

COUNCIL



MINUTES

Regular Meeting

April 2, 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: Carmen Rasmussen, Jeff Seibert, Michael Stevens, Rob Toyer, Jeff Vaughan, and Donna Wright

Absent: Steve Muller

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

Mayor Nehring noted that Councilmember Muller had informed them last week that he would be out of town tonight.

Motion made by Councilmember Rasmussen, seconded by Councilmember Wright, to excuse Councilmember Muller. **Motion** passed unanimously.

Committee Reports

Donna Wright reported on the March 28th Public Safety Committee where the following items were on the agenda:

- Bob Dolhanyk gave a report about using portable radios for backup. Through his efforts the City now has 22-28 that could be used in an emergency.
- The Police Department has been making some progress toward a regional SWAT team.

- They are working on a work release program with WCIA and Grant Weed's office.
- They have received some small grants for cameras.
- Staff reported that they are 1% under budget right now.

Presentations

A. Kiwanis Strawberry Festival Activity

Dave Voigt and Mike Ferri reviewed the proposal for the Kiwanis Beer and Wine Garden at the 2012 Marysville Strawberry Festival. Mr. Ferri reviewed the proposed hours and details. Mr. Voigt added that they are also soliciting support from the Lake Stevens Kiwanis Beer and Wine Garden. Lake Stevens has operated a very successful beer/wine event at Aqua Fest and they have a lot of ideas to help out. They noted that the money raised will go back into the community to be used for scholarships.

Councilmember Toyer asked for the justification of stopping this at 6:30 on Saturday. Mr. Ferri explained that there would not be police available during the parade so they are ending before that. They also need time to prepare for the pancake breakfast the following morning.

Councilmember Rasmussen expressed concern about having the event starting at 4:00 p.m. when youth would possibly still be in school. Mr. Ferri explained that the beer garden would be screened from view inside a tent. Councilmember Rasmussen asked about advertising. Mr. Ferri noted that they would be in compliance with all the Liquor Board requirements. Councilmember Rasmussen said she would be more comfortable with a 5:00 p.m. start time. Mr. Voigt and Mr. Ferri thought this would be fine.

Chief Smith stated that they had a very good meeting with Kiwanis and MaryFest to try to address concerns. Kiwanis has addressed the security element by not having the beer garden open during the parade time. They have done a good job looking at any potential issues. Chief Smith asked if Council would want to have a beer garden at something that is seen as a family event. He stated that this is doable, but he personally doesn't necessarily like having beer sold at the event.

Councilmember Seibert asked how they decided on the location. Mr. Ferri explained that they needed to have power for the trailer that dispenses the beer. That street is already blocked off so it wouldn't take up additional space. Councilmember Seibert noted that there are several taverns on 1st street that are open anyway. Chief Smith agreed, but noted they are isolated at the south end. He expressed some concern about police diverting their resources for this event. He commented that last year they had the least amount of incidents at the parade and during the whole week. He would like to keep it that way. He stated that the police have other issues they have to deal with for the parade. Ending on Saturday at 6 allows the Police Department to utilize their resources appropriately. Councilmember Seibert asked Chief Smith if he would be more

comfortable with another area if the power issue could be solved. Chief Smith said he thought this would be a good location for a number of reasons.

Mr. Ferri explained that the Kiwanis would be taking the trailer completely out at 6:30 to prepare for the pancake breakfast. He added that the Kiwanis Club would take a mandatory alcohol sales training and TIPs training so that they are fully compliant with the Liquor Board. They expect that there will also be a Liquor Board representative at the event. He emphasized that this is a pilot project this year to see if it will work. They are keeping it very low key and not doing a lot of advertising.

Councilmember Stevens suggested offering local beer and wine selections to go with the homegrown theme of the Strawberry Fest.

Councilmember Wright expressed support for the pilot program. Councilmember Rasmussen thanked them for their preparation and research they have done to address concerns. Councilmember Vaughan expressed concern about the perception parents might have of this being adjacent to the school. Mr. Ferri noted that if they delay until 5:00 p.m. most of the kids will be gone. Carmen Rasmussen suggested letting the band director know in case they wanted to change their drop off location for students.

Councilmember Toyer thought this was a great idea. He noted that Lake Stevens Kiwanis has been doing a beer garden for a long time.

Mayor Nehring noted that this would be on the agenda for action next week.

Discussion Items

Approval of Minutes

1. Approval of March 12, 2012, City Council Meeting Minutes.

Consent

2. Approval of March 21, 2012, Claims in the Amount of \$297,438.33; Paid by Check Number's 76006 through 76170 with Check Number's 72450 and 75996 Voided.
3. Approval of March 28, 2012, Claims in the Amount of \$604,962.08; Paid by Check Number's 76171 through 76343.
4. Approval of March 20, 2012 Payroll in the Amount of \$897,542.72; Paid by Check Number's 25256 through 25295.

Review Bids

Public Hearings

New Business

5. Approve the Eight Firework Stand Permit Application Submitted by TNT Fireworks and Approve the One Firework Stand Permit Application Submitted by Western Fireworks.

There were no comments or questions on this item.

6. Independent Contractor Caretaker Agreement and Lease Agreement with Jonathan Hines for Jennings Memorial Park.

Jim Ballew stated that the caretakers for Jennings Memorial Park have left. Jonathan Hines will be moving into the Jennings park site.

7. Independent Contractor Caretaker Agreement and Lease Agreement with Jessie Dodds and Amanda Moscariello of Marysville for the Caretaker Position at Strawberry Fields Park.

Jim Ballew stated that these people have been backup caretakers for Mr. Hines at Timberbrook. He feels very comfortable with this agreement. They will be paying rent plus excise tax and utilities.

8. An Ordinance of the City of Marysville, Washington, Adopting the 2011 Sewer Comprehensive Plan Pursuant to Chapter 173-240 WAC; and Directing that Said Plan be Docketed in the 2012 GMA Comprehensive Plan Docket Process to be Considered for Adoption as a Part of the Public Facilities and Services Element of the Marysville Growth Management Comprehensive Plan.

Senior Planner Chris Holland introduced this item. He stated the Planning Commission held a public hearing on this item on February 28th and is recommending approval of the 2011 Sewer Comprehensive Plan. Through the planning process, they received several public comments from the Department of Ecology, the City of Everett, and the City of Arlington. They have addressed all the comments except the City of Arlington's request they remove Planning Area 3. This is currently in Snohomish County and is not located within an Urban Growth Area, but the City of Marysville has planned for sewer in this area for over 20 years. Staff did not remove this area from their planning for future sewer service as they have infrastructure in the area that could service that area and they also have the capacity. Arlington also requested that they remove a small area in Planning Area 2, which they did because that little sliver is within Arlington's Urban Growth Area. Regarding Planning Area 3, CAO Hirashima added that she and the Mayor met with the Mayor of Arlington and their City Administrator and they have discussed setting up a meeting next month to discuss long-term growth plans of Arlington and Marysville to determine where those boundaries would be. It may turn out that it really isn't a conflict in their respective plans.

Director Nielsen commented that they would not have to go out for a bond to do capital improvements because Council had the foresight ten years ago with their rates to

prepare for this. He explained how they handled this project with in-house staff and saved a significant amount of money.

Councilmember Seibert said it was very nice to hear that they would be doing capital improvements and not going out for a bond. It is good to see this coming to fruition.

9. An Ordinance of the City of Marysville Amending the 2012 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2881.

Finance Director Langdon reviewed the proposed amendments. There were no further comments or questions.

10. An Ordinance of the City of Marysville, Washington, Amending the City's Development Regulations by Amending Sections 22G.090.170 and 22G.090.380 of MMC Chapter 22G.090, Subdivisions and Short Subdivisions; Amending Section 22G.100.120 of MMC Chapter 22G.100, Binding Site Plan; and Amending Section 22A.010.160 of MMC Chapter 22A.010, General Administration, Related to Tracking Amendments to the City's Uniform Development Code.

CAO Hirashima explained that this would bring the document into compliance with new legislation.

Councilmember Seibert recalled that in his time serving the City, several things have gone from the judicial branch to the executive branch of the city. He wondered at what point they keep separating these powers. He doesn't see the reasoning of taking this from the City Council and moving it to the director. He discussed his concerns related to this.

Legal

Mayor's Business

Mayor Nehring had the following comments:

- At the Snohomish County Tomorrow meeting last Wednesday they approved ICC projects for potential PSRC funding. He was pleased to report that there were six in Snohomish County. Two of those projects affected Marysville in a positive way. These were the 116th Street project and the project using the shoulder on I-5 from Marine View through SR 528 which would essentially add another lane. Also at the meeting, Amy Spain gave her presentation on tourism and there was a discussion on interjurisdictional housing.
- He reminded Council members to get their F-1 documents in.
- He attended the ribbon cutting at the Armed Forces Reserve Center. It was a magnificent event and a great facility.
- He attended the station address at the Navy today.

Staff Business

Jim Ballew

- The downtown merchants were appreciative that the Mayor and staff took the time to meet with them. They are very excited about the campaign. He thinks they would like to meet again in a couple months.
- There will be a lot of work done in the area on April 14. 137 people are signed up to help with activities. Carr's Hardware donated 40 gallons of paint. The primary effort will be on graffiti and vegetation management.
- The Easter Egg Hunt will be held this weekend.

Doug Buell reported that there is information in the Activity Guide about the Clean Sweep activities. There is also a flyer out with a map of the different events. He added that a news release about online permitting went out last week.

Sandy Langdon commented that the Armed Forces ribbon cutting was a very nice event. She appreciated being invited.

Kevin Nielsen:

- The break in access has actually started. They are discussing shutting down Highway 9 for a couple weekends.
- Public Works crews are cleaning the porous concrete all over town.
- They are working on the landscaping on State Avenue/Smokey Pt Blvd between 136th and 152nd.
- The lights at Wal-Mart referred to by Councilmember Muller are necessary for their water quality system.
- The Mayor's speech at the ribbon cutting was very well done.

Chief Smith:

- The discussion with Kiwanis and Mary Fest went very well. He appreciates the care they took in working out their plan. His main issue is if they want to have beer at the Strawberry Festival parade at all.
- They had some success with the burglary last week. They worked with the County to get a search warrant and retrieved at least 30% of the items.
- They have also served two search warrants for drugs. Heroin is still prevalent as is marijuana.
- In the second week of April, some of his contacts from Los Angeles will be doing intensive training here for the SWAT team at a reduced rate.

Grant Weed stated the need for an Executive Session to discuss five topics – one concerning sale of real estate with action expected; three items concerning pending or potential litigation with no action requested; and one item regarding collective bargaining negotiations with no action requested. He anticipated that this would take a total of 30 minutes.

Gloria Hirashima commented that the Mayor's speech at the Armed Forces center was outstanding.

Call on Councilmembers

Rob Toyer had high praise for the Mayor's speech.

Donna Wright: echoed praises for the Mayor's speech. She commented how appreciative the armed forces are of the communities they live in. This really makes a difference for the military because they want to be where they are truly wanted. She noted that the Ingraham is coming in this week.

Jeff Seibert:

- He asked if the I-5 shoulder on the transportation list will be used just during peak hours or if it will be converted to a lane. Director Nielsen said there is a lot of discussion on how it will turn out in the future.
- The bridge at 156th Street is coming along very well. He asked when the first girders will go across the freeway. Director Nielsen said he would get a schedule out to Council and on the web page.
- He referred to the Clean Sweep effort and commented that people tend to stockpile garbage for the free events. This can be a problem if groups decide to stop the events.

Michael Stevens reported that the armed forces event was great and so was the Mayor's speech. He commented that the facility is the first LEED Silver designed building in the city limits so this is something to be proud of. The military has a requirement for all their new buildings to meet some level of sustainability and they did a very nice job with this one.

Carmen Rasmussen said she is looking forward to the Easter Egg Hunt this weekend and hoping for good weather.

Jeff Vaughan stated that it is good to be back after traveling for a couple weeks.

Council recessed at 8:05 p.m. for five minutes after which time they reconvened into Executive Session. It was announced that the Executive Session would last 30 minutes to cover five items with action expected on one item.

Executive Session

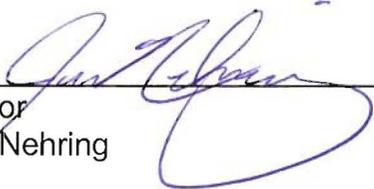
- A. Litigation – 3 items, per RCW 42.30.110(1)(i)
- B. Personnel – 1 item, per RCW 42.30.140(4)(a)
- C. Real Estate – 1 item, per RCW 42.30.110(1)(b)

Motion made by Councilmember Rasmussen, seconded by Councilmember Wright to extend Executive Session to 8:40p.m. Motion passed unanimously (6-0).

Adjournment

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

Approved this 23RD day of APRIL, 2012.



Mayor
Jon Nehring



April O'Brien
Deputy City Clerk