

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
Excuse Councilmember Wright from the meeting.	Approved
Excuse Councilmember Stevens from the meeting.	Approved
<b>Presentations</b>	
Volunteer of the Month January – Rita Henry	Presented
Proclamation: Career and Technical Education Month	Presented
Proclamation: Kiwanis Children's Cancer Cure Month	Presented
Strawberry Festival Royalty Candidates: Briana Hansen, Lars Kundu, and Anna Marie Mudd	Presented
<b>Approval of Minutes</b>	
Approval of the January 9, 2012, City Council Meeting Minutes.	Approved
Approval of the January 10, 2012, Joint Planning Commission and City Council Meeting Minutes.	Approved
Approval of the January 23, 2012, City Council Meeting Minutes.	Approved
<b>Consent Agenda</b>	
Approval of the January 18, 2012, Claims in the Amount of \$1,824,373.53; Paid by Check Number's 74830 through 74935.	Approved
Approval of the January 25, 2012, Claims in the Amount of \$351,526.10; Paid by Check Number's 74936 through 75021.	Approved
Approval of the February 1, 2012, Claims in the Amount of \$1,153,603.87; Paid by Check Number's 75022 through 75147 with Check Number's 73685 and 74696 Voided.	Approved
Approval of the January 20, 2012, Payroll in the Amount of \$785,769.71; Paid by Check Number's 25079 through 25120.	Approved
Authorize the Mayor to Sign the Amendment No. 3 to the Janitorial Services Contract between the City of Marysville and Advantage Building Services Revising the Labor Rate.	Approved
Acceptance of the Ingraham Boulevard Corridor Improvement Project, Starting the 45-Day Lien Filing Period for Project Closeout with SRV Construction.	Approved
Acceptance of the Wastewater Treatment Plant Fence Project, Starting the 45-Day Lien Filing Period for Project Closeout with NPR Fence.	Approved
<b>Review Bids</b>	
Award Bid for the LED Lighting Retrofit Contract to Totem Electric of Tacoma, Inc. in the Amount of \$82,014.72 Including Washington State Sales Tax and Approve a Management Reserve of \$4,000 for a Total Allocation of \$86,014.72.	Approved
<b>Public Hearing</b>	
An Ordinance of the City of Marysville, Washington, Creating a New Chapter 6.28 to the Marysville Municipal Code Entitled "Stay Out of Drug Areas (SODA) Orders"; Providing for Severability; and Effective Date.	Approved Ord. No. 2886
An Ordinance of the City of Marysville, Washington, Amending Marysville Municipal Code Chapter 6.37 Regulating to the Coercive Solicitation; Providing for Severability and Effective Date.	Approved Ord. No. 2887
<b>New Business</b>	

Pedestrian Improvements - Authorize the spending of \$210,000 to construct the Marshall and Sunnyside shoulder improvements.	Approved
An Ordinance of the City of Marysville, Washington, Amending Sections of Marysville Municipal Code Chapter 6.30 Relating to Lewd Conduct; Providing for Severability; and Effective Date.	Approved Ord. No. 2888
An Ordinance of the City of Marysville, Washington, Authorizing the City of Marysville to Continue to Impose a Sales and Use Tax as Authorized by RCW 82.14.415 as a Credit Against State Sales and Use Tax; Certifying the Costs to Provide Municipal Services to the Central Marysville Annexation Area; and Setting a New Threshold Amount for Fiscal year 2012 Relating to Annexations.	Approved Ord. No. 2889
An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Section 9.20.070 Relating to Permits for Fireworks Stands.	Continued
A Resolution of the City of Marysville Adopting Revised Green Fees for Cedarcrest Municipal Golf Course.	Approved Res. No. 2318
A Resolution of the Marysville City Council Enacted in Accordance with the Ordinance Relating to "Stay Out of Drugs Areas" (SODA) Orders for the City of Marysville, Washington.	Approved Res. No. 2319
<b>Legal</b>	
<b>Mayor's Business</b>	
Planning Commission Appointment: Roger Hoen	Approved
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Adjournment</b>	9:20 p.m.
<b>Executive Session</b>	9:25 p.m.
<b>Litigation</b>	
<b>Personnel – one item per RCW 42.30.140(4)(a)</b>	
<b>Real Estate</b>	
<b>Adjournment</b>	9:38 p.m.

# COUNCIL



# MINUTES

## **Regular Meeting** *February 13, 2012*

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

Mayor Nehring called the meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance. The invocation was given by Dan Hazen of Allen Creek Community Church.

### **Roll Call**

Chief Administrative Officer Hirashima gave the roll call. The following staff and councilmembers were in attendance.

**Mayor:** Jon Nehring

**Council:** Steve Muller, Carmen Rasmussen, Jeff Seibert, Rob Toyer, Jeff Vaughan

**Absent:** Donna Wright, Michael Stevens

**Also Present:** Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Police Chief Rick Smith, Commander Robb Lamoureux, Lt. Darin Rasmussen, Senior Center Manager Maryke Burgess, Crime Analyst Don Castanares, Officer Jon Elton, Sgt. Brad Akau, Officer Matt Goolsby, Lt. Goldman, City Attorney Cheryl Beyer, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Recording Secretary Laurie Hugdahl.

Mayor Nehring noted that Councilmember Wright had informed them she would be out of town this week. Councilmember Stevens informed them that he has a new addition to his family.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to excuse Councilmember Wright from tonight's meeting. **Motion** passed unanimously (5-0).

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Seibert, to approve the absence of Councilmember Stevens. **Motion** passed unanimously (5-0).

## **Committee Reports**

Councilmember Seibert reported on the February 3 SWAC works meeting where they discussed the following:

- Snow and ice event – City crews did an excellent job.
- Sanitation - The department statistics and a contract with Waste Management were discussed.
- A Coordinated Prevention Grant for doing multi-family recycling was reviewed.
- There was discussion about how the annexations would affect our service.
- There will be an upcoming study at some future time regarding whether we want to continue providing garbage service.
- Comprehensive Plan update from Snohomish County on SWAC was also briefly discussed.

Councilmember Seibert reported on the February 8 Snohomish County Solid Waste Advisory Committee meeting where the following items were discussed:

- Solid Waste Comprehensive Plan – SEPA was done the week of the meeting. A letter will be coming to the cities and then go to the Department of Ecology. Hopefully it will be done by summer.
- Solid Waste Budget Review – It looks like a rate review will be possible in 2015 when expenditures exceed revenue.
- Flow control – The County Council is proposing to reduce the rate for recycling.
- 3 Legislative bills that pertained to solid waste. All were product stewardship bills. One required manufacturers to take back small batteries, one required carpet to be returned to the manufacturer, and one was regarding a medicine take-back program.
- Unfortunately, the tire collection event was cancelled due to limited resources.
- Public Works meetings will go to a quarterly basis due to lack of funding for projects.

## **Presentations**

### **A. Volunteer of the Month**

Rita Henry was awarded Volunteer of the Month for January 2012 for her outstanding community service through years of involvement with the Marysville Community Food Bank and Toy Store, and serving as Chair of the Toy Store which in 2011 provided 1100 children and families in need with much-prized toys and gifts during the Christmas holiday.

### **B. Proclamation: Career and Technical Education Month**

Mayor Nehring read the Proclamation recognizing February 2012 as Career and Technical Education Month and urging all citizens to become familiar with the services and benefits offered by career and technical education programs in Marysville, and to

support and participate in these programs to enhance their individual work skills and productivity.

C. Proclamation: Kiwanis Children's Cancer Cure Month

Mayor Nehring read the Proclamation recognizing February 2012 as Kiwanis Children's Cancer Cure Month, coinciding with the Pacific Northwest District of Kiwanis International's Children's Cancer Cure Program, and encouraging citizens to celebrate the many contributions made by the members of the Marysville Kiwanis Club and Kiwanis Clubs of the Pacific Northwest. He presented the Proclamation to representatives of the Marysville Kiwanis Club.

D. Strawberry Festival Royalty Candidates

Jodi Hiatt introduced the following Strawberry Festival Royalty Candidates who gave introductory speeches: Briana Hansen, Lars Kundu, and Anna Marie Mudd.

### **Audience Participation**

#### **Approval of Minutes**

1. Approval of the January 9, 2012, City Council Meeting Minutes.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve the minutes of the January 9, 2012 City Council Meeting. **Motion** passed unanimously (5-0).

2. Approval of the January 10, 2012, Joint Planning Commission and City Council Meeting Minutes.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Muller, to approve the minutes of the January 10, 2012 Joint Planning Commission and City Council Meeting. **Motion** passed unanimously (5-0).

3. Approval of the January 23, 2012, City Council Meeting Minutes.

**Motion** made by Councilmember Muller, seconded by Councilmember Toyer, to approve the minutes of the January 23, 2012 City Council Meeting. **Motion** passed unanimously (5-0).

#### **Consent**

4. Approval of the January 18, 2012, Claims in the Amount of \$1,824,373.53; Paid by Check Number's 74830 through 74935.
5. Approval of the January 25, 2012, Claims in the Amount of \$351,526.10; Paid by Check Number's 74936 through 75021.

6. Approval of the February 1, 2012, Claims in the Amount of \$1,153,603.87; Paid by Check Number's 75022 through 75147 with Check Number's 73685 and 74696 Voided.
7. Approval of the January 20, 2012, Payroll in the Amount of \$785,769.71; Paid by Check Number's 25079 through 25120.
11. Authorize the Mayor to Sign the Amendment No. 3 to the Janitorial Services Contract between the City of Marysville and Advantage Building Services Revising the Labor Rate.
12. Acceptance of the Ingraham Boulevard Corridor Improvement Project, Starting the 45-Day Lien Filing Period for Project Closeout with SRV Construction.
13. Acceptance of the Wastewater Treatment Plant Fence Project, Starting the 45-Day Lien Filing Period for Project Closeout with NPR Fence.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Toyer, to approve Consent Agenda items 4, 5, 6, 7, 11, 12, and 13. **Motion** passed unanimously (5-0).

### **Review Bids**

8. Award Bid for the LED Lighting Retrofit Contract to Totem Electric of Tacoma, Inc. in the Amount of \$82,014.72 Including Washington State Sales Tax and Approve a Management Reserve of \$4,000 for a Total Allocation of \$86,014.72.

Director Nielsen explained that this is a retrofit to take our existing lights at numerous locations and add LED's with a cost-savings to the City. He commended John Tatum who got the grant and Jeff Laycock who put together the bids, plans, and specs. There will be an approximate savings of \$5,000 a year in power costs. He recommended award of the bid to Totem Electric.

Councilmember Muller asked if the life expectancy for these is longer than regular lights. Director Nielsen stated that it is. He recognized Tom King for replacing the heads. The life expectancy is expected to be about 7 to 8 years longer.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert, to have the Council authorize the Mayor to Award the Bid for the LED Lighting Retrofit Contract to Totem Electric of Tacoma, Inc. in the Amount of \$82,014.72 Including Washington State Sales Tax and Approve a Management Reserve of \$4,000 for a Total Allocation of \$86,014.72. **Motion** passed unanimously (5-0).

## Public Hearings

9. An Ordinance of the City of Marysville, Washington, Creating a New Chapter 6.28 to the Marysville Municipal Code Entitled "Stay Out of Drug Areas (SODA) Orders"; Providing for Severability; and Effective Date.

Chief Smith introduced this item. Lt. Rasmussen gave a PowerPoint presentation. He reviewed how the number of VUCSA (Violation of Uniform Controlled Substance Act) - related cases has increased 22% in 2010 and 36% in 2011. Approximately 2% of the geographic area of the City accounted for 18% of all VUCSA-related cases in 2010 and 2011. Three areas in the City have the highest frequency of drug-related arrests and are within the SODA area: 4<sup>th</sup> Street and Beach Ave., Comeford Park, and 2<sup>nd</sup> and Beach Avenue. He reviewed who would be subject to a SODA order and how the area is established.

Senior Center Manager Maryke Burgess explained that she works at the Ken Baxter Community Center at Comeford Park. There are a lot of children, families, and seniors who come there. However, they have noticed an increase in individuals who are spending a great deal of time in large groups at the park or other individuals who come and leave quickly. She stated that they see a lot of teens and what appear to be at-risk kids at the park. She has witnessed interesting handshakes, exchanges of things, long-term loitering with no real recreational activities taking place, and frequent trips to the restroom at the park. Some of the individuals have been found by police to have concealed weapons on them. There are also some people who hang out in their vehicles for a long time. She witnessed a young woman inhaling an aerosol can underneath the slide. There also are a few individuals who claim to be members of a gang. This ordinance would make the seniors feel safer and it would be less intimidating for parents and children to come play in the park.

Don Castanares, Marysville PD Crime Analyst, shared information about criminal activity they have tracked. He reviewed maps which were graphic representations of criminal activity in the SODA and discussed statistics associated with the SODA.

NITE Team Officer Jon Elton shared some of his experiences working in the SODA. He is currently assigned to the NITE Team and has been there since 2008. He reviewed some of the special projects he has been involved in such as controlled buys of substances such as heroin, methamphetamine, and marijuana. He has performed search warrants on houses and vehicles resulting in seizures of property, money, and controlled substances. Using unmarked vehicles he has observed numerous drug transactions independent of a schedule controlled buy in the proposed area, specifically the areas of 4<sup>th</sup> Street and State Avenue, 4<sup>th</sup> Street and Beach Avenue, and 5<sup>th</sup> Street and State Avenue. The SODA area contains on and off ramps to I-5 and State Route 529, making this area an ideal area for drug sellers to enter and exit Marysville quickly.

Lt. Darin Rasmussen reviewed his experience with the police department as it relates to the SODA. As a police lieutenant he has received information from and/or met with numerous citizens, business owners, community leaders, and organized groups who

have complained about narcotics trafficking in their neighborhoods. In his career he has facilitated special emphasis activities for additional enforcement of laws related to narcotics and drug trafficking in and around the Comford Park area. The proposed SODA area boundaries were created to address the specific identified problem areas including specific roads, ingress/egress, business areas, and places that draw volumes of people. At the same time they wanted to be considerate to avoid or minimize inclusion of necessary services such as court, government services, banking, postal services, etc. The SODA ordinance provides an additional law enforcement tool which disrupts motive, means, and opportunity of identified drug offenders. It provides for due process to offenders that are subjected to the conditions of the court. It also provides orders that are limited in time and to areas where there is ongoing drug or criminal activity.

Chief Smith stated that the police department's methodology with crime analysis has improved allowing them to track the crimes better. He acknowledged Sgt. Brad Akau, Officer Matt Goolsby, and Officer Jon Elton as members of the NITE team. The focus for the police department is to deter and get rid of the drug activity. He thinks the SODA ordinance is a great tool for law enforcement and will help to improve livability in the area.

Mayor Nehring thanked the Police Department for the amount of work they have put into this. Much like the police redeployment they put together and executed over the past year or two, this is another tool to use limited resources to hone in on a certain area.

#### Comments and Questions:

Councilmember Muller asked how they would be educating the business community in the area. Commander Lamoureux said that there will not be a big change for the people who live and work in that area except that people who are required to stay out of the area will no longer be a negative draw for others. They intend to put out a press release to notify citizens about the SODA. The criminals will be notified through the court if they are arrested for an offense.

Councilmember Vaughan asked if a SODA order could be attached to someone who committed a drug-related crime somewhere else in the City. Commander Lamoureux stated that it could. Councilmember Vaughan clarified that this would give police probable cause to approach and arrest applicable individuals who are in the SODA regardless of what they are doing. Commander Lamoureux concurred.

Councilmember Seibert thanked the Police Department for bringing this forward. He wished it could apply to people who have been convicted in Everett as well.

#### Public Comment:

Mayor Nehring opened the public hear at 8:05 p.m. and solicited public comment.

Roger Hoen, 11623 46<sup>th</sup> Ave NE, Marysville, stated that he spent several years as a commissioner with the Washington State Liquor Control Board when they instituted Alcohol Impact Areas in some parts of Seattle and Tacoma. The result was it displaced the violators, but not in the same concentration so it was a significant advantage. People started enjoying their parks again. Another part of that effort was community involvement. From his experience on the state level, he thinks Marysville is on the right track.

Seeing no further comments, the public hearing was closed at 8:07 p.m.

**Motion** made by Councilmember Seibert, seconded by Councilmember Muller, to approve Ordinance No. 2886, "An Ordinance of the City of Marysville, Washington, Creating a New Chapter 6.28 to the Marysville Municipal Code Entitled "Stay Out of Drug Areas (SODA) Orders"; Providing for Severability; and Effective Date." **Motion** passed unanimously (5-0).

10. An Ordinance of the City of Marysville, Washington, Amending Marysville Municipal Code Chapter 6.37 Relating to the Coercive Solicitation; Providing for Severability and Effective Date.

Commander Lamoureux introduced the Ordinance regarding coercive solicitation. He stated that this is another tool to help address public safety concerns, not only solicitation and begging, but any other traffic-related concerns related to that.

Lt. Goldman highlighted the changes which, if adopted, would provide increased safety to our citizens and actionable provisions for law enforcement. The current MMC addresses "aggressive begging", which can be difficult to prove. He reviewed common scenarios that they see. NITE Team Officer Matt Goolsby also discussed some issues they have had to deal with regarding and how they deal with that.

The proposed coercive solicitation pedestrian interference ordinance would have the following impacts:

- It would give law enforcement specific steps.
- It would clarify what constitutes a violation of the ordinance.
- It could reduce the slowing or stopping of vehicular and/or pedestrian traffic which may prevent collisions or delays in traffic.
- It may reduce and resolve repetitive issues.
- It may also reduce theft and trespassing of local retail establishments.
- It may reduce the accumulation of litter in and around high visibility areas of solicitation.
- It may also reduce the potential risk of injury to individuals engaged in solicitation in and around railroad crossings.

Mayor Nehring opened the public hearing and solicited public comment at 8:22 p.m. Seeing none, the public hearing was closed at 8:23 p.m.

**Motion** made by Councilmember Muller, seconded by Councilmember Toyer, to approve Ordinance No. 2887, "Ordinance of the City of Marysville, Washington, Amending Marysville Municipal Code Chapter 6.37 Relating to the Coercive Solicitation; Providing for Severability and Effective Date." **Motion** passed unanimously (5-0).

## **New Business**

### 14. Pedestrian Improvements.

Councilmember Rasmussen reiterated that she had hesitations about these improvements. As they went through the 2012 Budget process there were significant sacrifices and some hard decisions that were made based on their uncertainty about the state budget. Out of respect for those sacrifices and hard decisions, she was not in favor of spending large amounts of money prior to the state budget situation being finalized.

Councilmember Muller asked about the timing of doing these projects. Director Nielsen said that they would begin Sunnyside in the summer and would do Marshall next year. Councilmember Muller asked if there would be any problem with waiting until the state finalizes their budget to begin this. Director Nielsen indicated there would be no problem with this.

Councilmember Vaughan asked about mid-block crossings. Director Nielsen stated that there will be no mid-block crossings.

There was discussion about how this would be funded with the savings they have from departments that have under spent with the goal of reinvesting it in the community. Mayor Nehring explained that if the state were to take the whole annexation sales tax credit away, this project would be removed. He reviewed how they would or would not proceed with this depending on what the state does. Basically, if they can do this without dipping below the 10% reserve they would proceed if they get approval from Council. The City would not expend any monies until the state has completed their action. If they were to get cut below a level that causes us to go below the 10% reserve they would bring this back to Council. Councilmember Seibert emphasized the need for this project in that area.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to amend the budget and authorize the spending of \$210,000 to construct the Marshall and Sunnyside shoulder improvements but hold any spending until after March 30 (or until the end of the state legislative session) and review to make sure the reserve will not go below the 10% reserve. **Motion** carried (4-1) with Councilmember Rasmussen voting against the motion.

### 15. An Ordinance of the City of Marysville, Washington, Amending Sections of Marysville Municipal Code Chapter 6.30 Relating to Lewd Conduct; Providing for Severability; and Effective Date.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve Ordinance 2888, "An Ordinance of the City of Marysville, Washington, Amending Sections of Marysville Municipal Code Chapter 6.30 Relating to Lewd Conduct; Providing for Severability; and Effective Date." **Motion** passed unanimously (5-0).

16. An Ordinance of the City of Marysville, Washington, Authorizing the City of Marysville to Continue to Impose a Sales and Use Tax as Authorized by RCW 82.14.415 as a Credit Against State Sales and Use Tax; Certifying the Costs to Provide Municipal Services to the Central Marysville Annexation Area; and Setting a New Threshold Amount for Fiscal year 2012 Relating to Annexations.

Finance Director Langdon reviewed minor changes to the Ordinance since last week.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to approve Ordinance 2889, "An Ordinance of the City of Marysville, Washington, Authorizing the City of Marysville to Continue to Impose a Sales and Use Tax as Authorized by RCW 82.14.415 as a Credit Against State Sales and Use Tax; Certifying the Costs to Provide Municipal Services to the Central Marysville Annexation Area; and Setting a New Threshold Amount for Fiscal year 2012 Relating to Annexations." **Motion** passed unanimously (5-0).

17. An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Section 9.20.070 Relating to Permits for Fireworks Stands.

CAO Hirashima reviewed the three options available to Council. Option 1 would remove the limitations. Option 2 would leave it at 8 but approve a process for approving multiple vendors. Option 3 would be to do nothing.

Councilmember Seibert asked if this would trigger the one-year waiting period. City Attorney Cheryl Beyer did not think it would because it was only changing the process.

**Motion** made by Councilmember Seibert, seconded by Councilmember Muller, to approve Ordinance 2890, (Option 2, which adds criteria for the timing and the process if they get more than 8 applicants) "An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Section 9.20.070 Relating to Permits for Fireworks Stands."

Councilmember Vaughan stated that limiting the stands might have unintended consequences. He thinks they are better off if there are more stands out there so citizens might be more likely to visit those stands and purchase fireworks that are safer as opposed to those on the other side of the freeway. He likes the idea of letting the market decide how many stands there should be in the community. He spoke in support of Option 1. Councilmember Rasmussen and Councilmember Toyer concurred with Councilmember Vaughan.

Councilmember Seibert explained why he felt they should limit it. He expressed concern that if they ever wanted to ban fireworks altogether there would be more people affected who use this as their sole fundraising event.

**Motion** to approve Option 2 failed (3-2) with Councilmembers Muller and Seibert voting for the motion and Councilmembers Vaughan, Rasmussen, and Toyer voting against the motion.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Toyer, that the Council approve Ordinance 2890, (Option 1 which would remove the limitation on fireworks stand permits) "An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Section 9.20.070 Relating to Permits for Fireworks Stands." **Motion** carried 3-2 with Councilmembers Vaughan, Rasmussen, and Toyer voting for the motion and Councilmembers Seibert and Muller voting against the motion.

*After some discussion it was determined that the vote required a majority of the full Council to pass so the issue will be brought back for the next meeting.*

18. A Resolution of the City of Marysville Adopting Revised Green Fees for Cedarcrest Municipal Golf Course.

Director Ballew reported that the recommended fees were approved unanimously by the Park and Recreation Advisory Board at their meeting on January 11, 2012.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Seibert, to approve Resolution No. 2318, "A Resolution of the City of Marysville Adopting Revised Green Fees for Cedarcrest Municipal Golf Course." **Motion** passed unanimously (5-0).

20. A Resolution of the Marysville City Council Enacted in Accordance with the Ordinance Relating to "Stay Out of Drugs Areas" (SODA) Orders for the City of Marysville, Washington.

**Motion** made by Councilmember Seibert, seconded by Councilmember Toyer, to approve Resolution No. 2319 "A Resolution of the Marysville City Council Enacted in Accordance with the Ordinance Relating to "Stay Out of Drugs Areas" (SODA) Orders for the City of Marysville, Washington." **Motion** passed unanimously (5-0).

## Legal

### Mayor's Business

19. Planning Commission Appointment: Roger Hoen

**Motion** made by Councilmember Muller, seconded by Councilmember Vaughan, to approve the appointment of Roger Hoen to the Planning Commission for a term expiring August, 2014. **Motion** passed unanimously (5-0).

Mayor Nehring had the following comments:

- Great Relay for Life Kickoff this last Wednesday.
- He thanked the Police for the emergency preparedness event they put on.
- Marysville University begins this Wednesday. 30 people have RSVP'd.
- Congressman Larsen was here today to tour the Qwuloolt facility.

## **Staff Business**

Jim Ballew:

- The Father-Daughter dance series was completed last weekend. He thanked Maryke Burgess and Andrea Kingsford for their work at the event.
- He wished everyone a Happy Valentine's Day.
- The umbrellas from the Marysville Arts Coalition are in process.

Chief Smith:

- He thanked his staff and Commander Lamoureux for their work putting this together. He also thanked Cheryl Beyer and Grant Weed for their work on the ordinances.
- He was in Olympia on Tuesday to talk to legislators about Law and Justice Day. While he was there he talked to legislators about other issues including the annexation sales tax, mitigating any shared revenues with local jurisdictions, and the Marysville Jobs Bill (House Bill 2772).
- They had a community forum to talk about personal preparedness with Bob Dolhanyk. He expressed appreciation for their partnership with the Fire Department and the School District for this forum.

Kevin Nielsen:

- Public Works Committee will meet on March 2.
- He thanked Jim Ballew for meeting with FEMA to discuss storm damage and snow and ice claims.
- 156<sup>th</sup> is going very well. They are very pleased with the contractor.
- He met with the new Facilities Coordinator with Sno-Isle last week who offered to pressure wash the facility for us.
- There is a new TIGER IV Grant out that staff will be applying for.
- He attended the Economic Alliance with Snohomish County (EASC) today. It's nice to see Marysville's projects on multiple transportation lists.

Commander Lamoureux had no comments.

Doug Buell had no comments.

Sandy Langdon suggested that they postpone the Finance Committee meeting until March. Commissioner Seibert agreed.

Gloria Hirashima:

- She stated the need for a 10-minute Executive Session to discuss collective bargaining with action requested.
- They received a 204-unit apartment Land Use Application for State Avenue. They are seeing some activity for multi-family development which is a positive sign.
- Wal-Mart construction will start this week.

### **Call on Councilmembers**

Carmen Rasmussen had no comments.

Steve Muller stated that the emergency preparedness forum was excellent. He recommended that everyone should prepare.

Rob Toyer commended the Police Department for all their work on the SODA.

Jeff Seibert:

- He asked if Wal-Mart is still planning on having their tire shop. CAO Hirashima said that the tire shop has been removed from the plan. Everything else is remaining the same.
- He congratulated Councilmember Stevens on the new addition to his family.
- He commended the Police Department for their success on the ordinances.
- He asked about the Yellow Cab correspondence they had received. CAO Hirashima reported that City Attorney Weed had written a response. Councilmember Seibert asked if they should review the ordinance. CAO Hirashima said the City Attorney thought they should review that section.
- He also attended the EASC meeting today. He expressed some disappointment with some of the comments shared by others at the meeting. He commended Councilmember Vaughan's comments and his eloquent communication skills which were utilized at the meeting.

Jeff Vaughan appreciated being invited to the EASC meeting. He asked if the Emergency Plan addresses how they would work with HAM radio operators in the City. Chief Smith said it would. There was some discussion about the role of Councilmembers in the event of a prolonged issue. Chief Smith stated that they would be notified via the EOC.

The Council recessed at 9:20 for five minutes after which time they reconvened into Executive Session as authorized by RCW 42.30.140 (4)(a). It was announced that Executive Session would last ten minutes with action expected.

**Motion** made by Councilmember Muller, seconded by Councilmember Seibert, to extend Executive Session to 9:38 p.m. Motion passed unanimously (5-0).

**Motion** made by Councilmember Muller, seconded by Councilmember Seibert, to authorize the Mayor to sign Article Three and Four of the Teamster's contract as discussed in Executive Session. Motion passed unanimously (5-0).

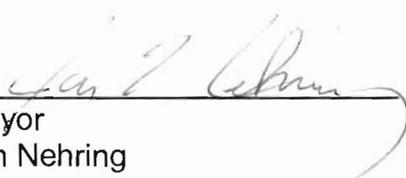
**Executive Session**

- A. Litigation
- B. Personnel – one item per RCW 42.30.140(4) (a)
- C. Real Estate

**Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 9:38 p.m.

Approved this 12<sup>th</sup> day of March, 2012.

  
\_\_\_\_\_  
Mayor  
Jon Nehring

  
\_\_\_\_\_  
April O'Brien  
Deputy City Clerk