

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
<b>Presentations</b>	
Marysville-Pilchuck High School Band	Performed
Employee Services Awards: <ul style="list-style-type: none"> <li>January Service Awards: 10 Years - Jon Nehring , Mayor, Exec; Jeff Seibert, Councilmember, Council; 20 Years - Donna Wright, Councilmember</li> <li>February Service Awards: 5 years - Joshua Guenzler, Maintenance Worker II, PW; Suzy Elsner, Court Administrator, Courts; Jane Shafer, Program Clerk, Parks; John Tatum, Traffic Engineer, Engineering; 10 Years - Paul Federspiel, Project Engineer, PW; 15 Years - Kim Daggett, Leader Worker II, PW; 25 Years - Duane Morgison, Maintenance Worker II, PW</li> </ul>	Recognized
<b>Approval of Minutes</b>	
Approval of the February 6, 2012, City Council Work Session Minutes.	Approved
<b>Consent Agenda</b>	
Approval of the February 8, 2012, Claims in the Amount of \$574,157.52; Paid by Check Number's 75148 through 75273.	Approved
Approval of the February 15, 2012, Claims in the Amount of \$426,154.11; Paid by Check Number's 75274 through 75422.	Approved
Approval of the February 3, 2012, Payroll in the Amount of \$1,463,658.67; Paid by Check Number's 25121 through 25167.	Approved
<b>Review Bids</b>	
<b>Public Hearing</b>	
<b>New Business</b>	
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 2012.	Approved
Professional Services Agreement with J.K. Eastbury Salvage Metals and Auto Wrecking (J.K. Eastbury) for Scrap Metal Disposal/Recycling Services Not to Exceed \$10,000 Per Year.	Approved
A Resolution of the City of Marysville for the Acceptance of Office Furniture from Marysville Kiwanis Club Subject to Conditions.	Approved Res. No. 2320
An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Section 9.20.070 Relating to Permits for Fireworks Stands.	Approved Ord. No. 2890
<b>Legal</b>	
<b>Mayor's Business</b>	
Salary Commission Appointment: Mark Allen	Approved
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Adjournment</b>	8:28 p.m.



## **Regular Meeting**

February 27, 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 Jay Price from Word of Life Church.

### **Roll Call**

Chief Administrative Officer Hirashima gave the roll call. The following staff and Council members 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, Commander Robb Lamoureux, City Attorney Paul McMurray, Public Works Director Kevin Nielsen, Parks and Recreation Services Tara Mizell, Court Administrator Suzanne Elsner, and Recording Secretary Laurie Hugdahl.

### **Committee Reports**

Councilmember Rasmussen reported on the February 15 Fire District Board of Directors meeting where the following items were discussed:

- Former Fire Commissioner Michael Mack was recognized.
- The State audit schedule will be changing from every other year to every year for the fire district. The State wants to separate Marysville Fire District from District 12 so MFD will have an annual audit and District 12 will be every other year. This will result in more recordkeeping and tracking for the Finance department.
- The Part-time Recruit Academy should be completed in April and seven part-time firefighters should be available for work after that time.
- Battalion Chief testing will happen in April. Captain testing will happen in September.

- There was a report that there is an L&I rate reduction for the fire district because they worked to eliminate time loss and worked on increasing light duty status employment that was available.
- Overtime for fulltime employees was ¼ in January 2012 of what it was in January 2011. The administration is working closely with Labor to decrease the need for overtime. Working creatively together to reduce overtime has resulted in a substantial savings in overtime pay.
- The fire district will be applying for a SAFER Grant which is a FEMA grant that will propose to rehire the three positions that were eliminated in 2011.

## **Presentations**

### **A. Marysville-Pilchuck High School Band**

The Hotel Motel Committee awarded a grant for this group. As a thank you, the high school's flute trio and sax quartet came to perform for the City Council.

### **B. Employee Services Awards**

The following individuals were recognized for their service to the City:

#### January Service Awards:

10 Years:

- Jon Nehring , Mayor, Exec
- Jeff Seibert, Councilmember, Council

20 Years:

- Donna Wright, Councilmember

#### February Service Awards:

5 years :

- Joshua Guenzler, Maintenance Worker II, PW
- Suzy Elsner, Court Administrator, Courts
- Jane Shafer, Program Clerk, Parks
- John Tatum, Traffic Engineer, Engineering

10 Years:

- Paul Federspiel, Project Engineer, PW

15 Years:

- Kim Daggett, Leader Worker II, PW

25 Years:

- Duane Morgison, Maintenance Worker II, PW

## **Audience Participation**

None.

## **Approval of Minutes**

1. Approval of the February 6, 2012, City Council Work Session Minutes.

**Motion** made by Councilmember Wright, seconded by Councilmember Seibert, to approve the minutes as presented. **Motion** passed unanimously (7-0).

Consent

2. Approval of the February 8, 2012, Claims in the Amount of \$574,157.52; Paid by Check Number's 75148 through 75273.
3. Approval of the February 15, 2012, Claims in the Amount of \$426,154.11; Paid by Check Number's 75274 through 75422.
4. Approval of the February 3, 2012, Payroll in the Amount of \$1,463,658.67; Paid by Check Number's 25121 through 25167.

**Motion** made by Councilmember Seibert, seconded by Councilmember Rasmussen, to approve the Consent Agenda items 2, 3, and 4. **Motion** passed unanimously (7-0).

## **Review Bids**

## **Public Hearings**

## **New Business**

5. 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 2012.

Tara Mizell stated that this is a renewal of the annual grant agreement. Funding goes to fund the program clerk position.

**Motion** made by Councilmember Wright, seconded by Councilmember Stevens, to authorize the Mayor 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 2012. Motion passed unanimously (7-0).

6. Professional Services Agreement with J.K. Eastbury Salvage Metals and Auto Wrecking (J.K. Eastbury) for Scrap Metal Disposal/Recycling Services Not to Exceed \$10,000 Per Year.

Director Nielsen stated that this is the standard scrap metal disposal/recycling services that they approve every year.

**Motion** made by Councilmember Muller, seconded by Councilmember Seibert, to authorize the Mayor to sign the Professional Services Agreement with J.K. Eastbury Salvage Metals and Auto Wrecking (J.K. Eastbury) for Scrap Metal Disposal/Recycling Services Not to Exceed \$10,000 Per Year. **Motion** passed unanimously (7-0).

7. A Resolution of the City of Marysville for the Acceptance of Office Furniture from Marysville Kiwanis Club Subject to Conditions.

Tara Mizell explained that this allows the City to accept a donation of furniture from Costco.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Seibert, to approve Resolution No. 2320, A Resolution of the City of Marysville for the Acceptance of Office Furniture from Marysville Kiwanis Club Subject to Conditions. **Motion** passed unanimously (7-0).

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

CAO Hirashima referred to a letter from Western Fireworks in support of removing the number of limitations on the number of permits. She stated that City Attorney Weed did additional research and determined that either option could take effect immediately.

Councilmember Seibert spoke in support of retaining the limit of eight stands. He cited the number of fireworks-related complaints they receive each year from the police department. There has been support from citizens to ban fireworks altogether and he does not think service groups should be dependent on this revenue.

Councilmember Vaughan cautioned the Council to consider the unintended consequences of limiting the number of stands. One thing that can help the community as far as having safe choices for fireworks is having "safer" stands that are readily available. The fireworks stands that the City allows give the residents the opportunity to buy fireworks that are safer than those that are available elsewhere. He thinks the market forces should determine the number of stands that can be viable in the community.

Councilmember Muller commented that this is not a revenue generator, but it is an overhead cost to monitor these. He spoke in support of limiting these which might possibly result in higher quality stands.

Councilmember Wright asked Commander Lamoureux for police's perspective on this. Commander Lamoureux agreed that fireworks stands have a minimal impact on the police department because the Fire Marshall does the inspections. The only reason the police would respond to a fireworks complaint is if there is a criminal issue. Anything else related to the fireworks stands would be a code enforcement issue.

Councilmember Wright concurred with Councilmember Vaughan to let the market decide. She noted that it is a lot of work to have one of those stands. In her experience, anyone who would go to the trouble to have one of those stands would count the costs before opening one up.

Councilmember Toyer echoed Councilmember Vaughan's comments. He does not think they will see an influx of permits coming in. Allowing safer stands might be a better option than having citizens buy fireworks across the freeway.

Councilmember Vaughan asked if the change in the license fee from \$50 to \$100 was part of what they looked at before. CAO Hirashima stated that it was. Councilmember Vaughan commented that additionally they would have to have a city business license and provide proof of insurance. He wondered if the increased fee was intended to cover the costs. CAO Hirashima stated that this makes it more consistent with what other jurisdictions are charging. It also appears to cover costs.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Toyer, to approve Ordinance No. 2890, (Option 1 - the version that does not set a limit on the number of stands that could be licensed) An Ordinance of the City of Marysville, Washington Amending Marysville Municipal Code Section 9.20.070 Relating to Permits for Fireworks Stands. Upon a roll call vote, the **motion** passed (5-2) with Councilmembers Vaughan, Wright, Stevens, Toyer, and Rasmussen voting in favor and Councilmembers Seibert, Muller, voting against the motion.

## Legal

### Mayor's Business

9. Salary Commission Appointment: Mark Allen

**Motion** made by Councilmember Seibert, seconded by Councilmember Rasmussen, to approve the appointment of Mark Allen to the Marysville Salary Commission. **Motion** passed unanimously (7-0).

Other mayoral items:

- Thanks to the courts for their excellent presentation as part of Marysville University.
- The House budget put out a proposal that takes all the liquor excise tax money from the cities and gives it to the state permanently. There is also some criminal justice funding that would be lost. There is a huge groundswell of support among

council members and mayors to protest this. The good news is the annexation sales tax issue is not on the table. He encouraged the Council to contact Olympia about this matter as it will have a very significant impact on the City's revenue.

- Former Councilmember Ken Baxter passed away last week. He was a pillar in the community and will be missed greatly.
- The Snohomish County Tomorrow meeting last week was a good one. They had a Federal Transportation update, re-emphasized legislative goals, and passed Operating Guidelines.
- Marysville was very well-represented at the Snohomish County Cities meeting. Councilmember Wright was elected to Puget Sound Regional Council Growth Management Policy Board Alternate #1 and the Snohomish County Housing and Community Development PAB, representing cities over 10,000. Councilmember Stevens was elected to Puget Sound Regional Council Economic Development Board Alternate #2. Councilmember Toyer was elected to Snohomish County Law and Justice Council. He was elected SCC Board President for the year.
- He distributed a resolution by the Sierra Club that they want the City to consider regarding the Coal Train issue.

## **Staff Business**

Commander Lamoureux:

- He commended the band program director for the excellent performance.
- Congratulations to Councilmembers Wright and Seibert and Mayor Nehring for their years of service.
- The police department received a \$2800 Washington Traffic Safety Commission grant which allows them to purchase a couple radar units for a couple more patrol cars.
- They also received a \$1000 Williams Pipeline grant which will be used for emergency management programs.
- They had two officers recognized by the Snohomish County's Sheriff's Office during their recent award ceremony. Officers Craig Bartl and Brad Smith received a Lifesaving Award for responding to a suicide attempt.

Kevin Nielsen:

- Congratulations to Councilmember Stevens on the new member of his family.
- Congratulations to everyone for their years of service to the community.
- He discussed the impacts of the significant rain they have been having and the solutions they are working on.

Sandy Langdon:

- Congratulations to Donna Wright, Jeff Seibert, and Jon Nehring. She congratulated Michael Stevens for the new addition to the family.
- The IT staff was very busy over the weekend with a conversion. 98% of the users were up and functioning on Tuesday morning. She commended her staff who had incredible determination and put in enormous amounts of time over the weekend. The conversion gives the City a permanent domain at

[www.marysville.wa.gov](http://www.marysville.wa.gov). They have also upgraded to a Microsoft operating system. This will be a huge savings on replacement and allows virtualization.

Paul McMurray had no comments. He thanked the Council, the Mayor, and the staff for their many years of service to the community.

Gloria Hirashima:

- Thanks to Mayor Nehring and Councilmembers Wright and Seibert for their many years of service. She remembered Councilmember Baxter who served long on the City Council as well and was a significant figure in the City.
- Wal-Mart construction is underway. They will be concurrently working on their building and road improvements.

### **Call on Councilmembers**

Carmen Rasmussen:

- Thanks to everyone for their years of service.
- She appreciated having the high school students come in and perform. She thinks it is important to acknowledge students in all the various ways that they succeed.

Steve Muller thanked Donna Wright, Jeff Seibert, and Jon Nehring for their many years of service.

Rob Toyer echoed the congratulations to Donna Wright, Jeff Seibert, and Jon Nehring.

Michael Stevens

- Thanks to the Mayor and Councilmembers for their service
- Announced that his family has a new baby boy.

Jeff Seibert:

- He congratulated Councilmember Stevens on the new addition to his family.
- He thanked Donna Wright and Jon Nehring for their service.
- He informed Director Kevin Nielsen that the bird spikes on the light poles on the bridge on 88<sup>th</sup> look like they are hanging down. He suggested that they put some of those on the other pole that doesn't have them while they are repairing those.

Donna Wright thanked everyone for the recognition of her service to the City. She congratulated everyone else for their time contributions. She congratulated Councilmember Stevens on his new baby boy.

Jeff Vaughan echoed the congratulatory comments that he has heard. He was sad to hear about the passing of Ken Baxter and reflected on some of the wisdom that Mr. Baxter had passed on to him as a new council member. He commented that Mr. Baxter will be missed very much.

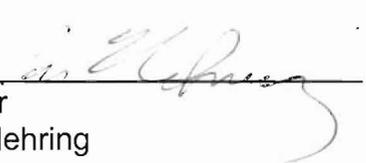
**Executive Session**

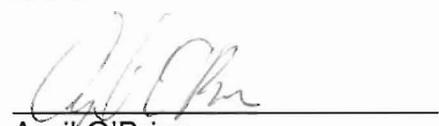
- A. Litigation
- B. Personnel
- C. Real Estate

**Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 8:28 p.m.

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

  
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Mayor  
Jón Nehring

  
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April O'Brien  
Deputy City Clerk