



Regular Meeting

May 7, 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.

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, Michael Stevens, Rob Toyer, Jeff Vaughan, and Donna Wright

Absent: None

Also Present: Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, City Attorney Grant Weed, Assistant City Engineer John Cowling, Senior Planner Chris Holland, Parks and Recreation Director Jim Ballew, Recording Secretary Laurie Hugdahl.

Committee Reports

Donna Wright reported on the **Public Safety Committee** which met on April 25. At the meeting, the Police department gave an update on their investigation of recent burglaries. It was reported that there will be an SRO in each of the high schools. The department is continuing to work on the work release program and to incorporate community service in with that. The committee also received an update on the "obituary" burglaries. Marysville continues to get high marks from the Department of Emergency Management because we are ahead of other communities in our preparedness. She commended Bob Dolhanyk for his work on this. A regional Train the Trainer event will be held in the near future.

Jeff Seibert added that Bob Dolhanyk has been working with HAM radio operators and has secured a number of private radios to use in the event that the City's radio system

goes down. He then reported on the **Public Works Committee** meeting held last Friday. The Committee took a tour of the two bridges, which are looking great.

Jeff Vaughan reported that the **LEOFF I Disability Board** met on April 25. The Board reviewed and approved two claims.

Mayor Nehring explained that staff was requesting action on two items on the agenda tonight.

Motion made by Councilmember Seibert, seconded by Councilmember Wright, to suspend normal work session rules and allow action on the new Crown Pacific Site Cleanup item and item 6, Salvage Resolution, Resolution 2324. **Motion** passed unanimously (7-0).

Mayor Nehring noted that the Crown Pacific item would be added to the end of the agenda.

Presentations

Approval of Minutes (Written Comment Only Accepted from Audience.)

1. Approval of April 23, 2012, City Council Meeting Minutes.

Consent

2. Approval of April 18, 2012, Claims in the Amount of \$346,226.59; Paid by Check Number's 76608 through 76752.
3. Approval of April 25, 2012, Claims in the Amount of \$401,104.84; Paid by Check Number's 76753 through 76890.
4. Approval of April 20, 2012, Payroll in the Amount of \$798,761.03; Paid by Check Number's 25347 through 25386.
5. Approval of May 2, 2012, Claims in the Amount of \$1,172,308.19; Paid by Check Number's 76891 through 77017 with Check Number 76884 Voided.

Review Bids

Public Hearings

Action Item

6. A Resolution of the City of Marysville, Washington, Authorizing the Donation and Sale to the General Public of Salvageable Materials Available at 5031 84th Street NE, 5104 86th Place NE, 5103 86th Place NE, and 5100 88th Street NE, Marysville, Washington.

CAO Hirashima explained that these four properties are part of the 51st Avenue Extension property acquisitions. There are pretty limited materials and plants available at these four homes, but rather than demolishing them the City is choosing to make them available for donation or sale.

Councilmember Muller asked how this would be facilitated. CAO Hirashima explained that the City will probably do a notice and then a short on-site sale.

Councilmember Toyer asked where the money would go. CAO Hirashima explained that it would go into the project account which will be used for the road.

Motion made by Councilmember Wright, seconded by Councilmember Toyer, to approve Resolution 2324. **Motion** passed unanimously (7-0).

New Business

7. Interlocal Agreement between the City of Granite Falls and the City of Marysville for Outdoor Video Services.

Director Ballew explained that this is the third year for this Agreement which has updated dates.

8. Acceptance of the Marysville Municipal Court House Emergency Roof Repair Project, Starting the 45-Day Lien Filing Period for Project Closeout.

John Cowling stated that the roof repairs are complete. Staff is pleased that this was covered by insurance.

9. The City of Marysville Acknowledges the City Applied for \$10,218 in Federal Jag/Byrne Grant Funding to Purchase a Walk In Freezer.

Chief Smith stated that this is a grant that the Police department gets every year. Typically the money is used for things needed internally. This year it will be used for a new freezer. This is a \$10,000 grant and will require the Police department to absorb about \$1500 from their budget.

10. 2012 Strawberry Festival Permit Proposal as Required by the Master Permit Agreement Currently with the City of Marysville. Approval Includes the Marysville Kiwanis Club Beer and Wine Garden and Pancake Breakfast Event as a Strawberry Festival Sponsored Event Subject to Receipt of Specific Liability Insurance Coverage as Required by the City.

Director Ballew noted that MaryFest will be adding a beer and wine garden this year. He informed Council that representatives from MaryFest were in the audience to answer any questions. Other than the beer and wine garden, the festival is very similar to last year's. He applauded the members of MaryFest for their organization and preparation.

11. Special Event Permit Application for Marysville Downtown Merchants Association to Conduct a Special Event on July 14, 2012, Including the Street Closure of 3rd Street between State Avenue and Alder Avenue, as Requested by the Applicant.

CAO Hirashima explained that there will be a free car show on Saturday July 14. It is sponsored by the Downtown Merchants Association and headed up by Trusty Threads. The event will involve a street closure on 3rd Street.

12. Special Event Permit Application for Marysville Downtown Merchants Association to Conduct a Special Event on August 10th, August 11th, and August 12th, 2012, Including the Street Closure of 3rd Street between State Avenue and Alder Avenue, as well as the Alley between 3rd Street and 4th Street, as Requested by the Applicant.

CAO Hirashima explained that this will be held from August 10 to August 12 and will involve a street closure on 3rd Street as well as the alley between 3rd and 4th Street.

13. Approve the Recommended Refund Policy and Related Administrative Fee Changes as Approved by the Parks and Recreation Advisory Board Effective June 1, 2012.

Director Ballew explained the changes that staff is proposing to the refund policy.

14. A Resolution of the City of Marysville Opposing the Impact of Increased Rail Traffic in Marysville Resulting from the Proposed Rail Terminal Project in Whatcom County and Requesting the Principal Agencies Reviewing the Environmental Impact Statement (EIS) for Said Project; Including Whatcom County, Washington Department of Ecology, and the United States Corps of Engineers, Include Impacts Along the Train Route for Freight Moving to the Proposed Terminal in the Scoping Document for the EIS.

There were no comments or questions on this item.

15. An Ordinance of the City of Marysville, Washington, Adopting the 2012 - 2016 Community Development Block Grant Consolidated Plan Pursuant to 24 Code of Federal Regulation (CFR) Part 91.

Senior Planner Chris Holland gave a PowerPoint presentation regarding the Community Development Block Grant Consolidated Plan (CDBG). He gave an overview of CDBG program objectives and performance categories. The City is required to put together a consolidated plan which meets the HUD requirements in order to administer the program. Priority areas include affordable housing, helping the homeless, non-homeless special needs, and community development (public facilities, infrastructure, public services, and economic development). The funding is approximately \$217,000. The City is required to do a minimum of 65% for facilities and infrastructure, a maximum of 15% for public services, and a maximum of 20% for administration. The projects must benefit

areas that are primarily residential where at least 51% of the residents are low and moderate-income. Senior Planner Holland reviewed the 2012 HUD income limits, the CDBG eligible activities, and the 2012 Action Plan projects and activities. He reviewed the ConPlan Adoption Schedule and Subrecipient Application Schedule. Staff is proposing creation of a new 9-member citizen advisory committee (CAC) to act as an advisory board to staff, the Mayor and City Council related to CDBG plans and funding. On April 10, 2012 the Planning Commission held a public hearing and recommended the City Council approve the 2012-2016 CDBG Consolidated Plan and the 2012 Annual Action Plan.

Councilmember Wright asked about a requirement to comply with the fair housing component. She recalled from when she served on the Community Housing Resource Information Board, the funding for the two annual forums was provided by CBDB. Senior Planner Holland explained that the City is required within a year to have a fair housing analysis done for the City. Staff will continue to research this.

Councilmember Muller noted that this seems to be labor intensive. He wondered about the administration costs. Senior Planner Holland explained that 20% is allowed for administration. This year was the most labor intensive; the temp worker, Erin Jergenson, was a big help with getting started on this. Staff will be working on a database to help with some of the monitoring.

Councilmember Wright noted that some of the people serving on the committees are the same ones requesting the funds. Senior Planner Holland noted that staff would have to keep an eye on this to guard against any conflicts of interest.

Councilmember Seibert asked if the money from this comes strictly from the federal government. Senior Planner Holland replied that it does. Councilmember Seibert recalled from his time on the CDBG board that part of the money from CDBG came from title changes in the County. He wondered if the City would have access to some of that funding. Senior Planner Holland said he would look into that. He added that staff also wants to look into doing a revolving loan program for housing rehabilitation.

Councilmember Toyer asked what the legal fees would be used for. Senior Planner Holland explained that it could be used to review legal documents for low income people as well as helping victims of domestic abuse.

16. An Ordinance of the City of Marysville, Washington, Establishing a Citizen Advisory Committee for Housing and Community Development; and Adding a New Chapter 2.92 to the Marysville Municipal Code.

Legal

17. Second Amendment to 2003 Agreement between City of Marysville and Public Utility District No. 1 of Snohomish County for Water Supply.

City Attorney Grant Weed gave a brief history of this Agreement.

Councilmember Toyer asked where the \$4.6 million would come from. CAO Hirashima explained that it would come from the Utilities Fund. The number was determined by a consultant who evaluated the value of the system the City is purchasing. She thanked Kevin Nielsen and Grant Weed's office for their work on this.

Added Item

Contract Award - Crown Pacific Site Cleanup

John Cowling explained that the contractor, Skycorp, Ltd, wanted to complete this in three days which is why staff is bringing it forward tonight. He explained that in the process of excavating the site the contractor discovered an underground storage tank containing contaminants with the potential for another tank as well. The \$30,000 would also cover removal of the second tank if there ends up being a second one.

Councilmember Muller asked if Crown Pacific had offered any information about these tanks. City Attorney Weed explained that the City had negotiated a lower price with Crown Pacific with the understanding that the property was "as is". CAO Hirashima added that the City got a \$200,000 Brownfields Grant which will cover the majority of the cleanup and the studies that had to be done. The City's portion of this will be a maximum of \$50,000 and potentially less if a second tank is not encountered.

Councilmember Toyer asked what the City will do if \$30,000 is not enough. Mr. Cowling explained that the City would have to decide that when there is more information.

Motion made by Councilmember Muller, seconded by Councilmember Seibert, to authorize the Mayor to execute the addendum to the Professional Services Agreement with Skycorp, Ltd. in an amount not to exceed an additional \$30,000 in management reserve. **Motion** passed unanimously (7-0).

Mayor's Business

18. Salary Commission Reappointments: Toni Mathews and Robert Weiss.

Mayor Nehring:

- Congratulations to Judge Gillings for being awarded the Snohomish County Bar Association's *2012 Snohomish County Judge of the Year Award*.
- The Arts Commission had an open house on April 26 with a lot of local folks showing their art. This was a very successful event.
- Parr Lumber had a grand opening at their new facility. He welcomed them to the City.
- The food bank had a volunteer banquet and reported a record year with volunteers, people served, and donations. It is great to see how the community has stepped up to help.

- Snohomish County Tomorrow approved a resolution for the Governor asking her to continue funding for the Snohomish County Public Works Assistance Fund. A portion of that would include some seed money to provide low interest loans for cities. SCT appointed new committee advisory board members and reviewed and passed 2012 Strategic Goals.
- Thanks to everyone for the Volunteer Appreciation Banquet.
- Cinco de Mayo was a great event over the weekend.
- Fishing Derby was another good event.
- He thanked Councilmember Wright for doing a ribbon cutting at Simply Caketastic this weekend. He and several councilmembers also attended the Xfinity ribbon cutting which was a great event.

Staff Business

Sandy Langdon:

- The auditors are on-site now and for the next few weeks.
- There are some letters in Council's packet from customers addressing utilities. She explained that those customers have been contacted.

Chief Smith:

- His department has been busy with legal issues. He thanked Grant Weed for his foresight and Cheryl Beyer for her assistance.
- The Burglary Strike Team has been working to pull information together regarding crime analysis. The County and Arlington are looking into possibly partnering with Marysville on this issue.
- He will be on vacation next week.

Jim Ballew:

- Parks staff did a valiant effort to get the pond ready for the fishing derby. Because of their efforts a lot of people got to catch fish. He thanked the Kiwanis Club and Everett Salmon and Steelhead for providing 3700 fish for the event.
- Healthy Community Challenge Day will be held on June 2 at Allen Creek Elementary School. There will be many vendors and great entertainment.
- At the Historical Society Dinner tonight, a representative of the Rasmussen family, who the bridge is named after, discussed doing a memorial identifying their father as the individual who worked in the house and was a bridge tender for 20 years. Staff is talking with WSDOT about the idea. The contractor has agreed to donate approximately \$6,000 worth of labor and materials to sawcut some of the concrete work. Fundraising will start to develop the memorial.

John Cowling:

- 51st Avenue went out to bid last week.
- PUD, Frontier and water crews have been working on 88th.
- SR-9/92 is progressing well. Construction will start in June with one closure the weekend of June 30 and another potential one at the end of August.

- Girders will be going up on 156th tentatively on the week of May 21. WSDOT will be doing a rolling slowdown on I-5, and they are working through the technicalities.

Grant Weed stated the need for an Executive Session to address three items – two pending litigation items and one code enforcement action. This was expected to last 15 minutes with a possible extension. No action was required.

Gloria Hirashima had no further comments.

Call on Councilmembers

Rob Toyer had no comments.

Steven Muller remarked that the fishing derby was awesome. The kids had a great time.

Donna Wright:

- She thanked Councilmember Rasmussen and Councilmember Stevens for being at the new Caketastic grand opening.
- She requested an excused absence next Monday as she will be in Washington, DC.

Jeff Seibert expressed thanks to the Historical Society for the dinner they provided. He is very happy to see the new projects coming forward.

Michael Stevens enjoyed welcoming the new businesses into town this week.

Carmen Rasmussen:

- She attended the WRPA Conference where Tara Mizell was installed as the new president. It was a very nice event and great to see Tara in that position.
- She was amazed that there was a fishing derby this year due to the weather. The Parks staff did a phenomenal job getting it ready and making it possible.
- Cinco de Mayo was a fun event and well-attended. She thanked Sgt. Larry Buell and Officers Paul McShane and Adam Vermeulen and Detective Jeremy King who attended the event and interacted with the children at the Cinco de Mayo event. She appreciated seeing the police building relationships with the community.
- She thanked Chris Holland for all the work on the CDBG.

Jeff Vaughan had no comments.

The Council recessed at 8:15 p.m. for five minutes until 8:20 p.m. at which time they reconvened into Executive Session to discuss three items - two pending litigation items and one code enforcement action. This was expected to last 15 minutes with a possible extension. No action was required.

Executive Session

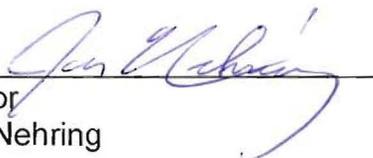
- A. Litigation – three items, RCW 42.30.110(1)(i)
- B. Personnel
- C. Real Estate

Motion made by Councilmember Rasmussen, seconded by Councilmember Wright to extend Executive Session to 8:40p.m. Motion passed unanimously (7-0).

Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 8:40 p.m.

Approved this 29th day of May, 2012.



Mayor
Jon Nehring



April O'Brien
Deputy City Clerk

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