

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
<b>Presentations</b>	
Employee Services Awards: <ul style="list-style-type: none"> <li>Jeramie Roth, Maintenance Worker II, Parks – 15 years.</li> <li>Gloria Hirashima, Chief Administrative Officer, Executive – 20 years</li> </ul>	Presented
Proclamation - Jarred Rome	Read
Neighborhood Improvement Awards: <ul style="list-style-type: none"> <li>Windermere – Best Business 2012</li> <li>James Comeford Award – 2012 Mayor's Choice – Office Building at 3<sup>rd</sup> and State, Jong Kwak, Kwakson, LLC</li> <li>Jan and Zed Long – Best Home 2012</li> </ul>	Presented
<b>Approval of Minutes</b>	
Approval of the July 2, 2012, City Council Work Session Minutes	Approved
Approval of the July 9, 2012, City Council Meeting Minutes	
<b>Consent Agenda</b>	
Approval of the July 11, 2012, Claims in the Amount of \$923,813.32; Paid by Check Number's 78371 through 78477.	Approved
Approval of the July 18, 2012, Claims in the Amount of \$455,023.09; Paid by Check Number's 78478 through 78628 with Check Number's 78303 and 78425 Voided.	Approved
Approval of the July 20, 2012 Payroll in the Amount of \$842,502.94; Paid by Check Number's 25695 through 25745.	Approved
<b>Review Bids</b>	
Award Whiskey Ridge Sewer Extension and Soper Hill Road Water Main Project to SRV Construction, Inc. in the Amount of \$709,212.30 Including Washington State Sales Tax and Approve a Management Reserve of \$70,000 for a Total Allocation of \$779,212.30.	Approved
<b>New Business</b>	
Amendment No. 4 to the Janitorial Services Contract between the City of Marysville and Advantage Building Services which Increases the Contract by \$4,200 for a Total Amended Contract Price of \$64,674.60 and Extends the Contract for a Fourth Annual Term.	Approved
Acceptance of the Crown Pacific Site Cleanup Project with Skycorp Ltd, Starting the 45-Day Lien Filing Period for Project Closeout.	Approved
Lease Agreement between the City of Marysville and Yamaha Motor Company for 10 Gas Powered Carts for a term of 60 Months.	Approved
Fire Annexation Presentation Discussion.	Held
Appoint a subcommittee to consider annexation to Fire District #12.	Approved
A <b>Resolution</b> of the City of Marysville Declaring ten EZGO Golf Carts of Personal Property to be Surplus and Authorizing the Sale or Disposal thereof.	Approved Res. No. 2328
Amendment No. 1 to Grant Agreement No. G1100065 between the State of Washington Department of Ecology and the City of Marysville.	Approved
<b>Legal</b>	
<b>Mayor's Business</b>	

Approve Parks and Recreation Board Reappointment: Gayle Bluhm.	Approved
Approve the Appointment of the Members to the Hotel-Motel Grant Committee:	Approved
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Adjournment</b>	10:01 p.m.
<b>Executive Session</b>	10:10 p.m.
<b>Litigation – two item</b>	
<b>Real Estate – one item</b>	
<b>ACTION</b>	
<b>Adjournment</b>	10:20 p.m.

# COUNCIL



# MINUTES

## **Regular Meeting** *July 23, 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 Greg Kanehan from Marysville Free Methodist Church

### **Roll Call**

Chief Administrative Officer Hirashima gave the roll call. The following staff and councilmembers 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, Chief Rick Smith, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Fire Chief Corn, Fire District Finance Manager Chelsie Reese, Assistant Fire Chief Martin McFalls, Recording Secretary Laurie Hugdahl.

### **Committee Reports**

Councilmember Rasmussen reported on the July 18 Fire District Board of Directors meeting.

- A SAFER grant was given to the fire district to hire three positions. Of the three laid-off positions, only one laid off employee was still available and subsequently rehired. Two other positions were filled with current part-time firefighters with an expected hire date of August 1.
- There was a presentation regarding the fire ops training that Councilmember Stevens attended.
- One of the firefighter paramedics has taken a position in King County. There was discussion about sending another firefighter to paramedic school sometime soon.
- There was a presentation regarding assessed valuations for 2013.

- There was a report on personnel overtime which continues to be down from last year.
- The Fire Marshall gave a report on fireworks incidents and injuries.
- There was a short discussion about possible future collaborations with the City of Arlington.
- There was a discussion about the workshop regarding annexation.

Councilmember Seibert reported on the July 18 Finance Committee meeting where the following items were discussed:

- One employee has worked 308 hours on just one records request, which is quite significant.
- There is one item that the auditors still want to review from the 2011 audit, but the City doesn't know what that is yet.
- Sales tax appears to be up about 2%.
- Strategic Planning retreat was identified as September 21.
- IS reported that the City is developing a new cell phone policy which would allow employees to use their personal cell phones and get a stipend from the City.

Steve Mueller reported on the July 12 Library Board meeting where the following items were discussed:

- The database of How To videos that are available for library members.
- The HVAC is holding out for the summer so far.
- The Friends of the Library has some excess funds so they will be working with the library to do some landscaping around the fenced area.

## **Presentations**

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

The following employees were recognized for their years of service to the City:

- Jeramie Roth, Maintenance Worker II, Parks – 15 years.
- Gloria Hirashima, Chief Administrative Officer, Executive – 20 years

### **B. Proclamation - Jarred Rome**

Mayor Nehring read a proclamation supporting Olympic discus athlete Jarred D. Rome of Marysville in his quest for gold in the 2012 Summer Olympics in London, England.

### **C. Neighborhood Improvement Awards**

The following entities were recognized for the pride they take in the cleanliness, appeal, and livability of their property and for adding value, beauty and great image:

- Windermere – Best Business 2012
- James Comeford Award – 2012 Mayor's Choice – Office Building at 3<sup>rd</sup> and State, Jong Kwak, Kwakson, LLC
- Jan and Zed Long – Best Home 2012

## **Audience Participation**

Preston Dvoskin, 11120 - 46<sup>th</sup> Avenue N, Marysville, WA 98271, commended Chief Smith for the excellent job he has done to reduce crime and violence in the City of Marysville. He thanked Chief Smith for making the reduction of crime a priority.

David Riesner, 6323 - 82<sup>nd</sup> Street NE, Marysville, read a letter he had written to the City Council expressing concerns with safety, damage, and debris resulting from illegal 4<sup>th</sup> and July fireworks especially in his neighborhood. Chief Smith explained the steps the Police department took this year and difficulties they face with enforcement. He recommended formation of a neighborhood watch committee in that neighborhood to increase police awareness and involvement.

Michelle Morck, 11023 State Ave, Marysville, WA 98271, spoke regarding the Mack house adjacent to her home and business. She explained that she has had to close her business and is moving as a result of the Mack house next door which will be housing up to 21 sex offenders. She expressed hope that in the future state laws could be changed so that another family or business owner does not have to endure what her family has.

Mayor Nehring explained that the City has looked thoroughly at this issue, but unfortunately the state legislature has tied the hands of cities to deal with this. He stated that the City will proactively look for state legislators to change these regulations. He encouraged Ms. Morck to contact legislature and let them know her concerns and desire to get local control back to local elected officials. Gloria Hirashima added that they have done a lot of research on this situation. She explained that the City has no legal way to stop this type of housing due to state and federal legislation. She explained steps the City has taken to try to address this situation and encouraged Ms. Morck to contact legislators about her concerns.

Rhonda Griffin, 11127 - 47<sup>th</sup> NE, Marysville, WA 98271, also spoke about the Mack house. She lives in the neighborhood and owns several pieces of property in the vicinity. She expressed specific concerns about children and the elderly in the area. She has already contacted city staff and has received prompt responses. She has contacted the management of the property and state legislators, but has not heard back from anyone. She has renters who are concerned and who have expressed their intention to vacate their residences. She expressed concern about the safety of her own family and her renters.

Chief Smith thanked everybody from the community that has come in to speak about this issue. He explained enforcement requirements regarding this type of housing and how the City of Marysville goes well beyond state requirements for monitoring sex offenders in the community.

Elizabeth Wilcox, 4430 - 105<sup>th</sup> Place NE, Marysville, WA 98271, expressed concern about the Mack house residents and the increased number of these homes in our

community. She explained that upon doing research she was shocked to learn that there are five of these homes in a four-mile radius of her home. She expressed concern about the lack of communication with residents about these homes and the actions residents can take to make their homes and families safer.

Mayor Nehring recommended that Ms. Wilcox pick up an issues summary sheet about the sexual offender housing issue. He explained how the City has taken proactive steps to address the homeless and panhandling issue. The Council also created a SODA area ordinance. He encouraged people to call 911 with safety concerns about panhandling to build a record so that actions can be taken. He explained the steps the police have taken and how the numbers of burglaries have decreased in the last couple months.

Chief Smith explained how the City is trying to be proactive with the SODA ordinance, the Burglary Strike Team, and many other methods. He encouraged Ms. Wilcox and other citizens to continue to contact the police with their concerns. He discussed community forums and crime prevention workshops the police department has held over the last year. He offered to work with Ms. Wilcox about her particular neighborhood to figure out what they can do to improve communication. The Council and staff will continue to do everything they can to provide a better place for Marysville citizens to live.

Ms. Wilcox asked about public notification requirements regarding these types of homes going in in an area. Chief Smith explained that there is no notification requirement for these homes. There is only a requirement to notify the public upon the release of an offender from prison who is moving into the area. Ms. Wilcox summarized that she is afraid to live in her own home and wants that to be heard by the City. Mayor Nehring replied that the city leadership is also very frustrated about this issue and is not going to stop until they are sure that the state legislature understands what this is doing to communities. He agreed that there are an excessive number of these homes in the area.

Jennifer Ward, 9120 - 62<sup>nd</sup> Drive NE, Marysville, WA 98270, spoke in support of "Gracie's Pastries" and against sexual predator housing in highly populated neighborhoods and business areas. She expressed a desire to be involved in any way possible to help stop this type of housing from going in. She asked to make sure that these houses are following the same business requirements as any other kinds of businesses.

Councilmember Stevens spoke of his personal experience with this issue at his own residence and with his extreme frustration with the situation.

John Mack, 15316 - 77 Avenue NE, Arlington, explained that the Mack houses have been operating in Snohomish County for over ten years. He stated that not one of the sex offenders at the Mack houses have reoffended in those ten years. He believes that the Mack houses are positive for the community as they prevent the sex offenders from being homeless and destitute. He explained that they are a faith-based organization and

have very strict guidelines. He asserted that the subject bakery was closed down by the Health Department and was not closed because of anything related to the Mack house. He stated that his is the cleanest and most sober offender housing in the area. He tries not to site his houses in tight neighborhoods. He pointed out that the prison population is 20% sex offenders and they need a place to go when they come out.

Peter stated that the mega-sex offender unit going in next to homes is inappropriate. He spoke in favor of limiting the number of people allowed in these types of homes and stated that the owners should have to pay accordingly. On another subject, he referred to the White-Leasure development fence at rear of his property in north Marysville. He is not happy with the transition from multi-family housing to single-family housing. He also expressed concern about Lakewood Station going in across from him in the future. He requested better buffer zones and separation between multi-family homes and single-family residences from commercial establishments and protecting the homeowners.

Gloria Hirashima explained that the Lakewood Station project is currently under review, and has not yet been approved. She stated that she has encouraged Peter to make his concerns about the proposed development known. His specific requests have to do with landscape buffers. The City requires a 10-foot landscape buffer between commercial and multi-family zoned property and a 20-foot buffer between single-family and commercial. Peter's concerns are that that is an inadequate area to buffer the adjoining land use.

Anthony, 11130 NE 45<sup>th</sup> Avenue, Unit D, Marysville, WA, stated that he lives adjacent to the Mack project that is going in. He expressed concern about the new construction that is going on at the residence. He expressed concern about 21 possible beds that are going into the home next door. He is very frustrated with the situation and is worried for his family and the general safety of the neighborhood.

Zach Ward, 4508 110<sup>th</sup> Place NE, Marysville, WA, stated that his yard backs up to a field in the area that has had some recent criminal activity. He expressed concern about the safety of his family and other children in the area. He discussed the possibility for problems with re-offense from these residents. He indicated interest in joining with any community activity to address this issue.

Wendy Messarina, Marysville School District, spoke in support of the job that the Council is doing. She encouraged residents to get involved with their own neighborhoods for community watches. She encouraged people to attend National Night Out Against Crime on August 2.

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

1. Approval of the July 2, 2012, City Council Work Session Minutes.

**Motion** made by Councilmember Muller, seconded by Councilmember Toyer, to approve the July 2, 2012 City Council Work Session Minutes. **Motion** passed unanimously (6-0) with Councilmember Stevens abstaining.

2. Approval of the July 9, 2012, City Council Meeting Minutes

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to approve the July 9, 2012, City Council Meeting Minutes. **Motion** passed unanimously (7-0).

**Consent**

- 3. Approval of the July 11, 2012, Claims in the Amount of \$923,813.32; Paid by Check Number's 78371 through 78477.
- 4. Approval of the July 18, 2012, Claims in the Amount of \$455,023.09; Paid by Check Number's 78478 through 78628 with Check Number's 78303 and 78425 Voided.
- 5. Approval of the July 20, 2012, Payroll in the Amount of \$842,502.94; Paid by Check Number's 25695 through 25745.

**Motion** made by Councilmember Stevens, seconded by Councilmember Seibert, to approve Consent Agenda items 3, 4, and 5. **Motion** passed unanimously (7-0).

**Review Bids**

- 6. Award Whiskey Ridge Sewer Extension and Soper Hill Road Water Main Project to SRV Construction, Inc. in the Amount of \$709,212.30 Including Washington State Sales Tax and Approve a Management Reserve of \$70,000 for a Total Allocation of \$779,212.30.

Director Nielsen reviewed this item. There were no comments or questions.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Muller, to award Whiskey Ridge Sewer Extension and Soper Hill Road Water Main Project to SRV Construction, Inc. in the Amount of \$709,212.30 Including Washington State Sales Tax and Approve a Management Reserve of \$70,000 for a Total Allocation of \$779,212.30. **Motion** passed unanimously (7-0).

**Public Hearings**

**New Business**

- 7. Amendment No. 4 to the Janitorial Services Contract between the City of Marysville and Advantage Building Services which Increases the Contract by \$4,200 for a Total Amended Contract Price of \$64,674.60 and Extends the Contract for a Fourth Annual Term.

Director Nielsen stated that this is the annual extension for janitorial services.

**Motion** made by Councilmember Muller, seconded by Councilmember Seibert, to approve the Amendment No. 4 to the Janitorial Services Contract between the City of Marysville and Advantage Building Services which Increases the Contract by \$4,200 for a Total Amended Contract Price of \$64,674.60 and Extends the Contract for a Fourth Annual Term. **Motion** passed unanimously (7-0).

8. Acceptance of the Crown Pacific Site Cleanup Project with Skycorp Ltd, Starting the 45-Day Lien Filing Period for Project Closeout.

Director Nielsen explained that this is closing out the City's first Brownfields project.

**Motion** made by Councilmember Seibert, seconded by Councilmember Toyer, to approve acceptance of the Crown Pacific Site Cleanup Project with Skycorp Ltd, Starting the 45-Day Lien Filing Period for Project Closeout. **Motion** passed unanimously (7-0).

9. Lease Agreement between the City of Marysville and Yamaha Motor Company for 10 Gas Powered Carts for a term of 60 Months.

Jim Ballew stated that this reflects accurately the purchase price at the end of the 60-month term.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Wright, to approve Lease Agreement between the City of Marysville and Yamaha Motor Company for 10 Gas Powered Carts for a term of 60 Months. **Motion** passed unanimously (7-0).

10. Fire Annexation Presentation Discussion.

Chief Corn gave a PowerPoint presentation regarding the annexation study. He introduced Marysville Fire District Finance Manager Chelsie Reese and Assistant Chief Martin McFalls. The presentation reviewed the historical background of the Marysville Fire District in terms of consolidation, funding, mergers and governance of the Fire District. He discussed reasons for considering annexation including: declining property values, statutory tax limitations, revenue reductions, Board of Directors Strategic Financial Committee, providing an additional funding mechanism, and favorable voting requirements. Chief Corn reviewed the steps necessary for an annexation to occur. The advantages would be levy/funding options (regular levy/LID lifts, EMS levies, LID lifts, maintenance and operations levy, and benefits charges); bonding capabilities; no outstanding bonded indebtedness by the fire district; already approved by the Boundary Review Board; streamlines accounting practices for Marysville Fire District. Potential disadvantages include a loss of control for the City, Growth Management Act, and the potential financial impact to the City.

CAO Hirashima explained that additional study needs to be done, particularly on the financial impact to the City. Staff is recommending that Council appoint a subcommittee

again to consider annexation to Fire District #12 with a mix of Fire Board members and non-Fire Board members.

Councilmember Muller asked how other cities are handling this. Chief Corn explained what some other fire districts are doing. Councilmember Muller asked about debt service. Chief Corn explained that in the past Marysville Fire District has purchased its projects directly without bonding. The Board of Directors has planned and saved to avoid debt.

Councilmember Seibert asked about the Maintenance and Operations levy. Finance Director Langdon stated that it is called a levy LID lift which would allow the Fire District to go above the statutory cap. She said she will look into this more to get more information.

**Motion** made by Councilmember Muller, seconded by Councilmember Seibert, to appoint a subcommittee to consider annexation to Fire District #12. **Motion** passed unanimously (7-0).

11. A **Resolution** of the City of Marysville Declaring ten EZGO Golf Carts of Personal Property to be Surplus and Authorizing the Sale or Disposal thereof.

**Motion** made by Councilmember Wright, seconded by Councilmember Rasmussen, approve Resolution No. 2328. **Motion** passed unanimously (7-0).

12. Amendment No. 1 to Grant Agreement No. G1100065 between the State of Washington Department of Ecology and the City of Marysville.

**Motion** made by Councilmember Seibert, seconded by Councilmember Wright, to approve Amendment No. 1 to Grant Agreement No. G1100065 between the State of Washington Department of Ecology and the City of Marysville. **Motion** passed unanimously (7-0).

## Legal

### Mayor's Business

13. Parks and Recreation Board Reappointment: Gayle Bluhm.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Muller, to confirm the reappointment of Gayle Bluhm to the Parks and Recreation Board. **Motion** passed unanimously (7-0).

**Motion** made by Councilmember Seibert, seconded by Councilmember Toyer, to approve the members to the Hotel-Motel Grant Committee: Jennifer Caveny, Carol Kapua, Mary Kirkland, Mr. Lee, Carmen Rasmussen, and Caldie Rogers. **Motion** passed unanimously (7-0).

#### Other Mayor's Business:

- Mayor Nehring commended everyone involved in all the great events that happened over the weekend including: Rods on Third, Poochapalooza, Junk in the Trunk, Jessie Vaughan's Eagle Scout Project at Kiwanis Park, Movies in the Park, Concerts in the Park
- At the SCC Dinner, Councilmember Stevens did a great job reviewing his project at Valley View Middle School.
- Kudos to Chief Smith and his department on the Burglary Strike Team
- Councilmember Wright did a great job representing the City at Comcast Newsmakers in Vancouver
- He discussed an upcoming meeting by Puget Sound Clean Air on July 24.

Doug Buell and Marvetta Toler, Chair of the Diversity Committee reported on the activity of the Diversity Committee. Diversity Committee members Mark Austin and Wendy Messarina were also present. Mr. Buell and Ms. Toler reviewed a community outreach presentation that the Diversity Committee presents to the community. The presentation reviewed priorities, goals, and recommendations for the Committee, areas of focus, key stakeholders, and successes in 2012. They summarized that the Committee is trying to build an inclusive community and to be proactive about issues. They are encouraging stakeholder groups to be as diverse and inclusive as they can be, to help identify potential funding sources, and to work with the Committee to establish opportunities to increase collaboration and resources.

Councilmember Rasmussen thanked them for the work they are doing. She referred to a mosque that has opened in the community. She asked if they have made an outreach to whoever is staffing the mosque to invite them to the discussion. Mr. Austin stated that he intends to make contact with them.

#### **Staff Business**

Doug Buell had no other comments.

Chief Corn had no further comments.

Assistant Chief McFalls had no comments.

Jim Ballew wished everyone a nice break for August.

Chief Smith stated that there is no need for a public safety meeting this month or August. He highlighted that there have been 101 arrests in the last ten weeks. Three of the suspects were involved in the obituary burglaries. All of the five hotspots based on crime analysis have been addressed and are no longer a problem. Over 70 field interviews have been conducted. Dozens of burglary cases have been closed. Ten of which were closed in one day. Numerous search warrants have been issued. \$116,000 in stolen property was recovered. Typically the burglary rate increases 14% in June and

July, but ours has lowered approximately 30.6% which is below the five-year average. Commercial burglaries, vehicle prowls, vandalism, and theft also decreased. He commended Lt. Rasmussen, Sgt. Akau and others for the work that they have done.

Kevin Nielsen reviewed projects that Public Works is working on.

Sandy Langdon stated that the auditors have not finished their report yet. Staff anticipates that there may be an exit conference in August. Council will be notified.

**Motion** made by Councilmember Seibert, seconded by Councilmember Wright to extend the meeting for 20 minutes until 10:20 p.m. **Motion** carried (5-2).

Grant Weed stated the need for an Executive Session to discuss potential litigation and acquisition of real estate with action requested on the real estate item. It was expected to last ten minutes.

Gloria Hirashima thanked everyone for the 20 years plus employment for the City.

### **Call on Councilmembers**

Councilmember Rasmussen congratulated Gloria Hirashima for her 20 years with the City.

Steve Muller commented that Rods on Third was a great event.

Rob Toyer thanked Gloria Hirashima for all her hard work.

Michael Stevens commended Gloria Hirashima for all her hard work. He thanked everyone for all their hard work to make this community a safer place.

Jeff Seibert congratulated the police for their hard work.

Donna Wright wished everyone a nice break.

Jeff Vaughan encouraged everyone to attend the meeting tomorrow night, but stated he would be unable to attend.

The Council recessed at 10:01 until 10:10 at which time they reconvened into Executive Session for ten minutes to discuss one item concerning potential litigation and one item concerning the acquisition of real estate with action requested on the real estate item. It was expected to last ten minutes.

### **Executive Session**

- A. Litigation – one item, per RCW 42.30.110(1)(i)
- B. Personnel

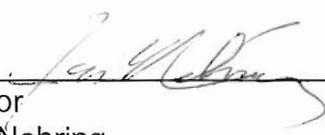
C. Real Estate – one item, per RCW 42.30.110(1)(b)

**Motion** made by Councilmember Seibert, seconded by Councilmember Rasmussen to execute a Real Estate Purchase & Sales Agreement subject to final negotiations of details and closing cost approved by Mayor, CAO, and City Attorney. **Motion** carried (7-0).

**Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 10:20 p.m.

Approved this 10<sup>th</sup> day of September, 2012.

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

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