

CORRECTED: SEE 10-14-02 MINUTES

Call to Order/ Pledge of Allegiance

Mayor David Weiser called the October 7, 2002 meeting of the Marysville City Council to order at 7:02 p.m. and led the assembly in the Pledge of Allegiance.

Invocation

Dr. Ken Squires, representing First Assembly of God gave the invocation.

Announcements

Mayor Weiser indicated that there would be an Executive Session taking place this evening at approximately 9:00 p.m. There would be one real estate matter and one personnel matter discussed.

Committee Reports

Mr. Nehring presented an update on the State Avenue project.

Ms. Wright reported on behalf of the Snohomish County Health Board that the West Nile mosquito has arrived in the United States. She expounded on this subject.

Roll Call

Chief Administrative Officer Swenson called the roll:

Councilmembers:

- Mayor Dave Weiser
Mayor Pro Tem Mike Leighan
Lisa Vares
Donna Wright
Jeff Seibert
Jon Nehring
John Soriano

Mayor Weiser reported Suzanne Smith would not be attending tonight's session.

October 7, 2002

Marysville City Council Work Session

7:00 p.m.

Public Safety Center

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Staff:

Chief Administrative Officer Mary Swenson
City Attorney Grant Weed
City Engineer Robin Nelson
Community Development Director Gloria Hirashima
Finance Director Sandy Langon
Parks and Recreation Director Jim Ballew
Police Commander Ralph Krusey
Public Works Director Jim Owens
Assistant City Engineer, Jeff Massie
Fleet/Facilities Manager Bill Spies
City Clerk, Gerry Becker
Jody Pinckney, Recording Secretary

Action Items

- A. An Ordinance of the City of Marysville, Washington Affirming the Recommendation of the Planning Commission and Rezoning Properties Consistent with the Land Uses Outlined in the Final 116th Street NE Planning Area Master Plan.
Ordinance No. 2438**

MOTION was made by Ms. Wright, second by Mr. Leighan to approve the Ordinance No. 2438. **MOTION** passed unanimously (6-0).

Discussion Items

A. Human Services Grant Funding

Discussion followed as to clarification for the following organization: Kids On The Block. It was stated that they are housed and based out of Everett but that they are spread throughout Snohomish County.

Discussion then followed concerning the organization Housing Hope. It was indicated that this group is requesting \$2,500.00 At the inception of this group, they were encouraged to utilize public transportation, and the money requested will be primarily used for that purpose.

Ms. Wright indicated that there was an issue that had to do with Housing Hope's statement of non-discrimination and that there were some concerns with the wording of this statement. Discussion followed. Mr. Weed indicated that there are statutory prohibitions based on protected classes.

Ms. Vares indicated that the following amounts were suggested to be awarded as follows:

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Marysville Food Bank	\$3,500
Y Zone	\$1,500
Housing Hope	\$1,000

Mr. Seibert made comments about Mr. Cundiff and his concerns. Mr. Weiser indicated that the issue of sexual orientation was discussed with Mr. Cundiff. Mr. Weed stated that there is a separate ordinance that expounds on protected classes.

Further discussion ensued.

B. Amending Tax for Punchboards and Pulltabs.

Ms. Langdon indicated that the City has been operating inconsistently with State law regarding the City levying a 5% tax on gross receipts from punchboards and Pulltabs. She read three options that the Council has in remedying this situation. She recommended that we follow option 2 which states:

Tax commercial stimulant operators at the rate of 5% of gross and charge charitable or nonprofits at a rate to be set (not to exceed 10%) of net.

Discussion followed. Ms. Langdon explained gross revenue proceeds.

C. Buildable Lands Report

Ms. Hirashima provided an in-depth report regarding the buildable lands reports. She indicated that there are two reports and the County wants to narrow them down to one report.

She indicated also that the results show some differences and that there needs to be an analysis of those differences. She discussed the estimates of capacity in the UGA and indicated that they look pretty good. The City has more land remaining than previously forecast. She indicated the BLR tells you where you are today. There will be a retreat on October 25th hosted by Snohomish County. The next step in this process is allocating growth for the next 20 years. She then explained the SCT process. She indicated that the County will allocate the ranges and work with the cities to incorporate these ranges.

The City is currently working on the Comprehensive Plan.

In depth discussion followed regarding this entire process. Mr. Weiser asked whether the 26th would be the kickoff or beginning of the process? He inquired as to whether or not 2005-2006 would be the target date for final resolution.

Discussion followed regarding developing a collaborative process with the

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County and whether or not the City would be asked to take on more growth because of having the capacity for growth. Ms. Hirashima indicated that the County will look at the City's past growth rates. She indicated a decision would be made based on discussions between the jurisdictions and how the numbers fall in those regions. Mr. Weed indicated that the City should be hopeful and therefore strive to be able to state the City's case and the City's preferences to the County through a collaborative effort and more communication being developed between the City and the County on this issue. He noted the County had the last say the last time this process was utilized. He said the key this time to having the City's voice heard by the County was communication. He was hopeful that the County would participate in the City's hearing processes to be able to better understand the City's position. This would entail that the City invite the County to attend the hearings.

Consent

- A. Approval of Liquor License Renewals for Allen Creek Thriftway, Hunter's Corner, Strawberry Lanes, and Tacos Guaymas of Marysville.**

There was no discussion or comments.

- B. Award the Bid for Re-roofing the Public Safety Building To Snyder Roofing, and Approve Additional Budget Amount.**

Discussion followed. It was indicated that there had been some patch work.

- C. Award the Bid for an Asphalt Paver to Lowest Most Responsive Bidder. (To be determined at bid opening 10-3-02 at 10:00 a.m.)**

Mr. Bill Spies reported about the bid process. We had received five bids (three vendors). The lowest bid came in at \$63,104 by Western Power & Equipment. The unit is one year old, and the City rented it for a time in order that it could be determined whether it would be a useful machine or not. It was used at Sunnyside.

He went into detail about the various types of paver machines and average life for these machines. Discussion followed. Mr. Nelson explained the difference with a latent box paver.

- D. State Avenue Street Improvements, Grove to First Street; Supplemental Agreement No. 1 to the Professional Services Agreement.**

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Marysville City Council Work Session

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7:00 p.m.

Public Safety Center

Discussion followed. Ms. Swenson talked about the difficulty this project would cause businesses. She stressed the importance that the City communicate very clearly and concisely and regularly with the business owners so that they would know what to expect and when to expect it and hopefully not interfere with their businesses too much.

Mr. Nelson explained that this will be a very significant project and went into detail about the process. There was discussion regarding funding, and it was noted that there is not a lot of grant funding available to support the City.

He passed out a new attachment and explained each of the consultants' various responsibilities for this project.

E. State Avenue Street Improvements, Grove to First Street; Supplemental Agreement No. 2 to the Professional Services Agreement.

Discussion followed on this item and it was indicated by Mr. Nelson that there is an AC water line on State Avenue.

Mr. Soriano indicated that he liked seeing the City plan ahead.

F. Ebey Slough Waterfront Park; Supplemental Agreement No. 1 to the Professional Services Agreement.

Mr. Nelson indicated that this item had previously been discussed with the Council in February of this year. He indicated that there had been additional testing conducted. He had had meetings with the Department of Ecology in order that the City could meet the needs required by the Department of Ecology. There was an additional cost of \$12,000.00. He discussed a quality control plan and a permit which is also required by the Department of Ecology.

Mr. Soriano brought up the subject of two boats that are still at the dock. Mr. Ballew indicated that there is an application that has been submitted to have these vessels removed.

It was noted that dealing with permitting agencies has been difficult.

G. Skate Park Acceptance.

No questions or discussion was had with regard to this item.

H. Logan's Landing - Final Plat.

There were no questions or discussion had with regard to this item.

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Council Member Seibert

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New Business

A. Visiting Nurse Services for KBSCC/Flu Shots.

Ms. Wright inquired into the legal ramifications regarding this item. Mr. Weed indicated that we were only making our facility available and that it would be a very remote chance that a lawsuit could be filed against the City just for providing a facility. He also indicated that this is a policy issue that should be discussed.

B. Professional Services Agreement for the Surface Water Comprehensive Plan/Surface Water Utility Rate Study And Hydrologic Modeling/Master Drainage Basin Planning.

Mr. Nelson reported that the overall cost of this project is not going to increase. He indicated that the City was paying what had been estimated and no more than that. He provided detail on the amounts that have been spent to date. There were no further questions or discussion.

Ordinances and Resolutions

A. An Ordinance of the City of Marysville, Washington Repealing Section 3.64.050 of the Marysville Municipal Code Relating to Utilities Tax to Allow for All Lawful Uses of the Revenue Derived.

This ordinance has been reviewed by Mr. Weed. It had been proposed by the Finance Department and Ms. Langdon provided an explanation as to why this ordinance was needed. She indicated that we would not be repealing the utility tax.

There was no further discussion.

B. An Ordinance of the City of Marysville Amending Sections 3.92.020 and 3.92.030 of the Marysville Municipal Code Reducing the Tax Rate on Raffles To 5% and Clarifying What Revenues of Charitable And Non Profit Organizations are Exempt from Taxation.

This ordinance was also suggested by the Finance Department due to the RCWs. Ms. Langdon explained that this ordinance was to be a "clean up" ordinance to bring the municipal code into agreement with the RCWs.

There was no further discussion.

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C. An Ordinance of the City of Marysville Repealing MMC 1.16.070 (3) and Thereby Eliminating a Separate Charge for Staff Time in Searching for Public Records.

This ordinance was also proposed by the Finance Department and has been reviewed by the City Attorney.

There was no discussion.

Information Items

A. Mayor's Business

1. Planning Commission Appointment

Mr. Weiser announced his intent to reappoint John Carroll to the Planning Commission.

2. National League of Cities Conference

Mr. Weiser noted that there was a National League of Cities conference to be held December 3-7, 2002 in Salt Lake City, Utah. Ms. Wright has asked for permission to attend and her expenses provided. He indicated that a call had been placed to each Councilmember to see whether they would be interested in attending prior to this meeting. The deadline for registration has been extended to October 31, 2002.

Mr. Leighan voiced his concern about the conference expenses appearing to be expensive. He indicated that we should be concerned about out-of-state travel due to the situation with the State. It was estimated that the costs would be as follows: \$395 registration fee plus hotel and airfare for an approximate total of \$1,200.00. Mr. Leighan wanted to know when the Council would decide whether to approve or deny Ms. Wright's request for approval. Mr. Weiser indicated that a decision needed to be made tonight. Mr. Leighan inquired as to whether there was enough money in the travel budget for this expense. Mr. Weiser indicated that there was enough money in the budget.

There were no further questions or comments. Consensus of the Council was to approve Ms. Wright to attend the conference with expenses paid.

3. Proclamation

Mr. Weiser read the proclamation regarding Bias Crimes Awareness Week. He indicated that the Police Department had reported no recent bias crimes. The Bias Crimes Awareness Week is held October 7-11, 2002.

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7:00 p.m.

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B. Staff Business

1. **Contract Change Order No. 1 for 2002 Street Overlay Project.**

Mr. Weiser indicated this was information only.

2. **Golf Course Report.**

Mr. Weiser indicated that the Council would receive an update on the golf course restaurant on Monday, October 14, 2002 and that Mr. Lindsey will make a presentation.

C. Call on Councilmembers

Mr. Seibert

Reported that the Farmer's Market went very well and beyond expectations. The vendors are looking forward to next year.

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He also provided an update on the restaurant at Cedarcrest.

Mr. Soriano

Thanked the Council for moving the Proclamation forward.

Ms. Wright

Announced that the open house for the new fire house will be at 108th and 51st Street this coming Saturday from 9-4. The ribbon cutting ceremony will be held at 9 a.m.

Ms. Vares

No comments.

Mr. Leighan

Announced that there will be a Public Works meeting on October 17.

Mr. Nehring

Announced that the Facilities Committee will be meeting on Monday.

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Marysville City Council Work Session
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Staff

Mr. Nelson

Announced that the City had the low bidders amount for the State DOT bids for the Ash Avenue P&R facility. He indicated that next week there will be an agenda bill for the awarding of the project. He discussed the amount of the bid and the engineer's estimation and that DOT needed our concurrence.

Ms. Swenson

Announced that there had been a change on the calendar. On Monday, October 21, 2002, there will be a budget workshop and no Council meeting.

Adjourn

The meeting was adjourned at 8:55 p.m.

Executive Session

The Council held an Executive Session at 9:00 p.m. until 9:51 p.m. Council reconvened into regular session and adjourned at 9:52 p.m. with no further action taken.

Approved this 14th day of October, 2002.

David Wain
Mayor

Perry Becker
City Clerk

Joseph Finckney
Recording Secretary