and he are both in this position. He said he questions the guidelines and why 12' was originally proposed when the City really didn't need it. He concluded that he just wants to have it resolved.

Mayor Weiser said this will be discussed in Executive Session and Robin Cook will probably be in touch with Mr. Ruiz further.

CONSENT AGENDA:

CORRECTED: SEE 2/22/99
MINUTES

1. Approval of Jan. 1999 Payroll in the Amount of \$839,202.11; paid by check nos. 33643 through 34009 with check nos. 34008 and 34009 void.
2. Approval of Liquor License Renewals for Boulevard Grocery; Contos Pizza & Pasta; Godfather's Pizza #48523; Las Margaritas Family Mexican Restaurant; Loyal Order of Moose Marysville Lodge 1845; Rite Aid #5243; Saigon Garden Restaurant; Skipper's Seafood 'N Chowder House #109; Texaco Refining & Marketing; and 7-Eleven Store #2306-18861D.
3. Approval of Feb. 8, 1999 Claims in the amount of \$55,657.06; paid by check nos. 43164 and 43166 through 43284 with check no. 43088 void.
4. Renewal of GTE Phone System Lease.

Councilmember Herman moved and Councilmember Roark seconded to approve Consent Agenda Items 1 through 4. Passed unanimously.

STAFF BUSINESS:

City Planner Hirashima announced there will be a Snohomish County Planning Commission Meeting 2/23 regarding the Phase 2A Reconciliation.

Public Works Director Winckler announced there will be a Utility Meeting on Thursday 2/11/99 at 7:30 a.m. at the Public Works Bldg.

City Engineer Carter reported on the "strong yellow green" signs suggested for 88th. He said a lot of agencies are using these for school signs and they are about \$50 per sign and he will be making a future proposal to Council as to how many, locations, etc.

There was discussion about what "When Children are Present" actually means and City Engineer Carter said this is one of the things that will be discussed with the Traffic Safety Committee as well as the Police Chief and the Judge.

CORRECTED: SEE 2/22/99
MINUTES

City Engineer Carter also brought up a potential lighted pedestrian crossing at Jennings Nature Park on 528 and said there is a very strong possibility this may become a test project and may be incorporated with the overlay project. He noted several cities have these types of crosswalks and it may be approved as early as June. He will keep Council apprised.

MAYOR'S BUSINESS:

Mayor Weiser gave a short update on the Downtown Revitalization Committee's progress, stating there will be three opportunities for the public to attend open meetings led by university students who are gathering ideas and themes for Marysville's downtown area. The three meetings will be held:

- Tomorrow (2/9/99) at 7 a.m. at the Masonic Temple in conjunction with the Downtown Merchants Assn.
- Wednesday (2/10/99) at Noon in conjunction with the Noon Rotary luncheon meeting at the Tulalip Inn
- Saturday (2/13/99) from 11-1 at the Library.

He gave an update on the 4 year college issue in the tricounty area. He reported that after meetings and numerous discussions, it was the consensus to get the funding first and then do the study and then worry about where to site the campus. Another issue yet to be decided is whether it should be a 4 year campus or a hub campus connected with a junior college. He noted there are some potential sites in the immediate Marysville area but the priority that's going to be focused on is to get the funding for this tricounty area.

Mayor Weiser said he has been speaking at chamber and civic group meetings, asking for any interest in the openings on the T.V. Advisory Board and he has one application so far.

He suggested that because the third Monday of February is a holiday, the Council's monthly workshop be held this month on Tuesday, the 16th from 7 to 8:30 p.m. at which time Bob Drewel, County Executive will give an update on the Endangered Species Act.

After discussion about availability of most of the Councilmembers, and the fact that County Executive Drewel did not offer an alternative date, the consensus was to schedule the 2/16/99 workshop.

CALL ON COUNCILMEMBERS:

Councilmember Pedersen gave a brief Library Board Report. She reported Marysville has been keeping track of how many people from Everett use our facilities but unfortunately, Everett does not keep track of how many people from Marysville use the Everett Library. She passed out some statistics.

She mentioned the monthly column in the Globe and she noted the Lynnwood Library is scheduled to reopen in mid March so Marysville may see a slight decline in usage at that time. She noted Tom Meier is leaving the Sno Isle Regional Library Board and a replacement is being sought. Also, the Friends of the Library have donated \$100 for a plaque to be put next to the bronze statue outside the front of the Library, briefly explaining who the artist is and the idea behind the man, boy and dog. City Administrator Zabell said he would contact the Friends of the Library to coordinate making of the plaque.

She asked about meeting rooms and maintenance issues and Public Works Director Winckler referred her to Facilities Manager, Roger Kennedy. She asked about the Appearance of Fairness Doctrine as it applies at informal meetings of the Library Advisory Board and was informed that they are public meetings and must adhere to the same rules as City Council meetings, eg.

Councilmember Dierck asked what was going to happen to the consulting fees the City paid in conjunction with Downtown Revitalization, now that things have been put on hold for the Waterfront Park.

Mayor Weiser explained the Parks Dept. grant was going to go for revitalization all the way to Grove, not just for the Waterfront Park, so some money will be held until issues are decided on the Waterfront Park but not all the funds.

Councilmember Dierck asked that the Roberts Rules of Order item on the Council Retreat agenda be pulled off that agenda and put on a regular Council meeting agenda, so it can be discussed in more of an open setting.

There was considerable discussion about this and it was noted it will probably be a lengthy item. It was also noted that an acceptable procedure would be to discuss it at the retreat and then bring it back to Council to be memorialized/acted upon. It was also noted that members of the public are more than welcome to attend Council Retreats. Consensus was to have the City Attorney at the Council Retreat when the Roberts Rules of Order issue will be discussed, as originally planned.

CURRENT BUSINESS:

1. Proposed Traffic Revisions; One Way Alleys.

City Engineer Carter reviewed the agenda bill and noted the issue was reviewed by the Traffic Safety Committee.

Mayor Weiser excused himself from participating as his house is adjacent to one of the alleys in question.

City Engineer Carter said it has been recommended that all traffic movements of alleys remain the same with the exception of the alleys between 3rd & 4th and between 4th & 5th off 47th (1900 Block only). It is also recommended that these two alleys have a right turn in/right turn out only restriction, he said.

He reviewed the Access Management Plan criteria for sight distance and distance from signalized and stop sign intersections. He noted the Public Works Dept. did deliver notices to affected residents and received responses from the Kagels who thought it was a bad idea and suggested speed bumps in the alley instead, the Olsons who were in opposition with the proposal and Gary Gorder who has not seen an accident because of the way the alley is now and thinks it should stay the way it is.

City Engineer Carter confirmed there have been no accidents in the alleys or accidents that could be contributed to the alleys, in the last 5 years.

Councilmember Pedersen asked about the alley being considered a "driveway" and City Engineer Carter said it's considered equivalent from a traffic safety standpoint.

Richard Olson, 1911 4th St., addressed Council. He said he has lived there 13 years and Edith Beaman (his neighbor, sitting in the audience) has lived here even longer. Mr. Olson said his wife was the first and only person to have a business licence in Marysville for her daycare a number of years ago. He said it is their concern that the parents coming to pick their children up be able to do it safely and they feel it is safer to pick them up in the alley than on 4th St., where there have been a lot of accidents. He said they had a bit of a problem with the fence but that's now been taken down. Everyone here tonight is a homeowner, he explained, the rest of the people in that neighborhood rent, he said and he added they have had problems in the past with people wanting to use the alley as a short cut onto 4th if the light is red at 4th & 47th. He also noted the alley has been paved and now it's like a freeway so he would definitely suggest speed bumps, but they don't need it to be one way, that would not increase safety in that area. Regarding the standards chart, he said he doesn't think it's got anything to do with volume, because they have not had the accidents to justify these standards. He asked where these standards came from.

Councilmember Roark explained a lot of hard work went into developing these standards and he asked if making it one way would curb people trying to get to 4th.

Mr. Olson said no, that would make it worse, he felt. He said as it is now, people use the side of the alley that's safest, depending on the time of the day.

Linda Peyton, 1924 5th St., addressed Council. She noted they never had any problems with 5th St., most of the neighbors know when to go in, eg. She said they had some problems with police and pizza drivers in the alley but most people know about the alley and it needs to stay the same as it is now. She added that she thinks the City should use the money for sidewalks instead of on the alleys, sidewalks around Union, Quinn, eg., because the kids in that neighborhood all walk to school and they need sidewalks. She said they are not even having any accidents; the only problem they had was with that fence right on the road preventing visibility. She said just moving the fence back would solve the problem; they don't need a one way alley. It's basically safe enough for the kids to play, she said and noted if you have a big car you can't see around the corner with the fence right on the property line.

Donna Kagel, 1916 5th St., addressed Council. She said she has only been there 6 months but feels the same way--that the City should leave it the way it is. She said she has a kid, too and is worried about safety. She said that fence was a definite safety hazard and she agrees that they need more sidewalks.

Councilmember Bartholomew asked about a posted speed limit in the alleys and if one is not, why not?

Councilmember Roark suggested "Children At Play" signs, possibly.

Roxanne Nickerson, 1920 5th St., addressed Council and said she has a few concerns. She said first of all, she is glad the fence came down. The one way alley wasn't an issue until the fence was put up and having to stick your nose out to get out of the alley. She said even turning right into the alley, you had no visibility. She said they still don't know where they are going to relocate the fence; she has a daycare on 5th and her question is where the people are going to go from 4th. They live on 4th and will have to take a left onto Union and then end up driving in front of her house on 5th in order for them to get down their alley going the right way (if the one way alley is enforced) so it's going to create more traffic in front of her house, she said. She noted

the Nickersons have a fence and gate but with the paved alley it does cause a higher speed and they are opposed to making any change.

Mayor Weiser pointed out that there are two issues: Height of the fence and visibility; the fence was built on City property and has to be moved.

Brian Nickerson, 1920 5th St., addressed Council. He said if this alley was one way east to west, there is a lot of traffic with Armar and 47th merging into one lane at 5th St. so you are going to be creating a hazard to the people who use the alley as their driveway. People will use 5th and it would be safer to turn right out of the alley where you have a single lane than turn right onto 47th and have to merge with people from Armar, he said. He added they already have a problem with people trying to avoid the light at 4th & 47th and making the alley one way is just going to make it a natural funnel. 47th gets real busy at some times of the day and there's going to be an accident, he predicted. He said he guesses speed bumps would be a good idea in the alley to try and slow some of the traffic during rush hour.

Jeff Seibert, 5004 80th St. NE, addressed Council and asked about the sight distance triangle, something about 30" in height and 15' back from the road on the fence.

City Engineer Carter explained about the driver's eye needing to have clear sight for 15' but that standard can be reduced to 10'; the national standard is that you need 375' down 47th, he said. Also, you have to have 3.5' in height visibility up close and clear visibility at 4.25 feet high further away.

Mr. Seibert explained there is a pole in the way and maybe that could be moved to create better visibility in the alley at 47th where the fence was; it's right on the sidewalk, he said.

Inez Robinson, 1930 5th St., addressed Council. She noted everybody is talking about the traffic but now that she has taken the fence down, the traffic is back in the alley and there is a lot. Whenever they tell her about the daycare--she asked if it wouldn't be safer to go right up to the pole when they are trying to get out of the alley. The fence is no longer there and she suggested making the alleys one way or else blocking them off altogether. She said people are using the alley to avoid the light and she is looking at safety factors. The traffic volume on 47th is getting more and more everyday.

Mr. Olson readdressed Council and said he doesn't believe making it one way is the answer. He said 6th is currently blocked off and the whole idea of the alley is to give the people who live there access and they have asked for speed bumps for many years. There were accidents at the traffic light before it was a traffic light and you had to have a fatality before the light could be put in. Now they are asking for speed bumps and he hopes there is not a fatality in the alley before they get them. He pointed out that there are a lot of buildings right on the property line in that area (grandfathered in) and that's dangerous.

Councilmember Pedersen asked about garbage pickup and Mr. Olson said they go from west to east in the alley and the proposal here tonight is to make the alleys one way east to west.

Councilmember Dierck asked where the fence is going to be moved and City Engineer Carter demonstrated on the white board the sight triangle that needs to be in place, the height of the fence needs to be reduced to 3.5' and there needs to be a 10' setback from the curb.

After more discussion, Councilmember Herman moved and Councilmember Bartholomew seconded to keep the two way traffic in the alleys with the speed limit posted (if it is less than 25 mph). After further discussion the motion passed unanimously.

BREAK: 9:18 to 9:25 p.m.

REVIEW BIDS:

1. Computer Bids.

City Clerk/Asst. to the City Administrator Swenson reviewed the process with computer bids which is a little different than other bids, she said. She noted they have what is called "competitive negotiations" and they were able to get some very low bids (\$1393 per computer) compared to what was budgeted (\$1800 per computer), as a result. She said the GIS computer issue is to be revisited to meet the Planning Dept. needs and there will be a \$9,000 savings even with 21 vs 19 computers being ordered, including monitors, printers, etc.

After discussion about the computers being Y2K compliant and how the specs were developed, Councilmember Herman moved and Councilmember Pedersen seconded to approve purchase of 21 computers and 5 monitors at a price of \$33,436.69 as recommended and outlined by staff. The motion passed unanimously.

NEW BUSINESS:

1. Public Address System in City Council Chambers.

Facilities/Fleet Manager Kennedy explained this is just an informational item at this point as he has not had enough time nor direction to formulate any specs yet. He spoke with 3 companies about replacing the public address system and microphones in City Council Chambers:

- A. Able Sound - Hardware only, no installation - \$7390 (they would be available by phone to help City install)
- Superior Audio Technologies - estimated \$11,000 plus \$800 for personal microphone switches
- Morgan Sound - quoted \$21,400 but \$3344 could be deducted for a wireless mic included in that. Also included would be \$2800 for rewiring staff table. Quote would also vary depending on whether Council wished to have gooseneck mics vs lapel mics. There would need to be 17 mics for Council, Mayor, Staff, Podium, two front tables.

F/F Manager Kennedy noted Morgan Sound was the company who installed the systems for Snohomish County PUD, City of Mukilteo, City of Lake Stevens, City of Stanwood, Seattle City University, Snohomish County Council. There was discussion about trial mics, maintenance and operation warranties, lapel mics previously used by Council were at the low end of the price range and of lower quality, maintenance to be included in bid, it would take about 2-3 weeks to install a new system.

Councilmember Bartholomew noted that the Snohomish County Council system utilizes table mics for each Councilmember and they are very crisp, reliable and of high quality; she said she believed the system (installed by Morgan Sound) cost about \$18,000 and works very well.

F/F Manager Kennedy said he would take a look at that system and work up some specs.

2. Letter of Financial Commitment to Snohomish County for Phase 2 Planning between Marysville-Arlington-Snohomish County.

Councilmember Herman noted this is a straight forward agreement and moved to authorize a letter be sent to Snohomish County for financial commitment of \$25,000 from Marysville towards the Phase 2 Plan. Councilmember Bartholomew seconded and the motion passed unanimously.

3. Prepayment of Claims.

Councilmember Herman noted this is the same process adopted at Community Transit and the system is working well with them; they are actually getting discounts now for early payments, in some cases.

Finance Director Erickson said he has had experience with the same arrangement in Pacific County and they never had a problem. As far as a ceiling amount, he said there are separate rules on Public Works contracts which can be higher than a set ceiling.

There was considerable discussion about having an oversight group, internal approval process, fiduciary responsibility of the Councilmembers, the state auditor not having a problem with this method, people who sign the checks being bonded for \$2,000,000.

There was discussion about late payments and the amount of staff time involved in looking up whether things have been paid so they don't get paid twice, calling vendors to ask them to reverse late charges, etc. He admitted that sometimes things don't get paid in a timely manner because department heads are slow to get things approved, plus sometimes there is a lag because of only 3 Council meetings a month.

There was discussion about the ordinance showing employees being bonded for \$50,000 when in fact they are bonded for \$2,000,000; it was explained the RCW requirements are only \$50,000.

After more discussion about leaving the process the way it is, Councilmember Leighan moved and Councilmember Bartholomew moved to pass the ordinance, allowing permanent issuance of checks prior to City Council approval. The motion to include striking the wording "or until the City Council is satisfied and approves said claims" on page 2 under #3 of Section 1 - 3.50.020. The motion passed 4-3 to adopt Ordinance 2229, with Councilmembers Pedersen, Dierck and Roark against.

ORDINANCES & RESOLUTIONS:

1. Ordinance Amending Ordinance 2218 Relating to the 1999 Budget and Providing for Increase of Certain Expenditure Items as Budgeted for in 1999.

Councilmember Bartholomew moved and Councilmember Roark seconded to adopt Ordinance 2230. Passed 6-1 with Councilmember Pedersen against.

2. Ordinance Amending Ordinance 2218 Relating to the 1999 Budget and Providing for Increase of Certain Expenditure Items as Budgeted for in 1999.

Councilmember Bartholomew moved and Councilmember Herman seconded to adopt Ordinance 2231. Passed 7-0.

3. Ordinance Authorizing Condemnation, Appropriation, Taking and Damaging of Land and Other Property for the Widening of SR 528 between 67th Ave. NE & 83rd Ave. NE.

After brief discussion, it was the consensus to continue discussion in Executive Session.

ADJOURNMENT:

10:44 p.m.

EXECUTIVE SESSION:

10:50 p.m. to 11:04 p.m.

1. Real Estate.

RECONVENED:

11:04 p.m.

Councilmember Bartholomew moved and Councilmember Roark seconded to adopt Ordinance 2232 Authorizing Condemnation, Appropriation, Taking and Damaging of Land and Other Property for the Widening of SR 528 between 67th Ave. NE & 83rd Ave. NE. Passed 7-0.

FEBRUARY 8, 1999

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There was brief discussion regarding current legislative initiatives and the Endangered Species Act and potential impacts.

ADJOURNMENT: 11:10 p.m.

Accepted this 22nd day of February, 1999.

David Weir

MAYOR

Mary D. Swenson

CITY CLERK

Wanda R. Swenson

RECORDING SECRETARY