

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
<b>Committee Reports</b>	
<b>Presentations</b>	
Employee Services Awards - 5 Years: <ul style="list-style-type: none"> <li>Margaret Vanderwalker – Conf. Administrative Asst. – Police</li> </ul> 10 Years: <ul style="list-style-type: none"> <li>James Strickland – Custody Sergeant – Police (not present)</li> <li>Sherry Buell – Accounting Technician – UB (not present)</li> </ul> 20 Years: Michael Freeman – WWTP Operator – WWTP (not present) 25 Years: <ul style="list-style-type: none"> <li>John Buell – Maintenance Worker – Operations</li> </ul>	Presented
Volunteer of the Month – February 2013 - Mike and Elaine Ferri	Presented
Swearing in of Police Commanders: Jeff Goldman and Wendy Wade	Performed
Final Council Selection	Completed
Council Oath of Office - Kamille Norton	Performed
<b>Approval of Minutes</b>	
Approval of the January 28, 2013, City Council Meeting Minutes.	Approved
Approval of the February 4, 2013, City Council Work Session Minutes.	Approved
<b>Consent Agenda</b>	
Approval of the February 6, 2013, Claims in the Amount of \$925,012.87; Paid by Check Number's 82407 through 82624 with Check Number 71158 Voided.	Approved
Approval of the February 13, 2013, Claims in the Amount of \$528,010.92; Paid by Check Number's 82625 through 82774 with no Check Numbers Voided.	Approved
<b>Review Bids</b>	
<b>Public Hearing</b>	
<b>New Business</b>	
Final Plat Mylar for the Subdivisions known as "Creekwalk Estates."	Approved
Lease Agreement with Michael Schwartz and Marissa Heller for the Residence Location of 5626 61 <sup>st</sup> Street NE, Marysville, WA.	Approved
Golf Channel Solutions Website Development and Marketing/Technology Agreement to Provide Website and Online Tee Time Reservation Services for Cedarcrest Golf Course Effective March 1, 2013.	Approved
An <b>Ordinance</b> of the City Of Marysville, Washington Prohibiting Smoking and Tobacco Use in Public Parks, Amending Chapter 6.82 of the Marysville Municipal Code, and Establishing an Effective Date.	Approved Ord. No. 2919
<b>Legal</b>	
<b>Mayor's Business</b>	
Reschedule the March 11 regular meeting to the third Monday (March 18).	Approved
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
Add the Citizen United item to either the March 4 or the March 18 agenda	Approved

depending on their availability.	
<b>Adjournment</b>	9:49
<b>Executive Session</b>	10:00
<b>Litigation - one item, RCW 42.30.110 (1)(i)</b>	
<b>Real Estate - one item, RCW42.30.110(1)(c)</b>	
<b>Adjournment</b>	10:40 p.m.

# COUNCIL



# MINUTES

## **Regular Meeting** *February 25, 2013*

### **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.

<b>Mayor:</b>	Jon Nehring
<b>Council:</b>	Steve Muller, Jeff Seibert, Michael Stevens, Rob Toyer, Jeff Vaughan, and Donna Wright
<b>Absent:</b>	None
<b>Also Present:</b>	Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Police Chief Rick Smith, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, and Recording Secretary Laurie Hugdahl.

### **Committee Reports**

Councilmember Seibert reported on the 2/20 Finance Committee meeting:

- There was a scheduling issue so the audit exit conference did not occur as planned; however, there was an update on the audit.
- The collection and lien process for utility billing was discussed. An ordinance will be coming forward to the Council regarding how to address this.
- Owner-owned billing for utilities was discussed. An ordinance will be coming to Council regarding this. Staff will be contacting landlords about this issue.
- Information services gave an update on Council tablets.

Councilmember Stevens reported on the 2/20 Marysville Fire District Board of Directors where the following items were discussed:

- The state audit has been completed. We are still waiting to hear when the exit conference will be scheduled.
- The Fire District is implementing new part-time scheduling in March in an effort to address how they anticipate part-time employees that will be affected by the Affordable Care Act.

Additionally, they are exploring partnerships with adjacent jurisdictions that are similarly affected.

- The new credit/debit service for ambulance billing is now functional. It is anticipated that this service will streamline the billing process and yield a higher rate of return.
- January's trends for 2013 indicate a 7% increase in volume for this year.
- Due to the Special Operations Division being restructured at the county level, Marysville Fire District is replacing the oversized hazmat rig with a surplus ambulance from Lynnwood.
- Rob Toyer will be attending fire ops training in May.

Councilmember Muller reported on the Economic Development Committee meeting today where they reviewed the recommendations put forth by Leland Consulting Group regarding the marina, 1st Street, and properties east and west of State Avenue in that general vicinity. The committee will continue reviewing these and will work towards coming up with a Comprehensive Plan. The goal of the committee is to have an actual project that can be completed in the near term.

## **Presentations**

### **A. Employee Services Awards**

5 Years:

- Margaret Vanderwalker – Conf. Administrative Asst. – Police

10 Years:

- James Strickland – Custody Sergeant – Police (not present)
- Sherry Buell – Accounting Technician – UB (not present)

20 Years: Michael Freeman – WWTP Operator – WWTP (not present)

25 Years:

- John Buell – Maintenance Worker – Operations

### **B. Volunteer of the Month – February 2013**

Mike and Elaine Ferri were recognized for their outstanding community service through their involvement with the Marysville food bank most notably during the holiday season, their leadership role in the Marysville Kiwanis club and their direct participation in many Parks and Recreation events and activities that contribute to the well-being of young people and families in the community.

Swearing in of Police Commanders:

Chief Smith acknowledged Former Mayor Dennis Kendall, Former CAO Mary Swenson, and Commander Ralph Krusey who were in attendance and commented on their influence on this process. He then recognized Jeff Goldman and Wendy Wade for their accomplishments and excellence in their duties and character. Mayor Nehring swore in Commanders Goldman and Wade to their new positions.

*Council recessed from 7:40 p.m. to 7:43 p.m.*

C. Final Council Selection

City Attorney Weed gave an overview of the process for filling the council vacancy. Each of the councilmembers asked each of the following candidates one interview question to which the candidate gave a response up to one minute. This was followed by follow-up questions a 30-second summary from each candidate.

- Marvetta Toler
- Kamille Norton
- Robert Weiss
- James White
- Gregory Cook
- Scott Allen
- Roger Hoen
- Cheryl Deckard
- Iris Lilly

Councilmember Toyer nominated Kamille Norton.

Councilmember Stevens nominated Scott Allen.

Councilmember Muller nominated Roger Hoen.

Councilmember Wright nominated Iris Lilly.

The Council submitted their votes which resulted in the following:

- Muller – Kamille Norton
- Toyer – Kamille Norton
- Seibert – Kamille Norton
- Vaughan – Kamille Norton
- Wright – Kamille Norton
- Stevens – Scott Allen

Mayor Nehring stated that it appeared that Kamille Norton had been selected as the winner.

**Motion** made by Councilmember Toyer, seconded by Councilmember Vaughan, to authorize the Council to appoint Kamille Norton as the next councilmember for position 7. Motion passed unanimously (6-0).

The Council thanked everyone who applied for the position and participated in the process.

#### D. Council Oath of Office

Mayor Nehring swore in Kamille Norton to the position of Councilmember.

### **Audience Participation**

Preston Dvoskin 11120 - 46th Avenue North, Marysville, WA, 98270, congratulated Councilmember Norton. He praised Mayor Nehring for his hard work for the City and suggested that he should run for governor when he is done with being Mayor of Marysville. He congratulated Chief Smith for his promotion of the new commanders.

### **Approval of Minutes**

1. Approval of the January 28, 2013, City Council Meeting Minutes.

**Motion** made by Councilmember Stevens, seconded by Councilmember Muller, to approve the January 28, 2013, City Council Meeting Minutes as presented. **Motion** passed unanimously (7-0).

2. Approval of the February 4, 2013, City Council Work Session Minutes.

**Motion** made by Councilmember Wright, seconded by Councilmember Toyer, to approve the February 4, 2013, City Council Work Session Minutes as presented. **Motion** passed unanimously (7-0).

### **Consent**

3. Approval of the February 6, 2013, Claims in the Amount of \$925,012.87; Paid by Check Number's 82407 through 82624 with Check Number 71158 Voided.
4. Approval of the February 13, 2013, Claims in the Amount of \$528,010.92; Paid by Check Number's 82625 through 82774 with no Check Numbers Voided.

**Motion** made by Councilmember Muller, seconded by Councilmember Stevens, to approve Consent Agenda items 3 and 4. **Motion** passed unanimously (7-0).

### **Review Bids**

### **Public Hearings**

### **New Business**

5. Final Plat Mylar for the Subdivisions known as "Creekwalk Estates."

CAO Hirashima explained that this had been approved in Snohomish County in 2006. It was annexed to the City of Marysville. Staff is recommending approval.

**Motion** made by Councilmember Toyer, seconded by Councilmember Muller, to authorize the Mayor to sign the Final Plat Mylar for the Subdivisions known as "Creekwalk Estates." **Motion** passed unanimously (7-0).

6. Lease Agreement with Michael Schwartz and Marissa Heller for the Residence Location of 5626 61<sup>st</sup> Street NE, Marysville, WA.

Director Ballew explained that this is a lease agreement for one of the park properties on Sunnyside Blvd. This is not a caretaker's agreement.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to approve the Lease Agreement with Michael Schwartz and Marissa Heller for the Residence Location of 5626 61<sup>st</sup> Street NE, Marysville, WA. **Motion** passed unanimously (7-0).

7. Golf Channel Solutions Website Development and Marketing/Technology Agreement to Provide Website and Online Tee Time Reservation Services for Cedarcrest Golf Course Effective March 1, 2013.

Director Ballew reviewed this agreement and explained the benefits to switching to this service provider.

**Motion** made by Councilmember Seibert, seconded by Councilmember Wright, to approve the Golf Channel Solutions Website Development and Marketing/Technology Agreement to Provide Website and Online Tee Time Reservation Services for Cedarcrest Golf Course Effective March 1, 2013. **Motion** passed unanimously (7-0).

8. An **Ordinance** of the City Of Marysville, Washington Prohibiting Smoking and Tobacco Use in Public Parks, Amending Chapter 6.82 of the Marysville Municipal Code, and Establishing an Effective Date.

Director Ballew applauded the Parks and Recreation Board for bringing forward this ordinance prohibiting smoking and tobacco use in public parks.

Councilmember Stevens asked if it can be assumed that this applies to all smoking material. Chief Smith stated that it is still illegal to smoke that in public.

Councilmember Toyer asked if currently it is legal to smoke cigarettes in the parks. Director Ballew affirmed that it is.

Councilmember Vaughan referred to the penalties and asked what would cause a civil infraction to be written versus a misdemeanor citation. City Attorney Weed stated that it would be up to the Council to decide what type of violation constitutes a civil infraction versus a criminal penalty. City Attorney Weed explained that the proposed ordinance would make a violation of this new section a civil infraction which would carry with it up to a \$500 fine. Part of the policy issue for Council is how serious is this for someone who might violate it. In the Code, section 6.82.173 has been added to be

included in the current list of civil violations. The list in subsection 1 under the penalty provisions are the types of things that are less serious in nature.

Councilmember Muller asked if this ban on smoking would apply to people sitting in their cars if they are on park property. Director Ballew explained that once someone enters a parking lot in the park boundaries, they are technically in the park. He further explained that it would be up to the police department to enforce this. Councilmember Muller said he sees an issue with boaters coming into the boat launch, which is technically a park. Director Ballew stated that the same provisions would apply. He added that the educational component of this will be essential.

**Motion** made by Councilmember Seibert, seconded by Councilmember Toyer, to adopt Ordinance No. 2919. **Motion** passed unanimously (7-0).

## Legal

### Mayor's Business

Mayor Nehring commented that several councilmembers will be attending the Washington League of Cities Convention on March 11 so there will not be a quorum at the March 11 meeting. There was discussion about rescheduling the meeting.

**Motion** made by Councilmember Muller, seconded by Councilmember Seibert, to hold the meeting on the third Monday (March 18). **Motion** passed unanimously (7-0).

Mayor Nehring had the following additional comments:

- Councilmembers Stevens, Toyer, and Wright along with him and Gloria Hirashima attended the AWC Legislative Conference. It was a great conference and SCC dinner. They also had very good individual meetings with legislators who are well aware of the city's projects. He explained that the committee chair almost by accident left Marysville out of their own Industrial Bill, but they were able to amend this at the last minute. That bill is out of the Economic Development and Tech Committee and on to the Finance Committee.
- House Bill 1232 (the RSO Bill) is out of Public Safety Committee and on to Appropriations. Senate Bill 5105 which is the senate companion bill is out of Human Services and Corrections and on to Ways and Means.
- Economic Alliance Snohomish County - This was a busy week with regards to the Transportation Package. There was a lot of concern on the part of Snohomish County elected officials that basically only the Snohomish River Bridge, a \$109 million project, was included in the potential first run at a package that might go out to the voters in 2014. Economic Alliance Snohomish County has been very diligent and many people have put a lot of time into prioritizing the projects of Snohomish County. Marysville has worked very hard to get its projects on the list as have Everett and Arlington. He and other mayors in the area feel this is an unacceptable proposal and they have voiced their concerns.
- He congratulated Playa Bonita and Miyako's Teriyaki and Wok for their Food Excellence Award that they received from the Health District.
- He thanked Jenny Anderson in the community for writing a very nice letter commending Sgt. Sparr for helping her change a tire and getting her out of the YMCA parking lot safe and sound.

- Thanks to everybody for their great work this evening. Thanks to the Council for the process they put together for selecting the new councilmember.

## **Staff Business**

Jim Ballew:

- Congratulations to Councilmember Kamille Norton.
- Council may be receiving letters of support for the park name event they are hosting. These should be forwarded to him or Tara Mizell.
- Any ideas, concerns, or issues about Strawberry Festival should be forwarded to him so they can be discussed at the upcoming meeting on March 18.

Chief Smith welcomed Councilmember Norton. He thanked everyone who applied. He confirmed that the Public Safety meeting would be held on Wednesday at 4:30.

Kevin Nielsen:

- There was consensus to hold off on the Public Works committee meeting until April since they just met last week.
- A rate study will be coming up. Staff will be going through a selection process for a consultant. He invited members of the Public Works committee to sit in on the interview to help with the selection process.
- Congratulations to Kamille Norton on her selection. Congratulations to the Council on the process.

Chief Corn welcomed Councilmember Norton.

Sandy Langdon:

- Welcome to Councilmember Norton. She also expressed thanks to all the candidates.
- The exit conference for the audit didn't happen, but will be re-scheduled.

Grant Weed:

- He applauded everyone who applied for the vacant council position. Congratulations to Kamille Norton.
- He stated the need for an Executive Session to discuss two items – one concerning the disposition of real property interest and one concerning pending litigation. It was expected that the Executive Session would last 20 minutes with no action proposed.

CAO Hirashima:

- She welcomed Councilmember Norton and thanked all candidates and the Council for a great process.
- She will be forwarding the waterfront report final presentation and the letter of recommendation from the consultant to the Council.
- Congratulations to Chief Smith on the development and promotion of his two commanders.
- Planning for Clean Sweep is underway.

## **Call on Councilmembers**

Kamille Norton thanked the Council for their vote of confidence. She is excited to get to work and get started on the process. She acknowledged the other candidates for their participation and efforts. It was determined that Councilmember Norton would take over all of Councilmember Rasmussen's committee assignments except for the Fire Board.

Steve Muller:

- Congratulations to the police force for their great work and Chief Smith for his leadership.
- He thanked all the candidates. He was very impressed with many of the candidates; it was a difficult decision.
- He agreed with Preston Dwoskin that we have a great mayor.

Rob Toyer thanked all the candidates for their participation. He also congratulated the Police department for their promotions and Jim Ballew for the new Ordinance.

Michael Stevens:

- He welcomed Councilmember Norton.
- He enjoyed watching the police promotions and especially enjoyed hearing about those who had grown up here.
- He commented on the crime mapping application, which is very interesting.
- Good job to everyone who participated in the bills down in Olympia. He encouraged people to continue to exercise their voices.
- He encouraged all of the applicants tonight to continue to volunteer and be active in Marysville. He thanked them for their time tonight.

Jeff Seibert:

- Welcome to Councilmember Norton. He thanked all the candidates who applied for the position. It was a very good group of candidates.
- Thanks to the person from Public Works who came out and cleaned the graffiti off the sign in front of his house.
- He agreed that the two best people were selected for the police promotions. He congratulated them.

**Motion** made by Councilmember Seibert, seconded by Councilmember Muller, to add the Citizen United item to either the March 4 or the March 18 agenda depending on their availability. **Motion** passed unanimously (7-0).

Donna Wright:

- Welcome to Councilmember Norton and thanks to all the applicants.
- Excellence Awards from the Health District were given by the inspectors for cleanliness and proper handling of food. Marysville-Getchell High School also received an award.
- She recalled that she was around when both of the new commanders started with the department.
- She invited everyone to a community awareness event on March 5 sponsored by Soroptomist International and the PTA Council on human trafficking and sex trafficking because these are

serious issues both locally and worldwide. The program will be held at Marysville Pilchuck High School auditorium.

Jeff Vaughan:

- He will be interested in feedback that Councilmembers have on the councilmember selection process they just went through.
- Regarding the promotions, he recalled going through the citizens academy when Wendy Wade was leading it, and he is glad it will be coming back.
- He thanked all the candidates for coming out tonight and being part of the process.
- Welcome to Councilmember Norton.

Council recessed at 10:00 p.m. for five minutes after which time they reconvened into Executive Session for 20 minutes to discuss two items – one concerning the disposition of real property interest and one concerning pending litigation with no action expected.

### Executive Session

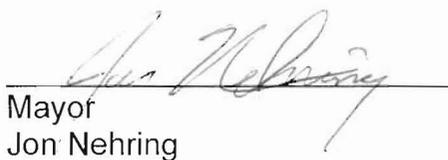
- A. Litigation - one item, RCW 42.30.110(1)(i)
- B. Personnel
- C. Real Estate - one item, RCW 42.30.110(1)(i)

**Motion** made by Councilmember Muller, seconded by Councilmember Wright to extend Executive Session to 10:40 p.m. **Motion** passed unanimously (7-0).

### Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 10:40 p.m.

Approved this 25<sup>th</sup> day of March, 2013.

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

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

