

October 26, 2015

7:00 p.m.

City Hall

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
Approval of the Agenda	Approved
<b>Committee Reports</b>	
<b>Audience Participation</b>	
<b>Approval of Minutes</b>	
Approval of the October 5, 2015 City Council Work Session Minutes	Approved
<b>Consent Agenda</b>	
Consider Approval of the October 7, 2015 Claims in the Amount of \$1,092,303.23; Paid by Check Number 103120 through 103245 with Check Number 101459 Voided	Approved
Consider Approval of the October 14, 2015 Claims in the Amount of \$840,166.48; Paid by Check Number 103246 through 103389 with No Checks Voided	Approved
<b>Review Bids</b>	
<b>Public Hearings</b>	
<b>New Business</b>	
Consider the Amendment to the Agreement with Tulalip Tribes for the Embankment Fill Construction	Approved
Consider the Proposed Third Amendment to the Agreement for Joint Operation of Fire and Emergency Medical Protection Facilities	Approved
Consider an Ordinance Affirming the Recommendation of the Hearing Examiner for the Lakewood Station Binding Site Plan and Site Specific Rezone, Amending the Official Zoning Map of the City, and Repealing Ordinance No. 2929	Approved Ord. No. 3003
Consider a Resolution Setting a Hearing Concerning the Assumption of the Rights, Powers, Immunities, Functions, and Obligations of the Marysville Transportation Benefit District	Approved Res. No. 2383
Consider the Release of Two Slope Easements at Cedar Landing Housing Partners	Approved
Consider the Corrected Utility Easement for Cedar Landing Housing Partners	Approved
Consider the Agreement with Department of Enterprise Services Interagency for Energy/Utility Conservation Project Management and Monitoring Services	Approved
Consider Amendment No. 6 to the Janitorial Services Contract with Advantage Building Services which Increases the Contract by \$71,943.14 for a Total Amended Contract Price of \$140,876.52 and Extends the Contract for a Sixth Annual Term	Approved
<b>Mayor's Business</b>	
Technical Advisory Committee Appointments: Donna Wright and Rob Toyer	Approved
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Adjournment</b>	7:56 p.m.
<b>Executive Session</b>	8:01 p.m.
<b>Real Estate – Two Items</b>	

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Adjournment	8:01 p.m.
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# COUNCIL



# MINUTES

## **Regular Meeting** October 26, 2015

### **Call to Order / Pledge of Allegiance**

Mayor Nehring called the meeting to order at 7:00 p.m. Pastor Dennis Niva of 92<sup>nd</sup> Street Church of Christ gave the invocation, and Mayor Nehring 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, Kamille Norton, 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 Jon Walker, Public Works Director Kevin Nielsen, Community Development Director Dave Koenig, Fire Chief Martin McFalls and Recording Secretary Laurie Hugdahl.

**Motion** made by Councilmember Toyer, seconded by Councilmember Muller, to approve the agenda as presented. Motion passed unanimously (7-0).

### **Committee Reports**

Councilmember Seibert reported on the Finance Committee meeting last Wednesday where the Committee was updated on the budget.

Councilmember Wright reported on the October 14 Fire District Board of Directors meeting where two new paramedics, a battalion chief, and four new captains were welcomed. New World communication system is scheduled to start on October 28. Station 65 will have its roof repaired and a new door installed. The Board will be at a retreat on Thursday and Friday to set an agenda and budget for the next year.

## **Audience Participation**

Beth Leonardo and Laura Fletcher with Sonic Elite All Stars, 4503 – 110<sup>th</sup> Place NE, Marysville, WA 98271 introduced girls from Sonic Elite All Stars, a competitive, non-profit, all-star cheer program in Marysville. She reviewed what the girls do in the community and stated there will be a fundraising auction on Saturday November 7, at Gleneagle Golf Course. There also will be a holiday showcase at the Marysville Boys and Girls Club. She invited the Council and staff to attend.

Preston Dwoskin, 11120 – 45<sup>th</sup> Avenue NE, Marysville, WA, commented on the anniversary of the Marysville-Pilchuck high school tragedy. Thanks to the City for an outstanding job. He asked Chief McFalls about his intentions for the station out by Marysville Pilchuck especially for the games in light of safety concerns for the players. Chief McFalls explained they try to get part-time firefighters to staff an aid car for the football games. If the part-timers are not available, then a duty crew is sent, but they are on call and often called away. Mr. Dwoskin encouraged a focus on safety for athletes and encouraged every city employee to get trained in CPR. Mayor Nehring indicated the City would provide opportunities for employees who want to be trained in CPR to do so.

Peter, PO Box 191, Marysville, expressed appreciation for resolution to an item he had concerns about.

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

1. Approval of the October 5, 2015 City Council Work Session Minutes

Councilmember Norton noted she would be abstaining as she was not present at the October 5 meeting.

**Motion** made by Councilmember Stevens, seconded by Councilmember Muller, to approve of the October 5, 2015 City Council Work Session Minutes. **Motion** passed 6-0 with Councilmember Norton abstaining.

## **Consent**

2. Consider Approval of the October 7, 2015 Claims in the Amount of \$1,092,303.23; Paid by Check Number 103120 through 103245 with Check Number 101459 Voided
3. Consider Approval of the October 14, 2015 Claims in the Amount of \$840,166.48; Paid by Check Number 103246 through 103389 with No Checks Voided

**Motion** made by Councilmember Muller, seconded by Councilmember Toyer, to approve Consent Agenda items 2 and 3. **Motion** passed unanimously (7-0).

## **Review Bids**

## Public Hearings

### New Business

4. Consider the Amendment to the Agreement with Tulalip Tribes for the Embankment Fill Construction

Director Nielsen explained this agreement would provide for additional fill needed to complete bank restoration on the Qwuloolt project.

**Motion** made by Councilmember Norton, seconded by Councilmember Wright, to approve the Amendment to the Agreement with Tulalip Tribes for the Embankment Fill Construction. **Motion** passed unanimously (7-0).

5. Consider the Proposed Third Amendment to the Agreement for Joint Operation of Fire and Emergency Medical Protection Facilities

Finance Director Langdon reviewed the proposed amendments.

**Motion** made by Councilmember Wright, seconded by Councilmember Toyer, to authorize the Mayor to sign the Proposed Third Amendment to the Agreement for Joint Operation of Fire and Emergency Medical Protection Facilities. **Motion** passed unanimously (7-0).

6. Consider an Ordinance Affirming the Recommendation of the Hearing Examiner for the Lakewood Station Binding Site Plan and Site Specific Rezone, Amending the Official Zoning Map of the City, and Repealing Ordinance No. 2929

Planning Manager Chris Holland explained this is for the Lakewood Station project and reviewed the proposed zoning map changes.

**Motion** made by Councilmember Muller, seconded by Councilmember Stevens, to approve Ordinance No. 3003. **Motion** passed unanimously (7-0).

7. Consider a Resolution Setting a Hearing Concerning the Assumption of the Rights, Powers, Immunities, Functions, and Obligations of the Marysville Transportation Benefit District

City Attorney Walker explained that the legislature passed a law that would allow a city who has a TBD with the same boundaries as the city to assume the powers and duties of that district. That would allow the Council to exercise those powers instead of having a separate TBD board. The first step in that process is to set a public hearing. This resolution would set a public hearing for November 9 to consider whether or not that is a good idea. After the hearing on November 9, Council can take whatever action it deems appropriate.

Councilmember Seibert asked how this would work if the TBD wanted to combine with another TBD at some point in the future. City Attorney Walker was not sure, but thought that would have to be through an Interlocal Agreement and that a new, separate board for a joint TBD might need to be created.

Councilmember Vaughan asked if any additional action would need to be taken by the TBD if the Ordinance is approved by the Council. City Attorney Walker explained it would not; the Council would have the authority to assume the rights, responsibilities and duties.

**Motion** made by Councilmember Toyer, seconded by Councilmember Wright, to approve Resolution No. 2383. **Motion** passed unanimously (7-0).

8. Consider the Release of Two Slope Easements at Cedar Landing Housing Partners

Councilmember Stevens recused himself from items 8 and 9 as the subject properties belong to a client of his.

Planning Manager Holland reviewed these items. He explained that staff discovered the easements were supposed to be released quite a while ago. This would just clean up those easements.

Councilmember Vaughan asked about the difference between a slope easement and a regular easement. Planning Manager Holland explained that it just refers to an easement on a slope.

**Motion** made by Councilmember Norton, seconded by Councilmember Muller, to authorize the Mayor to sign the Two Release of Slope Easements at Cedar Landing Housing Partners. **Motion** passed (6-0) with Councilmember Stevens abstaining (recused).

9. Consider the Corrected Utility Easement for Cedar Landing Housing Partners

Planning Manager Holland explained this is the same property as item 8. The property is about to be sold, and this would correct utility easements.

**Motion** made by Councilmember Muller, seconded by Councilmember Toyer, to authorize the Mayor to sign the Corrected Utility Easement for Cedar Landing Housing Partners. **Motion** passed (6-0) with Councilmember Stevens abstaining (recused).

Councilmember Stevens returned to the meeting.

10. Consider the Agreement with Department of Enterprise Services Interagency for Energy/Utility Conservation Project Management and Monitoring Services

Director Nielsen stated this is an interagency agreement with Washington State to do an energy audit on all of the City's existing buildings in support of the Capital Facilities Plan. He stated there is no cost associated with this, but it is coming before the Council because it is an interagency agreement.

**Motion** made by Councilmember Wright, seconded by Councilmember Norton, to authorize the Mayor to sign the Agreement with Department of Enterprise Services Interagency for Energy/Utility Conservation Project Management and Monitoring Services. **Motion** passed unanimously (7-0).

11. Consider Amendment No. 6 to the Janitorial Services Contract with Advantage Building Services which Increases the Contract by \$71,943.14 for a Total Amended Contract Price of \$140,876.52 and Extends the Contract for a Sixth Annual Term

Director Nielsen stated this would increase the existing contract by \$71,000 for a net savings.

Councilmember Norton asked who used to do the cleaning for some of the locations. Director Nielsen stated that caretakers used to do it for some of the parks, but that duty was removed from the caretakers.

**Motion** made by Councilmember Norton, seconded by Councilmember Stevens, to authorize the Mayor to sign and execute Amendment No. 6 to the Janitorial Services Contract with Advantage Building Services which Increases the Contract by \$71,943.14 for a Total Amended Contract Price of \$140,876.52 and extends the Contract for a Sixth Annual Term. **Motion** passed unanimously (7-0).

## Legal

### Mayor's Business

Mayor Nehring reported on the Walk of Strength on Saturday. He heard many comments from people that it was the right balance between somber reflection and moving forward in strength. It was a good way to commemorate a very difficult time in the City's history. He thanked all the volunteers especially the fire department, school district, police, public works, councilmembers and anyone else who helped out with the events.

He noted that the Technical Advisory Committee of Snohomish County was seeking appointment of representatives, and Councilmember Toyer and Wright were willing to serve for a second term from 2016-2018.

**Motion** made by Councilmember Seibert, seconded by Councilmember Stevens, to appoint Councilmember Toyer to serve as the primary representative to the Snohomish County TAC. **Motion** passed unanimously (7-0).

**Motion** made by Councilmember Vaughan, seconded by Councilmember Toyer, to appoint Councilmember Wright as the secondary representative, to the Snohomish County TAC. **Motion** passed unanimously (7-0).

Mayor Nehring had the following additional announcements:

- At the Snohomish County Cities dinner on October 16, AWC presented their draft legislative agenda which included a recommendation to take a look at public records request abuses and a focus on human resources issues. Emergency response is also a big issue. Additionally, state shared revenues is another big topic because those funds are always under threat of being taken away. With regards to infrastructure, there is a desire to get the Public Works Trust Fund started back up.
- There was a ribbon cutting at Dick's Sporting Goods on Saturday. Thanks to everyone for attending.
- EASC (Economic Alliance Snohomish County) Board had an annual workshop to set priorities. They continue to look at workforce education and training. The WSU opportunity will be significant for the community. In addition to four-year degrees, there are some other great training opportunities as well. Mayor Nehring stated there are a lot of jobs that are not able to be filled by local residents because they have not been trained to do them
- Spark Hot Yoga ribbon cutting will be held on Thursday at 9:30 a.m.

### **Staff Business**

Sandy Langdon had no comments

Jon Walker stated the need for an Executive Session to discuss two items regarding the acquisition of real estate for five minutes with no action expected

Kevin Nielsen:

- The speed limit on Ingraham Blvd. is now 35 mph.
- The Frontier property was cleaned up. Four tons of trash were removed from that property. Lt. Thomas was great to work with.
- Landscaping of traffic circles on 71<sup>st</sup> is taking place this week.
- He will bring a map to Council showing other traffic circles in the city where there are speeding issues.
- The sign at Getchell and Highway 9 will be going in this week.

Chris Holland had no comments.

Chief McFalls:

- The firefighters are wearing pink ribbon t-shirts this month for cancer awareness. The t-shirts are available for \$20.
- Budget workshops are happening this month on Thursday, October 29, and Friday, October 30 at 9 a.m. Councilmembers are welcome to attend.

- Washington State Fire Commissioners' Conference was held last week at Tulalip Resort. Thanks to Donna Wright for her work on the planning committee and all who attendee. It was well-attended.
- The Red Cross installed smoke detectors in 20 units at Crystal Tree Village last weekend.
- He will be attending a training conference next week.

Dave Koenig:

- He followed up on comments by Mark Frank who came to talk under Audience Participation at the last Council Meeting about a concern related to a home occupation. The judge has not ruled yet on that matter. Staff met and decided they are not recommending any changes to the home occupation rules.
- Staff is working on an Interlocal agreement with Arlington to do a market study on the industrial area.

Gloria Hirashima stated there was a meeting at Lakewood last week. It was well-attended with lots of questions. Staff did an excellent job responding to questions related to proposed development and infrastructure and standards for future development.

Councilmember Toyer inquired about the major concerns expressed by those in attendance. CAO Hirashima commented there were not really any concerns raised, but she heard a lot of questions about utilities, road standards, and other general questions about new development.

### **Call on Councilmembers**

Kamille Norton had no comments.

Steve Muller commented that it was great to have the kids back together playing football on Friday night. Saturday was a great way to finish off the weekend and a good part of the healing process.

Rob Toyer had no comments.

Michael Stevens had no comments.

Jeff Seibert had no comments.

Donna Wright:

- The ceremony on Saturday was very appropriate.
- Washington Fire Commissioners Association had the largest attendance ever. Marysville Fire Honor Guard presented the colors. Chaplain Kanehan gave the invocation. Senator McCoy gave the welcome address. The Association will be back in 2019.

Jeff Vaughan:

- He said he will be unable to attend the hot yoga opening as he is already stretched too thin.
- He welcomed a boy scout who was in attendance at the meeting and reflected on his experience as a young scout attending a similar meeting.

### **Adjournment**

Council recessed at 7:56 p.m. for five minutes and reconvened at 8:01 p.m. in Executive Session for five minutes to discuss two real estate items for five minutes with no action expected.

### **Executive Session**

**A. Litigation**

**B. Personnel**

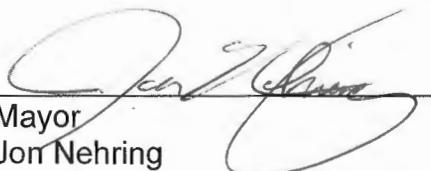
**C. Real Estate – two items, RCW 42.30.110 (1)(b)**

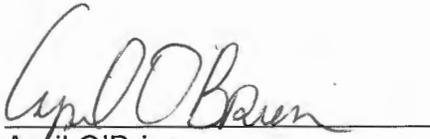
Executive session ended and public meeting reconvened at 8:01 p.m.

### **Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 8:01p.m.

Approved this 23 day of November, 2015.

  
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Mayor  
Jon Nehring

  
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April O'Brien  
Deputy City Clerk