

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Presentations	
Strawberry Festival Contestants	Presented
Proclamation - Career and Technical Education Month	Presented
Approval of Minutes	
Approval of January 24, 2011 City Council Meeting Minutes	Approved
Consent Agenda	
Approval of January 20, 2011 Payroll in the Amount of \$786,480.46; Paid by Check Number's 23885 through 23923.	Approved
Approval of January 19, 2011 Claims in the Amount of \$246,194.21; Paid by Check Number's 67811 through 67904 with Check Number 66700 Voided.	Approved
Approval of January 26, 2011 Claims in the Amount of \$602,329.21; Paid by Check Number's 67905 through 67984.	Approved
Approval of the February 2, 2011 Claims in the Amount of \$1,117,235.90; Paid by Check Number's 67985 through 68222 with Check Number's 67044 and 67840 Voided.	Approved
Authorize the Mayor to Sign the Interlocal Agreement between the Cities Arlington, Lake Stevens, Marysville and Snohomish, for the North Snohomish County Regional Special Weapons and Tactics (SWAT)/Crisis Negotiating (CNT) Team.	Approved
Acceptance of the Sunnyside Well 2 Equipping Project, Starting the 45-Day Lien Filing Period for Project Closeout.	Approved
Acceptance of the Cedarcrest Golf Course Bunker Repairs Project, Starting the 45-Day Lien Filing Period for Project Closeout.	Approved
Acceptance of the 2010 Sewer Renewals and Replacement Project, Starting the 45-Day Lien Filing Period for Project Closeout.	Approved
Acceptance of the 2010 Water Valve Renewal and Replacement Project, Starting the 45-Day Lien Filing Period for Project Closeout.	Approved
Authorize the Mayor to Sign the Snohomish County Human Services Grant Agreement to Provide \$11,000 in Reimbursed Funds for the Salary and Benefit of the Program Clerk Position at the Ken Baxter Community Center through 2011.	Approved
Authorize the Mayor to Sign the Intergovernmental Cooperative Purchasing Agreement with the Cooperative Purchasing Network (TCPN).	Approved
Authorize the Mayor to Sign the Fourth Amendment to Interlocal Agreement for Municipal Court Services between the City of Marysville and the City of Arlington Increasing Filing Fees to \$110.00 for Criminal Citations.	Approved
Approval of the February 4, 2011 Payroll in the Amount of \$1,440,513.77; Paid by Check Number's 23924 through 23969.	Approved
Approval of the February 9, 2011 Claims in \$370,327.36; Paid by Check Number's 68223 through 68344 with Check Number's 68075 Voided.	Approved
New Business	

<p>An Ordinance of the City of Marysville Relating to the Regulation and Licensing of Taxis and for Hire Vehicles Businesses and Driver Permits; Amending Sections 5.24.010, 5.24.020, 5.24.30, 5.24.050, 5.24.060, 5.24.070, 5.24.090, 5.24.100, 5.24.140, 5.24.150, 5.24.210, and 5.24.240 of Chapter 5.24 of the Marysville Municipal Code.</p>	<p>Approved Ord. No. 2851</p>
<p>An Ordinance of the City of Marysville, Washington, Amending the City's Development Regulations Adopting Title 22 Unified Development Code (UDC), and Repealing Chapter 2.70 MMC Hearing Examiner, MMC Title 15 Development Code Administration, Chapter 16.32 MMC Floodplain Management, MMC Title 18 Planning, MMC Title 18A Parks, Recreation, Open Space and Trail Impact Fees and Mitigation, MMC Title 18B Traffic Impact Fees and Mitigation, MMC Title 18C School Impact Fees and Mitigation, MMC Title 19 Zoning, and MMC Title 20 Subdivisions.</p>	<p>Approved Ord. No. 2852</p>
<p>A Resolution of the City of Marysville Confirming its Commitment to Working with Regional Agencies to Address Odor Air Quality Complaints across Boundaries.</p>	<p>Approved Res. No. 2299</p>
<p>Mayor's Business</p>	
<p>Staff Business</p>	
<p>Call on Councilmembers</p>	
<p>Recess</p>	<p>8:42</p>
<p>Executive Session</p>	<p>9:00</p>
<p>Litigation – 1 item</p>	
<p>Personnel – 1 item</p>	
<p>Real Estate – 2 items</p>	
<p>Adjournment</p>	<p>9:12</p>

COUNCIL



MINUTES

Regular Meeting February 14, 2011

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 Kathy Berkley of Judah Praise Center.

Roll Call

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

Mayor: Jon Nehring

Council: Lee Phillips, Carmen Rasmussen, Jeff Seibert, John Soriano, Michael Stevens, Jeff Vaughan, and Donna Wright

Absent: None

Also Present: Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Commander Robb Lamoureux, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Senior Planner Chris Holland, Parks and Recreation Director Jim Ballew, Chief Information Officer Doug Buell, Recording Secretary Laurie Hugdahl.

Committee Reports

None.

Presentations

A. Strawberry Festival Contestants

Jodi Hiatt, 2011 - 2012 April Friesner Memorial Royalty Scholarship Pageant Director, welcomed the following pageant contestants who introduced themselves and discussed their qualifications: Megan Carlson, Rosa Chevez, Alyssa Crombag, Erik Kundu, Tabitha Price, Lauren Stallcup, Farrah Wolgamott, Ashlynn Woodward, Louie Vital, and Esther Yun.

B. Proclamation - Career and Technical Education Month

Mayor Nehring read the Proclamation designating February 2011 as Career and Technical Education Month in the City of Marysville.

Audience Participation

Dave Clark, 8417 68th Place NE, Rock Creek Northwest, expressed concern about the Wal-Mart that is being built near his home. He had concerns about the potential for increased crime, a reduction in home values, and wastewater runoff to the stream that has salmon. This is residential neighborhood and he doesn't feel that Wal-Mart belongs there.

Mayor Nehring suggested increased communication with Wal-Mart about public concerns. Gloria Hirashima concurred, but pointed out that Wal-Mart has already received land use approval and has the correct zoning. Public Works Director Kevin Nielsen added that there was a SEPA appeal on this project so the engineering was scrutinized at that time. They meet the current standards for the Department of Ecology at this time.

Diane Demorutis, 6810 85th Avenue NW, also a resident of Rock Creek, expressed concern about the proposed road which she understands will come off 64th and go through a residential area. Ms. Demorutis also expressed concern about a potential decrease in home value as a result of Wal-Mart

CAO Hirashima responded that during the SEPA appeal process they looked very closely at the traffic patterns and access issues. This particular Wal-Mart was subject to quite a bit of access review. The State Department of Transportation would not approve access right off of SR9 so a 87th Avenue is the road that Wal-Mart is building into their site that will provide them their primary access. In addition they have a right turn in/out only off of SR 528/64th Street. She explained that this was a requirement of the traffic review because the state would not allow primary access of 528 so their main access needed to come off 87th Avenue. They were required to do a number of improvements as a result of the traffic study including improvements on SR9 itself, improvements at 87th Avenue including a signal, and a signal at 83rd and SR 528.

PW Director Nielsen added that the Highway 9 improvement was a double-left coming onto SR 528. 87th will eventually connect, but it is not the higher arterial. 83rd will take most of the traffic and a signal is going in there. He stated that as part of the traffic review they looked at all the levels of service. CAO Hirashima commented that when they did the traffic study they incorporated complete build out for a high school and the subdivisions in that area.

Stan Taylor, 8501 Grove Street, Marysville, Rock Creek, stated that his concern was the noise related to the tire center which is directly across from housing. Also, he understood that the road was going through and past Rock Creek toward the high school.

CAO Hirashima stated that 87th Avenue will ultimately extend to the north. Mr. Taylor expressed concern about housing in that area. CAO Hirashima explained that the road will only be extended as development occurs. Mr. Taylor expressed concern about the extra traffic in the neighborhoods from people trying to take a shortcut to Wal-Mart. Public Works Director Nielsen said the roads were looked as a way to provide access to the arterial from residential areas to service stores. They were not designed for people to cut through although there will probably be some of that. If it becomes an issue there are measures they can take to do traffic calming.

Regarding the noise concern, CAO Hirashima stated that there is a noise study on file regarding Wal-Mart's entire business including the tire shop. Mr. Taylor recommended changing the location of the

tire shop to the highway side and away from the residential area. CAO Hirashima stated that they would continue to monitor the situation and require modifications if necessary. Wal-Mart has assured them that they will operate within the allowable noise limits.

Other:

Mayor Nehring stated that there is a Resolution that they need to add to the agenda: *Resolution No. 2299, A Resolution of the City of Marysville Confirming its Commitment to Working with Regional Agencies to Address Odor Air Quality Complaints across Boundaries.*

Motion made by Councilmember Seibert, seconded by Councilmember Wright, to add Resolution 2299 to the agenda following the two ordinances under New Business. **Motion** passed unanimously (7-0).

Approval of Minutes

1. Approval of January 24, 2011 City Council Meeting Minutes.

Motion made by Councilmember Soriano, seconded by Councilmember Wright, to approve the January 24, 2011 City Council Meeting Minutes as presented. **Motion** passed unanimously (7-0).

Consent

2. Approval of January 20, 2011 Payroll in the Amount of \$786,480.46; Paid by Check Number's 23885 through 23923.
3. Approval of January 19, 2011 Claims in the Amount of \$246,194.21; Paid by Check Number's 67811 through 67904 with Check Number 66700 Voided.
4. Approval of January 26, 2011 Claims in the Amount of \$602,329.21; Paid by Check Number's 67905 through 67984.
5. Approval of the February 2, 2011 Claims in the Amount of \$1,117,235.90; Paid by Check Number's 67985 through 68222 with Check Number's 67044 and 67840 Voided.
6. Authorize the Mayor to Sign the Interlocal Agreement between the Cities Arlington, Lake Stevens, Marysville and Snohomish, for the North Snohomish County Regional Special Weapons and Tactics (SWAT)/Crisis Negotiating (CNT) Team.
7. Acceptance of the Sunnyside Well 2 Equipping Project, Starting the 45-Day Lien Filing Period for Project Closeout.
8. Acceptance of the Cedarcrest Golf Course Bunker Repairs Project, Starting the 45-Day Lien Filing Period for Project Closeout.
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10. Acceptance of the 2010 Water Valve Renewal and Replacement Project, Starting the 45-Day Lien Filing Period for Project Closeout.
11. Authorize the Mayor to Sign the Snohomish County Human Services Grant Agreement to Provide \$11,000 in Reimbursed Funds for the Salary and Benefit of the Program Clerk Position at the Ken Baxter Community Center through 2011.
12. Authorize the Mayor to Sign the Intergovernmental Cooperative Purchasing Agreement with the Cooperative Purchasing Network (TCPN).
13. Authorize the Mayor to Sign the Fourth Amendment to Interlocal Agreement for Municipal Court Services between the City of Marysville and the City of Arlington Increasing Filing Fees to \$110.00 for Criminal Citations.
16. Approval of the February 4, 2011 Payroll in the Amount of \$1,440,513.77; Paid by Check Number's 23924 through 23969.
17. Approval of the February 9, 2011 Claims in \$370,327.36; Paid by Check Number's 68223 through 68344 with Check Number's 68075 Voided.

Motion made by Councilmember Wright, seconded by Councilmember Soriano, to approve the entire consent agenda as listed. **Motion** passed unanimously (7-0).

Review Bids

None.

Public Hearings

None.

New Business

14. An Ordinance of the City of Marysville Relating to the Regulation and Licensing of Taxis and for Hire Vehicles Businesses and Driver Permits; Amending Sections 5.24.010, 5.24.020, 5.24.30, 5.24.050, 5.24.060, 5.24.070, 5.24.090, 5.24.100, 5.24.140, 5.24.150, 5.24.210, and 5.24.240 of Chapter 5.24 of the Marysville Municipal Code.

Motion made by Councilmember Rasmussen, seconded by Councilmember Stevens, to adopt Ordinance 2851. **Motion** passed unanimously (7-0).

15. An Ordinance of the City of Marysville, Washington, Amending the City's Development Regulations Adopting Title 22 Unified Development Code (UDC), and Repealing Chapter 2.70 MMC Hearing Examiner, MMC Title 15 Development Code Administration, Chapter 16.32 MMC Floodplain Management, MMC Title 18 Planning, MMC Title 18A Parks, Recreation, Open Space and Trail Impact Fees and Mitigation, MMC Title 18B Traffic Impact Fees and

Mitigation, MMC Title 18C School Impact Fees and Mitigation, MMC Title 19 Zoning, and MMC Title 20 Subdivisions.

Senior Planner Holland gave an overview of the proposed changes.

Councilmember Seibert commented that this seems to be a lot better. He expressed some frustration about the ease of locating the Landscaping section. He then noted that the Design Standards is not yet completed. Senior Planner Holland explained that several sections including Streets, Fire, and Building will be incorporated gradually as those codes get updated. Councilmember Seibert said he liked the way the roles and responsibilities of the Council were defined in this process.

Motion made by Councilmember Vaughan, seconded by Councilmember Rasmussen, to adopt Ordinance 2852. **Motion** passed unanimously (7-0).

A Resolution of the City of Marysville Confirming its Commitment to Working with Regional Agencies to Address Odor Air Quality Complaints across Boundaries.

City Attorney Grant Weed discussed this item as it relates to the Cedar Grove composting facility issue.

Motion made by Councilmember Seibert, seconded by Councilmember Vaughan, to adopt Resolution No.2299. **Motion** passed unanimously (7-0).

Legal

None.

Mayor's Business

- He attended the SERS Board meeting last Friday. They addressed some budget amendments and also received an initial presentation from Motorola on extending the life of the current system to 2020. The Future Funding Committee intends to work diligently with Motorola.
- He and Gloria met with the Downtown Merchants last Tuesday night at their monthly meeting. He appreciated their insights and comments related to the downtown area.
- He commented on the extremely generous gift of \$1.26 million from the Tulalip Tribes to the Marysville School District. This shows their commitment to the community.
- They will be attending the AWC meeting this Wednesday and Thursday. Contact him or Gloria about carpooling.
- He thanked Jim Ballew for his and the park staff's excellent work on the Father-Daughter dances.
- He read a letter from Carmen Brown regarding excellent customer service she received from utility billing, especially Terry Hawley.

Staff Business

Jim Ballew had no comments.

Rick Smith had no comments.

Kevin Nielsen:

- The phone booth and leaning pole on 4th street are gone.
- The controller cabinet at Cedar and 4th Street went out on Friday. It is still not quite right, although it is operating now.
- Paving on 31st is supposed to start this week depending on the weather.
- Senate Bill 5248 and House Bill 1407 are expected to be approved this week. Mayor Nehring thanked him for testifying on those bills on the City's behalf.

Chris Holland had no comments.

Doug Buell gave a website redesign update. Councilmember Vaughan had the following comments:

- He asked how this renders on mobile phones. Mr. Buell was not certain. Mr. Vaughan suggested looking into this to make it work for mobile phones.
- He suggested incorporating content into the pictures so people can click through to content.
- This looks nice, but he wondered about the use of space like the large picture at the top of the page.
- He liked seeing the social media links. He also likes the click-through to the e-pay services and the emergency alert being on most pages.
- Overall, he feels this is a significant improvement from what we have now.
- He recommended putting the contact info in larger font and near the top so people don't have to scroll down to find it. Mr. Buell stated that their goal is to have no scrolling and just two or three clicks to find what you need.

Councilmember Seibert asked about contacts for Waste Management or other links that people might need. Mr. Buell said it will be in a section called *About Marysville*. Councilmember Seibert asked where the link for remote access for email will be. Mr. Buell said he would check with Worth Norton and get back to Council on that.

Sandy Langdon reminded everyone of the Finance Committee meeting this Wednesday.

Grant Weed stated that they had four items for executive session – two matters concerning real estate, one personnel item and one pending litigation. They expected that this would take 30 minutes with no action requested.

Gloria Hirashima:

- She thanked Chris Holland for all his work on the Unified Development Code. This was a big project and they are all glad to have it done.
- CLAC (City Legislative Action Conference) is this week. Marysville has a full agenda for legislator meetings. Staff has prepared a brochure that has the Marysville key facts, legislative boundary map and a list of Marysville priorities.

Call on Councilmembers

Carmen Rasmussen:

- She echoed appreciation regarding the generous gift from the Tulalip Tribe to the school district.
- She received a citizen complaint regarding the bike lane on Ingraham Blvd. which has significant debris in it which makes it unrideable.
- Next week the Council will be meeting on Tuesday because of Presidents' Day. She will be unable to attend due to work and would appreciate an excused absence.

Lee Phillips:

- He also will not be able to make the meeting next Tuesday due to work.
- Thanks to police officers, especially Officer Hardy, who helped his friend with a broken down car.
- Last Friday he appreciated the response from police officers who responded to an incident in his neighborhood.

John Soriano echoed appreciation to the Tribes for the donation also. He said that he met Carmen Brown at Business after Hours last week and she was very complimentary about the staff.

Michael Stevens had no comments.

Jeff Vaughan had no comments.

Donna Wright:

- She thanked the staff and the Planning Commission for all the work on the Unified Development Code.
- She thanked Finance Director Langdon for replying to a citizen concern.

Jeff Seibert:

- He asked for a copy of the proposed street layout for Wal-Mart so Council could be informed of the situation.
- He appreciated that a police officer was directing traffic when the controller was down at 4th and Cedar. He expressed concern about the low visibility of the officer and wondered if there was anything else that could be done. Director Nielsen said they could take it to the Traffic Safety Committee.
- He reported that on 529 Southbound the I-5 bridge has significant erosion at the footing.
- Demonstration developments/rural clusters have been in the paper a lot lately. He would like to see the City comment on this issue.
- He expressed appreciation to the Tribes for their gift to the school district.
- Thanks to Chris Holland and the Planning Commission for their hard work.
- Thanks to Mayor Nehring for his response to citizen issues.

The Council recessed at 9:00 p.m. for 5 minutes after which time they reconvened in Executive Session as authorized by RCW 42.30.110 (1)(c), RCW 42.30.110 (1)(i), and RCW 42.30.140. It was announced that Executive Session would last 30 minutes with no action expected.

Executive Session

- A. Litigation – 1 item
- B. Personnel – 1 item
- C. Real Estate – 2 items

Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 9:12 p.m.

Approved this 28th day of FEBRUARY, 2011.

Mayor
Jon Nehring

April O'Brien
Deputy City Clerk