

**ORIGINAL**

Marysville City Council Work Session  
November 18, 2002 7:00 p.m. Public Safety Center

***Call to Order/ Pledge of Allegiance***

CORRECTED: SEE 11-20-02  
MINUTES

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Mayor Weiser called the November 18th Work Session of the City Council to order at 7:00 p.m. and led the assembly in the Pledge of Allegiance.

***Invocation***

Pastor Rodriguez led the assembly in the invocation.

***Roll Call***

Mary Swenson called the roll:

**Council:** Mayor David Weiser, Mayor Pro Tem Mike Leighan, Councilmembers Jeff Seibert, Donna Wright, Suzanne Smith, John Soriano, Lisa Vares, and Jon Nehring.

**Staff:** Police Chief Robert Carden; Mary Swenson, Chief Administrative Officer; Sandy Langdon, Finance Director; Grant Weed, City Attorney; Randy Brower, Program Engineer - Surface Water; Jim Ballew, Director of Parks and Recreation; Robin Nelson, City Engineer; Bill Spies, Fleet and Facilities Manager, and Larry Larson, Public Works Superintendent.

Mayor Weiser announced there would be an Executive Session after the Work Session lasting approximately 45 minutes.

***Committee Reports***

Councilmember Nehring reported that the Library Board met. He mentioned that the front doors have not been working properly. They have been repaired several times, but will probably need to be replaced at some point in the future. He thanked Jim Ballew for helping to quickly clean up leaves in front of the library. The library will be hosting Winter Extravaganza and offering entertainer extraordinaire Linda Severt on Saturday, December 28<sup>th</sup> at 2:00 p.m. Mr. Nehring also said that the Library was very pleased to announce that they had received a large amount of books from Boeing for the Books for Babies program.

Councilmember Smith attended the Parks Board meeting. She mentioned that there would be a meeting regarding the skateboard park on Tuesday, November 19, 2002 at 7:00 p.m. The bids are out for gates and additional fencing and they may need to ask Council for additional funding once those bids are returned. The Strawberry Fields Phase I is completed. Grass is now growing on the south field. There was some discussion

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about a BMX biking area. As far as Phase 2 goes, they are still waiting to hear about grants. The design plan for Phase 3 will be coming soon. Waterfront Park was also discussed. The derelict boats will soon be removed. There was also some discussion of possible holiday golf course closures.

Councilmember Seibert met with the Public Works Committee last Thursday. He informed the Council that Everett would soon be increasing their rates to the City. He also mentioned that an ordinance would be coming before the Council in the near future regarding cross connecting - a backflow type of energy which has the possibility of causing contamination. He noted that some transportation issues were also discussed.

CORRECTED: SEE 11-25-02 MINUTES

Councilmember Leighan said he met with the Solid Waste Advisory Committee. All computers are now considered hazardous waste and will be charged accordingly. Monitors will be \$14, computers \$10, and so on. Information will be going out in fliers to the residents soon regarding this change. Bill Spies, Fleet and Facilities Manager, commented that any hazardous waste items placed out with the regular garbage pickup will be tagged with explanatory stickers. Snohomish County will also be doing a free pickup for hazardous waste.

Councilmember Leighan also mentioned a youth summit he had attended. He said there were general complaints of not having enough to do and that activities that are available are too expensive. There were two Marysville youths at the meeting. He was pleased to report that most of the youth do feel safe in their communities.

***Presentations***

There were no presentations. It was noted by Chief Carden that the K-9 Officers were not prepared at this time to give a presentation, but that they would be appearing as soon as possible.

***Discussion Items***

**Utility Rate Adjustment (Water and Sewer)**

Larry Larson, Public Works Superintendent, introduced the Utility Rate Adjustment. He explained that Ordinance 2394 went into effect on January 1<sup>st</sup>, 2002 and this draft reflects the second step as approved at the Public Hearing.

Councilmember Seibert questioned the reason for the increase in water rates. Mr. Larson replied that the rates reflect the revenue requirements for capital improvements such as the reservoir and filtration plant as well as maintenance. Councilmember Seibert commented that it would have been nice to know that this was coming. Ms. Langdon reminded him that this was approved last year. Councilmember Nehring wondered what would happen if Council did not approve the ordinance at this point. Mayor Weiser explained that they would not be able to cover the bonds. Councilmember Leighan wanted to know why Council didn't just approve both steps at the same time. Ms.

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Langdon replied that it just wasn't prepared that way. Councilmember Smith indicated that she did not support this increase. She does not believe the taxpayers should pay for this in full, but that the rates should have been raised in tandem with impact fees for development. She said she would not support it because the two were not raised at the same time. Councilmember Vares commented that the commercial rates are being paid, just not at the same time. There followed a general discussion regarding impact fees and when they should be paid so that it is equitable between developers and residents.

Councilmember Nehring also questioned why this wasn't passed for both years at the same time. City Attorney Weed explained that Council could have passed one ordinance that had two steps.

Jim Owens, Public Works Director, added that there was going to be another increase in water because Everett is raising their rates to us. Mr. Larson replied that the city should be able to handle that increase this year by rearranging funds. There will be a Public Hearing at the Everett City Council Meeting on November 27 regarding this issue.

There was no further discussion on this item.

***Consent Agenda Items***

**A. Approval of November 25, 2002 Claims**

**B. Approval of Liquor License Renewals; Cristiano's Pizza, Etc.; Alf's Pizza & Pasta; Buzz Inn; Danny's Midway Pub & Gill; Mary's Grocery & Deli; and Haggan Food & Pharmacy #77**

**C. Approval of Professional Services Agreement with Perteet Engineering; SR528 - Columbia to 67th Avenue NE Improvements - Phase 2.**

Councilmember Smith asked if this budget was for the full project. Robin Nelson, City Engineer said that it was because it only included 4 small parcels.

Councilmember Smith referred to the Professional Agreement, Section 3.1, Extra Work. She questioned whether there was any way to change the standard verbiage in the contracts to say that it will be brought back to Council if the change is over a certain amount or percentage. City Attorney Weed said that it does say, "work shall not proceed until executed in writing by the parties" and that means it needs to come back before the Council. The problems the city has had have been with the way it has been prepared. Additional work is supposed to be approved ahead of time.

Mary Swenson, Chief Administrative Officer, explained that there is a person designated for each contract to be the point person to make those decisions. Councilmember Smith said there has been confusion about who the designated "parties" are and she wondered if there was something the city could write in the contract that would eliminate that confusion. City Attorney Weed said that legally the Mayor is the only one authorized to

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sign a contract and that he needs to have the approval of the Council. Robin Nelson, City Engineer said that there is a built-in reserve amount set aside for each contract to be a buffer for certain things that come up.

Ms. Swenson stated that everyone on staff has a heightened awareness of this issue based on recent events.

Councilmember Vares inquired as to whether this is the same language the city has been using in all its projects, especially those where extra costs have been tacked on. City Attorney Weed replied that this is the standard form that his office recommends. Mr. Nelson concurred that they use this form unless it is a federally funded project, which requires a different contract. Ms. Swenson added that this has been an internal-processing problem.

Councilmember Nehring wondered if there would be anything communicated to residents regarding this project. Mr. Nelson said they would be notifying the public.

Councilmember Seibert referred to the last page of Appendix B, Items Not Included in this Scope. It was noted that "County" should be changed to say "City". He also noted that the list of items not included was quite lengthy and he wondered if they had been checked thoroughly. Mr. Nelson indicated that all of the exceptions were fine, but he did bring items 7 & 8 to the attention of the Council (Preparation of Possession and Use Documents and Negotiations after condemnation proceedings). Councilmember Seibert concluded by saying he had concerns about proper notification to those affected.

There was no further discussion of this item.

**D. Intergovernmental Agreement for Furnishing Equipment Maintenance/Repair Service.**

Fleet and Facilities Manager Bill Spies introduced this item by saying it was a continuation of a previous agreement and would be used for radio repair. There was no further discussion of this item.

***Public Hearings***

**A. Proposed 2003 Budget (continued from 11/12/02)**

Ms. Langdon introduced a new handout showing the effects of different property tax rates. She also showed Council the revised 2003 preliminary budget. The revised budget takes out the 1% increase from the reserve and shows a reserve balance of \$38,937.

Councilmember Leighan wondered about the Employee Recognition Program. Ms. Swenson said that about \$6,000 has been set-aside for that purpose.

Councilmember Seibert asked if the city was expecting to get a solid waste increase. He commented that during the budget process they didn't really look at Enterprise funds to see if that could shave off some of the increase. Ms. Swenson said that the Quarterly Report would show the city's entire budget, not just the General fund. Councilmember Leighan mentioned the SWAC said they would not need to raise their rates above the SPI.

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Councilmember Nehring asked for clarification in the Parks fees increase. Jim Ballew, Director of Parks and Recreation, distributed a schedule of proposed changes and thoroughly explained the process that the Park Board had undertaken in determining the increases. The 30% figure represents the increase in projected revenue. Some classes have ranges of fees in order to be competitive with other offerings in Snohomish County. The changes also reflect the overhead and administrative fees that up to this point have been absorbed by the city. Softball leagues have been adjusted based on the quality of facilities and services the citizens are receiving. He added that people have been willing to pay the new rates and they have not received any complaints. They will be coming back in December with a resolution to approve these increases.

Councilmember Nehring asked if they had considered ways to cut costs without raising fees such as cutting the length of the season or cutting services. Mr. Ballew replied that people have said that they want more time in the gym, not less. Additionally, people have shown an increase in commitment when the sessions have been longer.

Councilmember Seibert said that they would like to see a voluntary contribution at the Senior Center. Mr. Ballew said they felt it was best to have minimal fees at this site. Councilmember Smith added that they believed that some people who had more money might try to give an inordinate amount if they did not have a set fee. Mr. Ballew also noted that due to budget cuts the site would be losing an employee and only one person would staff this site.

There was no further discussion on this item.

### ***New Business***

#### **A. Purchase of Vehicle Lift System from City of Tacoma; Bid #G05899.**

Mr. Spies reviewed the proposed purchase of the vehicle lift system. He explained that the original bid amount was too low. Based on his research there are only three vehicle lifts that are acceptable with an average price range of \$60,000-70,000. He is requesting an increase to the budget by \$14,225 plus tax, which would allow the purchase of a vehicle lift system received by City of Tacoma's bid. He noted that the company was honoring the 1999 price reflected in the original bid. Mr. Spies said the new lift was portable, but that it would be used in the East Bay.

Councilmember Seibert asked what the heaviest vehicle is that the City has to lift. Mr. Spies replied that it is about 55,000 pounds if there's garbage inside the vehicle. This lift

has the capability of lifting 60,000 pounds. Councilmember Seibert also inquired about training. Mr. Spies said the manufacturer would provide it on-site. It is not an operator certification, but the training will be sufficient. The lifts are certified from an industry standard. He also noted that these lifts are about half the price of a 4-post above the ground lift. Ms. Swenson explained that the money for this increase would come from the reserves. Councilmember Seibert asked if it couldn't come from the Enterprise fund. He also had concerns about needing additional equipment to make this more productive. Mr. Spies did not believe any special equipment would be necessary in order to make this productive.

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**B. Second Update - Surface Water Comprehensive Plan/ Surface Water Utility Rate Study & Hydrologic Modeling Master Drainage Basin Planning.**

Robin Nelson, City Engineer, introduced the above-mentioned issue. Tom Gould of Economic and Engineering Services, Inc. (EES) gave a brief update, which began with a review of the prior Council discussions.

Mr. Gould summarized their recommendations to the City, which included:

1. Increase revenue to achieve regulatory compliance and to fund capital improvements
2. Raise the residential rates to \$5/month in 2003 and adjust by \$1/month each year thereafter
3. Adopt the County's rates structure and categories
4. Send out bills in 2003 via the County's tax statements
5. Review the rates in 2005.

He also went over several issues, which will need to be reviewed in 2003. These included:

1. Billing of schools (exempt/non-exempt)
2. Policy of low-income seniors
3. Redefinition of exempt and what that really means
4. Long-term surface water billing (County or City bills)
5. System development charges

They hope to conduct a Public Hearing on January 13<sup>th</sup>, 2002 to see where the City needs to proceed from here.

There was some clarification about the meaning of "adopting the County's rates structure and categories". This means adopting the structure and the categories, not adopting the County's rates.

Councilmember Leighan asked if an assessment would be necessary to monitor the percentage of impervious land on each property. Randy Brower, Program Engineer – Surface Water, explained that they hope to use GIS equipment to get an initial determination of those percentages. After that they will be aware of further growth as new permits are issued.

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Councilmember Soriano asked if we would be able to do the billing in-house. Ms. Swenson and Ms. Langdon explained that it makes more sense to send out the bills with the tax statements. Taxpayers are used to seeing it that way. It also solves some of the billing issues that were brought up previously by Council.

Councilmember Wright asked when the city would receive the fees. Ms. Langdon stated that the County would give the city payment on a quarterly basis.

***Ordinances & Resolutions***

- A. An Ordinance of the City of Marysville, Washington Increasing Water and Sewer Rates Amending Sections 14.07.060 and 14.07.070 of the Marysville Municipal Code.**

***Information Items***

**Mayor's Business**

Mayor Weiser gave Council the option of adjusting the starting time on Saturday's workshop to begin earlier. It was agreed that the workshop will begin at 8:30 a.m. instead of 9:00 a.m.

**Staff Business**

Jim Ballew, Parks and Recreation Director mentioned that the Golf Course Manager recommended closing the golf course on Thanksgiving Day, as this is typically a very slow day. Currently they are closed on Christmas Day only. The Park Board heard the recommendation and concurred so they were bringing it to Council for approval. The Council gave informal consent and referred it back to the Park Board for approval.

Jim Owens, Public Works Director noted that BNSF would be repairing the crossing on State Avenue north of 116<sup>th</sup> Street. The repair of the track and ties will take place on December 7<sup>th</sup> and 8<sup>th</sup>, which is a weekend, so should cause minimal disruption. There will be two public notices in the paper. Mr. Owens commended the hard work of staff to finally pin down a date from BNSF for these repairs.

Ms. Langdon noted that the City's computer network has been down since Friday, but should be up and running by tomorrow.

***Adjournment***

Mayor Weiser adjourned the meeting into Executive Session at 8:45 p.m.

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***Executive Session***

Council held an Executive Session from 8:50 p.m. until 9:39 p.m. Reconvened into regular session at 9:40 p.m. and adjourned with no further action taken.

Approved this 25<sup>th</sup> day of November, 2002.

David Weir                      Perry Becker                      Larry Huggard  
Mayor                                      City Clerk                                      Recording Secretary