

**MINUTES RECAP  
MARYSVILLE CITY COUNCIL - REGULAR MEETING  
AUGUST 27, 2001**

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<b>I. Call to Order</b>	7:00 p.m.
<b>II. Pledge of Allegiance</b>	
<b>III. Roll Call</b>	Pedersen absent
<b>IV. Public input on items not on the agenda</b>	
Matt Gordon re traffic on Grove. Trent Olson re traffic on 67 <sup>th</sup> , drainage problems. Christy Clark-Evans re annexation by election. Mike Papa re annexation by election.	
<b>V. Approval of Minutes</b>	
1. City Council regular meeting, August 13, 2001	Approved as corrected.
2. City Council work session, August 20, 2001	Approved as presented.
<b>VI. Consent agenda</b>	
Approve August 27, 2001 claims in the amount of \$803,004.93; paid by check Nos. 60811 through 61097 with check Nos. 59138, 60072, 60173, and 60398 void.	Approved
Approve liquor license renewals for Big Kmart #7253; Mai's Restaurant; Marysville Oriental Store; Don's Restaurant; Safeway Store #1485; The Village; J.R. Phinickey's; and Marysville Shell and Food Court.	Approved
Approve Professional Service Agreement for Assistance in the Repair of the Cedarcrest Reservoir Roof Joint.	Approved
Approve Supplemental Agreement #3 for Professional Services for 47 <sup>th</sup> and 51 <sup>st</sup> Avenues/Grove Street Signals.	Approved
Approve Supplemental Agreement #7 for Professional Services on State Avenue (116 <sup>th</sup> - 136 <sup>th</sup> Streets).	Approved.
Approve Supplemental Agreement Geotechnical Monitoring Services.	Approved.
Renew Interlocal Agreement for Radio and Equipment Repair with Snohomish County.	Approved.
Authorize Mayor to Sign for COPS in Schools Grant.	Approved.
Approve Intergovernmental Cooperative Purchasing Agreement with City of Everett.	Approved.
A. Authorize Mayor to Sign Agreement with Securities NW, Inc. for Armored Car Services.	Approved.
<b>VII. Review Bids</b>	
A. Cedar Avenue Overlay Project	Awarded to Wilder Construction
<b>VIII. Public Hearing</b>	
Utility Rate Adjustment (Water and Sewer) Two-step increase based on "middle case" scenario.	Approved.
B. Solid waste rate adjustment Option 1. Remanded question of contracting for garbage service to Utility Committee for further study.	Approved.
<b>IX. New Business</b>	
A. Sunnyside Trunk D Sewer Extension Phase II developer contract for sewer service and recovery	Action delayed to September 10 meeting.
<b>X. Information items</b>	
Delay issuing RFP for televising council meetings	Approved.
A. Add "call on councilmembers" to work session agendas as time allowed	Approved.
<b>XIII. Adjourn</b>	10:57 p.m.

**MINUTES**  
**MARYSVILLE CITY COUNCIL - REGULAR MEETING**  
**AUGUST 27, 2001**

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**I. Call to Order**

The regular meeting was convened by Mayor Weiser at 7:00 p.m. in the Council Chambers.

**II. Pledge of Allegiance**

The assemblage joined in the flag salute.

**III. Roll Call**

A voice roll call of councilmembers was conducted. Attendance was as follows:

Councilmembers Present:	Administrative Staff present:
Dave Weiser, Mayor	Mary Swenson, Chief Administrative Officer
Mike Leighan, Mayor Pro Tem	Steve Winters, Police Commander
Shirley Bartholomew	Sandy Langdon, Finance Director
Jim Brennick	Robin Nelson, City Engineer
NormaJean Dierck	Grant Weed, City Attorney
Donna Pedersen	Ken Winckler, Public Works Director
Suzanne Smith	

Mayor Weiser advised Councilmember Pedersen was ill and would not be attending.

**IV. Public input on items not on the agenda**

Matt Gordon, 1707 Grove Street, read a prepared statement, publicly acknowledging receipt of a letter from Mayor Weiser regarding Mr. Gordon's concerns about the traffic on Grove. His response to that letter would be in a future council packet.

Trent Olson 5006 67<sup>th</sup> Ave. NE, asked for review of the traffic coming down 67<sup>th</sup> Avenue NE and the speed zone of 35 mph. He stated he addressed council a year ago on this matter and had received no response from staff. He supplied councilmembers with a letter signed by all the neighbors in his development. 45 more new homes were going up on street and they still had water drainage problems. Harv Jubie had come out, but that problem was still not resolved. He asked that the letter be directed to the appropriate people so action would ensue.

Christy Clark-Evans, 9905 48<sup>th</sup> Dr. NE, noted that much of the city's congestion came from commuters driving on roads that were not in the city limits so no tax was collected. She supported annexation by election. The UGA could be broken down into manageable sections and she would volunteer her time to compile information and help accomplish elections in those areas. Mayor Weiser noted that Ms. Clark-Evans had met with the downtown merchants and him on this matter. This method of annexation was appropriate for built-out areas and was

significantly less time-consuming to do. Ms. Clark-Evans added that she had also spoken with the Planning Department, the State Avenue Merchants, the Tribes, and many individuals, especially senior citizens. She had an appointment with the new Superintendent of Schools. Mr. Weed noted this was a separate process from annexation by petition and before a matter could go on the general ballot, the BRB had to approve it. He agreed to supply councilmembers with information on the process.

Mike Papa, 8127 54<sup>th</sup> Dr. NE, noted there had been such an election in his area two years ago. Because those voting were being asked to assume the city's bonded indebtedness, a 60% "yes" vote was required. The election failed because of that.

## V. Approval of Minutes

### A. August 13, 2001 City Council Meeting

Councilmembers noted the following corrections:

Page 3, middle of paragraph. Revise "Councilmember Smith asked if contaminants could pass through the system" to Councilmember Soriano asked what contaminants passed through .04 micron pore size."

**MOTION** by Dierck, second by Bartholomew, to approve the minutes of the August 13, 2001 city council meeting as corrected. Motion carried (6-0).

### B. August 20, 2001 city council work session

**MOTION** by Dierck, second by Bartholomew, to approve the August 20, 2001 city council work session minutes as presented. Motion carried (6-0).

## VI. Consent agenda

- A. Approve August 27, 2001 claims in the amount of \$803,004.93; paid by check Nos. 60811 through 61097 with check Nos. 59138, 60072, 60173, and 60398 void.
- B. Approve liquor license renewals for Big Kmart #7253; Mai's Restaurant; Marysville Oriental Store; Don's Restaurant; Safeway Store #1485; The Village; J.R. Phinickey's; and Marysville Shell and Food Court.
- C. Approve Professional Service Agreement for Assistance in the Repair of the Cedarcrest Reservoir Roof Joint.
- D. Approve Supplemental Agreement #3 for Professional Services for 47<sup>th</sup> and 51<sup>st</sup> Avenues/Grove Street Signals.
- E. Approve Supplemental Agreement #7 for Professional Services on State Avenue (116<sup>th</sup> - 136<sup>th</sup> Streets).
- F. Approve Supplemental Agreement Geotechnical Monitoring Services.
- G. Renew Interlocal Agreement for Radio and Equipment Repair with Snohomish County.

- H. Authorize Mayor to Sign for COPS in Schools Grant.
- I. Approve Intergovernmental Cooperative Purchasing Agreement with City of Everett.
- J. Authorize Mayor to Sign Agreement with Securities NW, Inc. for Armored Car Services.

**MOTION** by Bartholomew, second by Brennick, to approve consent agenda items A thru J. Motion carried (6-0).

## VII. Review Bids

### A. Cedar Avenue Overlay Project

Mr. Winckler presented a brief backgrounding, noting the low bidder, Wilder Construction Company, had done work for the city in the past and was known to do quality work. A start date would be set out in the contract, but staff expected the work to begin by the end of September.

Mayor Weiser divulged for the record that he was part owner of a corporation that owned property on Cedar Street.

Mayor Weiser asked if any of the bidders were present and wished to address council. There were none.

**MOTION** by Bartholomew, second by Brennick, to award a contract to Wilder Construction Company for the construction of the Cedar Avenue overlay project in the sum of \$262,467, and authorize the Mayor to sign the contract. Motion carried (6-0).

## VIII. Review Bids

### A. Utility Rate Adjustment (Water and Sewer)

Mr. Nelson introduced Tom Gould, Vice President of Economic and Engineering Services, Inc. Mr. Gould explained the city was in its fifth year of its existing rate structure. The rates had since been analyzed to determine what changes needed to be made to accommodate regulatory changes, which had been mandated by DOE and the Department of Health. He gave a detailed slide presentation, noting this information had also been presented to council on August 20. He noted that if the city needed to borrow money for utility projects, it needed to have a financial structure in place to cover that debt service, in addition to having reserves to take care of its existing system.

The water and sewer utilities were analyzed separately, but all showed deficiencies in future years if no changes were made.

Mr. Winckler noted that the hookup fees had been increased two years in a row, going from \$800 to approximately \$1500. Because of that, no increases in hookup fees had been included in this analysis.

For the sewer utility, the discussion focused on financing options, with the worst case being 100% financing of the \$33 Million bond, the "middle case" showing \$11 Million coming from a Public Works Trust Fund loan at 5% interest, and the "best case" being a similar loan for \$22 Million.

Mr. Gould's recommendation was to provide early notice of increases to the rate payers, implement across-the-board rate adjustments for all classes of service, plan for sewer rate increases based on the "middle case scenario," then adjust that as projects progressed in the future. Rates outside the city would be increased at the same percentage as inside. He then reviewed the impact of this on the existing rates, noting a water bill would go up by \$2.52 and sewer by \$8.40.

Councilmember Smith asked about the amounts required to support growth vs. regulatory requirements. Mr. Nelson explained the figures came from the six-year CIP, which was reviewed annually. Mr. Winckler added that it was difficult to clearly segregate the two because many projects, including the wastewater treatment plant upgrade, were driven by a combination of needing to meet demands for growth and needing to meet new regulations. Staff applied a percentage to the projects. Councilmember Smith supported another increase in connection fees so the burden would not be solely on the ratepayers.

Mr. Winckler explained the filtration project driven by the Health District, noting this was spread over a three-year period and revenues would be augmented with a revenue bond. Councilmember Dierck suggested that the bond insurance could be used so rates would not have to be increased to residents. Mr. Gould clarified that bond insurance was for a default or catastrophic situation. If the city did not raise its rates and fell below the percentage needed for debt service and reserves, the bonds would be called and the city would have to pay them back immediately. The bond ordinance required the city to maintain its rates at a level necessary to repay the bonds.

Councilmember Dierck suggested council should postpone action until January or until it had a signed agreement with the City of Everett and had a firm commitment for a PWTF loan. Mr. Winckler noted that cities discharging into the Snohomish River estuary were being held to the deadline for meeting DOE's discharge requirements. The city's discharge permit expired June 2004 and if the city were not in compliance by then it would be subject to a large fine. The Department of Health requirement was not driven by growth. Mr. Weed explained the status of the negotiations with Everett and Kimberly-Clark, stating he expected to have a contract to council within 30 days.

Mayor Weiser opened the topic for public comment.

Randy Smith, 5400 144<sup>th</sup> PL NE, spoke against a rate increase.

Flora Pratt, 5406 143<sup>rd</sup> PL NE, a senior citizen, gave a graphic explanation of her water conservation efforts and spoke against a rate increase.

Karen Elder 5401 143 PL NE, suggested some members of the council had a conflict of interest because of their relationship to developers. She spoke in favor of conservation, higher connection fees, and against a rate increase.

There being no one else wishing to speak, the Mayor closed the topic to public comment.

**MOTION** by Dierck, second by Smith, to direct staff to prepare a comparison of the city's hookup fees to those charged by other cities, and to delay further action until the city had a signed contract with Everett and had a firm commitment for the \$11 Million PWTF loan.

**DISCUSSION ON MOTION.**

Councilmember Smith agreed it was important to know how much the loan amount would be before rates were raised. Developer impact fees needed to be recalculated.

Councilmember Leighan noted that the timeline had been mandated by the federal government and the city did not have much leeway on time. If it missed the deadline it would be out of compliance, which could result in a building moratorium. Many years ago, the city got all its water from wells and the water quality became increasingly deteriorated because the building of the Everett pipeline had been delayed by a citizen's group. The process should not be delayed while staff acquired information about hookup fees from other cities.

**VOTE ON MOTION.**

Smith and Dierck voted aye; all others voted nay; motion failed (2-4).

**MOTION** by Brennick, to approve the water and sewer rate increases but not implement them until after the contract with the City of Everett had been finalized.

**NO SECOND.** The motion died for lack of a second.

Mr. Weed advised that these rate increases were slated to go into effect January 1, 2002.

**MOTION** by Bartholomew, to approve rate increases based on the "best case" scenario.

**NO SECOND.** The motion died for lack of a second.

**MOTION** by Leighan, second by Bartholomew, to direct staff to prepare an ordinance for a two-step water and sewer rate increase based on the "middle case" scenario as presented. Dierck and Smith voted nay; all others voted aye; motion carried (4-2).

The Mayor recessed the meeting for a short break, then reconvened.

**B. Solid Waste Rate Adjustment**

Mr. Gould gave a detailed presentation of the study that had been done on the solid waste utility. Mr. Winckler noted the council had been supplied with information on what residents in surrounding cities pay for garbage service. Mr. Gould concluded with a review of the various options for implementing the necessary increase.

The Mayor called for public comments; there were none, so the public comment portion of this topic was closed.

Councilmember Bartholomew asked about the county's tipping fee. Larry Larson, Public Works Superintendent, said the bond would be paid off in 8 years; the Solid Waste Advisory Committee hoped to keep the fee at or near its current level until that time. He believed the contract with the hauler expired in 2005.

**MOTION** by Dierck, second by Smith to delay action on this item until information had been provided to council on what it could cost to contract this service out vs. having the city continue running its own garbage utility.

**DISCUSSION ON MOTION.**

Councilmember Smith asked what such a study would cost. Mr. Winckler suggested it would cost about half the \$45,000 spent on the water/sewer study. He noted that information on what residents in other cities pay for garbage had already been provided to council. Ms. Swenson added that a detailed RFP would have to be prepared for such a study, entailing a great deal of analysis because contracting out the service would be eliminating a department. The last time this analysis was done it took a year. Union employees would be impacted so such a consideration would have to go to bargaining.

**SECOND WITHDRAWN.** Councilmember Smith withdrew her second. The motion died for lack of a second.

**AMENDED MOTION** by Dierck to proceed with Option 1 but direct staff to gather information on the possibility of contracting out the service.  
**NO SECOND.** Motion died for lack of a second.

**MOTION** by Brennick, second by Leighan, to direct staff to prepare an ordinance implementing solid waste rates per Option 1 and remanding the issue of contracting out this service to the Utility Committee for review and report back to council. Dierck voted nay; all others voted aye; motion carried (5-1).

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**IX. New Business**

**A. Sunnyside Trunk D Sewer Extension Phase II Developer Contract for Sewer Service and Recovery**

Mr. Weed noted that a condition of the utility variance was that the developer enter into an agreement with the city agreeing to various points. This enabled the developer to finance and build portions of the system to benefit their property owners and others in the region. The agreement before council for approval tonight differed from the version included in the packet in three regards. 1) Instead of putting its contribution in a city fund up front, the developer would provide a Letter of Credit. This would allow the city to draw on the funds to pay the contractor as needed for the project. The bank would supply a letter saying the funds were available and restricted for this use. The owner could still collect interest on the funds until they were drawn out by the city. 2) The property owners would like to be able to build an interim lift station and force main if bids on the sewer line project were rejected. 3) In the event of change orders or cost overruns in excess of 10%, the developer wanted to preserve his right to come before council to address those costs.

Councilmember Smith stated she did not support this action because the amount not recovered on previous extension projects had to be paid by the city and represented funds which could have been applied toward the wastewater treatment plant upgrade. She felt growth should pay for itself. Mr. Nelson reviewed the recovery history in Sunnyside Phase I, noting the gravity portion of the system was almost 100% recoverable. The same applied to the lift station. Councilmember Smith stated that the city had fronted the money, which meant it had borrowed it. Mr. Winckler responded that the city's responsibility as a utility provider was to provide for growth in its UGA. Residents in the area under discussion were future ratepayers. Having more ratepayers helped keep rates low for all ratepayers in the city.

Councilmember Dierck asked if this contract could force someone to hook up to the sewer who did not want to. Mr. Weed answered that the city had regulations which set out when a property owner needed to hook up. He read MMC 14.01.050, noting that an existing property that was on a properly functioning septic system would not be required to connect until that system failed. Any new structures would be required to connect.

Councilmember Brennick asked to see a completed agreement before the council voted. Mr. Weed responded that the changes were not significant in the context of the total agreement. This agreement was a follow-up action, only, on a utility variance that council granted some time ago to these property owners. It would allow the city to complete the permitting process and go to bid for construction of the project. Councilmember Brennick asked if the city had ever accepted a Letter of Credit from other developers; Mr. Weed said he could not recall a similar situation. He reviewed the work flow and vacation schedules, which had resulted in the revised agreement coming to council so late. Councilmember Leighan noted



that councilmembers who were on the Utility Committee were more comfortable with the agreement.

**MOTION** Leighan, second by Bartholomew, to delay finalizing this contract until council's work session meeting of September 4.

**DISCUSSION ON MOTION.**

Councilmember Bartholomew asked about the construction schedule.

Mr. Nelson stated that Snohomish County's moratorium on construction would go into effect October 1 so he did not believe this project could be constructed this year.

Councilmembers Dierck and Smith supported delaying action until the next regular council meeting.

**MOTION WITHDRAWN.**

Leighan withdrew his motion to allow for public input; the seconder agreed.

Bob Willoughby, Anderson Hunter Law Firm, spoke for the applicant. The developer would place \$750,000 with his bank. It would be "locked up" and could not be disbursed for any other purpose. When the city made a demand the bank would pay. The developer would continue earning interest on his funds until the city actually needed them for the project. The second provision meant that if there were cost overruns, the developer, who would be paying, would be allowed to come before council at a public meeting to discuss them. The developer would be able to do this in anyway. Thirdly, if the city rejected all bids, the developer could put in this portion of the project at his own expense utilizing a temporary lift station. The lift station would be decommissioned when the city went forward with the project. He asserted that these provisions made good business sense and did not affect the legitimacy of the project.

There being no one further wishing to speak, the Mayor closed the public comment portion of the topic.

Mr. Nelson noted the original design for the Phase II system was for the entire trunk line to be gravity fed, but because of right-of-way issues and the proximity to Ebey Slough it had to be moved. A pump station would be needed. Since it was a regional system, the city would front the money then calculate the cost to build the pump station and force main and enter into recovery contracts based on that actual cost. Developers would fund the gravity portion.

**MOTION** by Dierck, second by Smith, to address this contract at the next regular council meeting, September 10. Leighan and Bartholomew voted nay; all others voted aye; motion carried (4-2).

Councilmember Dierck asked for information on the affected individuals on Sunnyside Boulevard. Mr. Nelson said the city had negotiated a utility easement through the appraisal process and had provided payment for that. The three crossings of Sunnyside Boulevard did not extend on private property. Mr. Weed added that a qualified appraisal was done for each easement needed. Some property owners received a single utility connection as part of their compensation.

That did not relieve any of the property owners from paying the regular connection fees.

**X. Ordinances and Resolutions**

None.

**XI. Information items**

**A. Mayor's Business**

- AWC was hosting its annual regional roundtable in Everett on October 11. Councilmembers should advise Ms. Lein if they planned to attend.

**B. Staff's Business**

**Commander Winters:**

- The dispatching module was nearly complete and they expected to occupy the new Dispatch Center by August 29.

**C. Call on Councilmembers**

**Leighan:**

- Noted that the RFP for televising city council meetings was just now being finalized which meant it would be mid-November or later before this could be put into place. He supported delaying implementation until the matter could be reviewed during the budget process then started next year.

**MOTION** by Leighan, second by Brennick, to delay issuing the RFP for televising council meetings until the conclusion of the upcoming budget process for implementation next year.

**DISCUSSION ON MOTION.**

Councilmember Dierck supported going forward now so there would be time for a response from citizens prior to the end of the year. She noted the delay would mean the meetings would not be televised until after the election.

**VOTE ON MOTION.** Dierck and Smith voted nay; all others voted aye; motion carried (4-2).

**Dierck**

- Noted input from constituents regarding speeding, unsafe road conditions and stormwater drainage problems. She would contact Mr. Winckler with the addresses.

**Smith:**

- Requested that "call on council" be added to the work session agenda if time allowed.

**MOTION** by Smith, second by Leighan, to add "call on councilmembers" to the work session agendas if time allowed. Motion carried (6-0).

- Asked about the impacts to Boulevard Grocery when Sunnyside Boulevard was widened. Mr. Nelson noted this was not a funded project.
- Asked about action on Mr. Gordon's input on Grove Street. Mr. Nelson noted that Grove had been designed as an arterial in the Transportation Comp Plan to relieve stresses along 528 and provide additional east-west mobility through town and access to Highway 9. If it were down-classified the ability to transport goods and services through town would be lessened and pressure would increase on 528. Staff had been responsive; Mr. Gordon had cancelled the meeting that had been set up.
- Expressed concern about traffic issues at Quilceda Park.

Councilmember Dierck departed the meeting at 10:45 p.m.

Soriano.

- Asked about implementation of the motorcycle unit. Commander Winters reported on the training of the officers. Ms. Swenson noted the bids had been opened today on the motorcycles and would be before council at its next regular meeting.

Brennick:

- Noted he had submitted a request for a council work session topic to form an organization of concerned citizens and staff to consider solutions on Grove and other streets. He had received a number of calls from constituents on this.

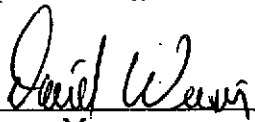
Bartholomew:

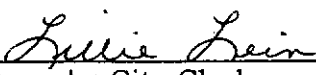
- Congratulated Commander Winters on his successful completion of the Northwest School of Police and Command Staff.

**XIV. Adjourn**

The meeting adjourned at 10:57 p.m.

Accepted this 10<sup>th</sup> day of September, 2001.

  
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 Mayor

  
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 Deputy City Clerk

  
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 Recording Secretary

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**MINUTES  
CITY COUNCIL WORK SESSION  
AUGUST 20, 2001**

000093

**I. Call to Order**

Mayor David Weiser called the regular meeting to order at 7:00 p.m.

**II. Pledge of Allegiance**

The assemblage joined in the Pledge of Allegiance to the Flag.

**III. Roll Call**

A voice roll call of councilmembers was conducted. Attendance was as follows:

**Councilmembers Present:**

- Dave Weiser, Mayor
- Mike Leighan, Mayor Pro Tem
- Jim Brennick
- Suzanne Smith
- John Soriano
- NormaJean Dierck
- Shirley Bartholomew

**Administrative Staff Present:**

- Mary Swenson, City Administrator
- Sandy Langdon, Finance Director
- Ken Winckler, Public Works Director
- Grant Weed, City Attorney
- Robin Nelson, City Engineer
- Roberta Stevens, Recording Secretary

Mayor Weiser noted that Councilmember Pedersen was caring for a sick relative.

**IV. A. Utility Rate Adjustment**

Robin Nelson, City Engineer gave a brief background of the rate increase, noting that the last rate increase was in 1997. There are over \$60M worth of projects over the next six years and roughly \$46M of them are regulatory mandated. 2004 is the deadline for the regulatory driven projects. Mr. Nelson introduced Tom Gould the Vice President of Economic and Engineering Services, Inc. Mr. Gould advised that his office address was 12011 Belred Rd., Ste. #201, Bellevue, WA. He said that he was here this evening for policy direction from the City Council. Regarding the Water and Sewer rate adjustments, Mr. Gould showed a slide presentation of the various projects, of the costs, the best, middle, and worst case scenarios regarding financing options, and rate increase recommendations to meet the regulatory and growth requirements. Councilmember Dierck asked Mr. Gould to provide her and the other councilmembers with a detailed analysis of the 3-4% increase due to inflation, Mr. Gould advised that he would comply. At the end of his presentation, Mr. Gould reiterated that he was looking for policy direction on what kind of adjustments the City wished to make. He indicated that it would be an across the board percentage adjustment, those inside city limits would have the same increase as those outside the city limits. In answer to Councilmember Smith's question, Mr. Gould said that every couple of years there might need to be minor adjustments made. He recommended reviewing the rates on a yearly basis as is done with the budget. Councilmember Smith asked if it would be possible to have a separate

mailing for the garbage rate increases. Mr. Nelson said that he had received a call stating that the City was number 3 of 39 for the initial \$1M PWTF grant. On the remaining \$10M the City is number 10 of 139, so our chances are excellent of getting the \$11M at a half a per cent. Councilmember Leighan asked when the bonds would go out. Mr. Nelson responded that they were still looking at several different package options and that it will be phased funding to increase the chances of receiving another \$11M in 2003. Councilmember Bartholomew asked if the Legislature was generous in funding PWFT. Mr. Nelson said that in the past they have been very good to PWFT and they were scheduled to meet in April 2002. Councilmember Dierck asked what media was used to advertise the rate adjustments. Ms. Swenson responded that it was on Channel 29 as well as published in the Marysville Globe our legal newspaper and that reporters with other media including the Everett Herald were contacted. There was a general discussion about costs associated with future growth/no growth. Councilmember Bartholomew inquired about the agreement with Everett on the sewage line to deep water. Mr. Nelson responded that they were working on a draft with Kimberly Clark and the City of Everett. Mr. Weed said in response to Councilmember Bartholomew's question that if Kimberly Clark went out of business, that the City of Everett would take over the project in its entirety. Councilmember Smith wanted to know how much it would cost to just stay in the slough. Mr. Nelson said that was the most expensive proposition of all considered, roughly \$130M and now clear way to get rid of the solid waste residue. Most of the cost of growth was being paid for by future growth customers. Councilmember Brennick asked if the increases included pump stations O&M costs after 2004. The response from Mr. Nelson was yes. Councilmember Dierck said that she would prefer that the agreement with Everett was in place and the funding from PWFT approved before she made a decision. She suggested changing the formula for developers, and asked how long that would take. Mr. Gould said that it would be a good idea to look at that, but for these projects it would make very little difference, even if the rates were doubled. It would take 2-3 months for such a study to be completed. Mr. Winckler advised that the City won't know for certain until January next year. Mr. Nelson reiterated Mr. Gould's previous point about the bond people looking at the City's rates and willingness to step up to the plate to be able to repay the bonded indebtedness, raising the rates at the first of the year sends a strong signal to the bond community. Councilmember Smith asked Mr. Nelson for a copy of the 1999 rate study; Mr. Nelson said he would ask the consultants to send a copy and he would see that all of the members received it. Councilmember Bartholomew asked about the target dates. Mr. Nelson said that phase one (rate process and City of Everett agreement, design phase and construction bid) should be done by May 2002. Phase two in late 2002 or early 2003 and phase three completion in 2004. This time frame tracks well with the Zenon water filtration system that should be completed in late 2003.

**B-C. No action necessary by Council.**

**D. Approval of Professional Service Agreement for Assistance in the Repair of the Cedarcrest Reservoir Roof Joint.**

Councilmember Leighan asked why such a small project (\$5,702) was going to bid. Mr. Nelson said it was because of the specialized seal, it require structural analyzing prior to repair. MWH Americas was the quickest responding responsible bidder. Councilmember Leighan asked if the City was retrofitting or not. Mr. Nelson said it is an irregular 102' tank, and the seals need to be replaced in gapped areas. Councilmember Smith asked how old the tank was and Mr. Nelson said it was approximately 10 years old. This study would evaluate the seal and develop the design for the tank repair. Mr. Nelson doesn't think any rain water is leaking into the tank at the present time. The actual repair project will be approximately \$35K.

**E. Supplemental Agreement #3 for Professional Services for 47<sup>th</sup> and 51<sup>st</sup> Avenues/Grove Street Signals**

Councilmember Bartholomew asked when the lights would be in service. Mr. Nelson said that they are continuing wiring and will soon begin the channelization and stripping, they should be operational within 30 days. Councilmember Leighan asked how much of the additional cost is related to the delay. Mr. Nelson said none, there were additional sidewalk and lane costs.

**F. Approval of Supplemental Agreement #7 for Professional Services on State Avenue (116<sup>th</sup> – 136<sup>th</sup> Streets)**

Councilmember Leighan asked about the additional costs. Mr. Nelson said that it was US Fish and Wildlife that are requiring the new storm water revisions to meet DOE standards and environmental requirements.

**G. Supplemental Agreement Geotechnical Monitoring Services**

Councilmember Dierck asked how much more the City was going to spend before they were through with this item. Mr. Nelson said they needed the additional testing because of suspected movement caused by the earthquake. They need an additional reading to verify questions raised by the last reading. This project will cost approximately \$6M before it is completed. Councilmember Smith asked if there was any grant money available for this, Mr. Nelson advised that the grant writer was looking at a grant from FEMA.

**H. Renewal of Interlocal Agreement for Radio & Equipment Repair with Snohomish County. No council questions.**

**I. Authorize the Mayor to sign for COPS in Schools Grant**

Councilmember Bartholomew asked if this would mean the City had to hire the police officer after the school grant money runs out. Mayor Weiser said that it does not state that, we are under no obligation to hire the person permanently. Councilmember Smith mentioned looking at the next school year on this. Councilmember Leighan asked if this

was the second one or is this money for the first one. Mayor Weiser said it was for an additional one.

**J. Cedar Avenue Overlay Project Award**

Councilmember Leighan asked what section of Cedar would be overlaid. Mayor Weiser responded that it would be 4<sup>th</sup> Avenue north to Grove Street.

**K. Solid Waste Adjustment**

Councilmember Dierck said she would still like to see the difference in costs between the City charges and Rubatino for a year. Councilmember Bartholomew noted that Rubatino doesn't have authority to collect solid waste in Marysville. Councilmember Smith said that she thought that Councilmember Dierck would like Waste Management vs. City costs in that case. Ms. Swenson said that in order to do that the City would have to have specific figures, and there would be Union opposition to a contractor taking over. Councilmember Leighan asked if it would be possible to get the Waste Management changes for this area. Ms. Swenson said that could be provided to the councilmembers.

**L. 1. Intergovernmental Cooperation Purchasing Agreement with City of Everett.**

Councilmember Bartholomew asked if there was anything we were planning on purchasing, Ms. Langdon said no.

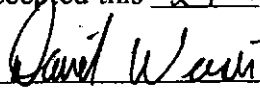
**2. Armored Car Services**

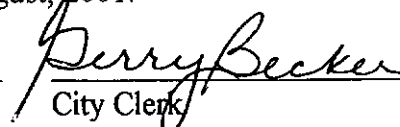
Councilmember Bartholomew asked why the City was negotiating with the apparent second low bidder. Ms. Langdon said that the apparent low bidder was unwilling to negotiate. Mr. Weed noted that there were several provisions in the Brinks contract that the City was unwilling to live with, that shifted to much to the City's side. Ms. Swenson noted that this project doesn't really require a bid at all.

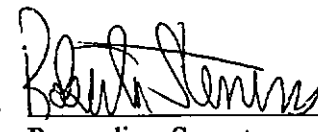
**3. Sunnyside Trunk D Sewer Extension Phase II Developer Contract for Sewer Service and Recovery. No council questions.**

Mayor Weiser adjourned the meeting at 9:00 p.m.

Accepted this 27<sup>th</sup> day of August, 2001.

  
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Mayor

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Recording Secretary