

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Approval of the Agenda	Approved
Committee Reports	
Presentations	
Police Promotion	Presented
Approval of Minutes	
November 25, 2013 City Council Meeting Minutes	Approved
December 2, 2013 City Council Meeting Minutes	Approved
December 9, 2013 City Council Meeting Minutes	Approved
Consent Agenda	
Approval of the December 11, 2013 Claims in the Amount of \$459,586.68; Paid by Check Number's 88783 through 88901 with No Check Numbers Voided.	Approved
Approval of the December 18, 2013 Claims in the Amount of \$5,134,304.61; Paid by Check Number's 88902 through 89078 with No Check Numbers Voided.	Approved
Approval of the December 25, 2013 Claims in the Amount of \$872,272.39; Paid by Check Number's 89079 through 89231 with No Check Numbers Voided.	Approved
Approval of the December 20, 2013 Payroll in the Amount of \$1,184,288.81; Paid by Check Number's 27234 through 27273 with Check Number 27217 Voided and Reissued with Check Number 27233.	Approved
Consider Approving the Professional Services Agreement with Strategies 360 for Lobbying Services.	Approved
Consider the Snohomish County Human Services Grant Agreement which will provide \$11,000 in Reimbursed Funds for the Salaries and Benefits of the Program Clerk Position at the Ken Baxter Community Center through December 31, 2014.	Approved
Consider Approving the Supplemental Agreement No. 2 with ECCOS Design LLC to Provide for a Contract Extension through June 30, 2014.	Approved
Consider the Fuel Tax Grant Agreements and Project Funding Status Form for Transportation Improvement Board (TIB) Grant Funding of the State Avenue 116th Street NE to 136th Street NE Project.	Approved
Consider Approving the Real Estate Conveyance Agreement with Marysville School District No. 25 and Associated Interlocal Agreement.	Approved
Approval of the December 26, 2013 Claims in the Amount of \$118,495.87; Paid by Check Number's 89232 through 89317 with Check Number 89199 Voided.	Approved
Approval of the January 1, 2014 Claims in the Amount of \$785,846.99; Paid by Check Number's 89318 through 89351 with No Check Number's Voided.	Approved
Approval of the January 3, 2014 Payroll in the Amount of \$1,532,530.14; Paid by Check Number's 27276 through 27317 with Check Number's 27274 and 27275 issued.	Approved
Review Bids	

Public Hearings	
New Business	
Consider an Ordinance Repealing Marysville Municipal Code (MMC) Chapter 7.04 Entitled "Unsanitary Condition-Nuisances;" and Amending MMC Section 6.24.050 Entitled "Types of Nuisances" Adding Subsection (30) through (34); Providing for Severability; and Effective Date.	Approved Ord. No. 2950
Consider an Ordinance Amending Portions of Marysville Municipal Code (MMC) Chapter 4.02 Entitled "Enforcement Procedures" and Chapter 6.24 Entitled "Public Nuisance"; Providing for Severability; and Effective Date.	Approved Ord. No. 2951
Consider an Ordinance of the City of Marysville Amending the 2013 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2911.	Approved Ord. No. 2952
A Resolution of the City Of Marysville Encouraging the Citizens of Marysville to Vote on Marysville School District Propositions No. 1 & 2 on the Election Ballot on February 11, 2014.	Approved Res. No. 2355
Consider an Ordinance Amending the Marysville City Code to Enact a New Chapter 12.06 Marysville Transportation Benefit District, Establishing a Transportation Benefit District, Specifying the Boundaries for the Transportation Benefit District, Specifying the Maintenance and Preservation of Existing Transportation Improvements and Fixing a Time when the Same Shall Become Effective.	Approved Ord. No. 2938
Legal	
Mayor's Business	
Staff Business	
Call on Councilmembers	
Choose a Council President	Approved Jeff Vaughan
Adjournment	7:55 p.m.
Executive Session	
Litigation – one item	
Real Estate – one item	Action
Adjournment	8:24 PM

COUNCIL



MINUTES

Regular Meeting *January 13, 2013*

Call to Order / Pledge of Allegiance

Mayor Nehring called the meeting to order at 7:00 p.m. Pastor Steve Swanson of Vital Signs Ministry 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, Police Chief Rick Smith, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, and Recording Secretary Laurie Hugdahl.

Approval of the Agenda

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

Committee Reports

Steve Muller reported on the January 9 Library Board meeting where they reviewed the accomplishments of the last year. Over the last year the upgrades of the facility on the inside were completed with the new technology center. In November they introduced a robotics program which has been extremely popular. Beginning next month there will be support for non-profits to research and apply for available grants.

Kamille Norton reported on the January 8 meeting of the Parks Advisory Board where a vote was taken to adjust park opening hours to 7 to allow Parks staff to open parks in a timely manner. There was also discussion about the upcoming projects for this year. Bayview Trail should be completed by mid-summer. The Spray Park will be going to bid soon.

Presentations

A. Police Promotion

Chief Smith reviewed the impressive record of James Maples who was promoted to Sergeant. Lt. Thomas discussed his positive experiences working with James Maples and presented him with his old sergeant stripes. Mayor Nehring then swore in Sgt. Maples.

Employee Services Awards

Audience Participation

Lisa Hunter, 3612 94th Place NE, Marysville, WA, discussed issues surrounding the marijuana regulations. She asked why this was put on hold back in September. CAO Hirashima noted that the current moratorium goes until September of this year. It was put in place while the City studies how it wants to enforce regulations on marijuana operations within the City under the Zoning Code. The Planning Commission will be holding a hearing tomorrow night and will be forwarding a recommendation to the City Council following that hearing. Ms. Hunter asked about the composition of the committee. CAO Hirashima explained that there was a planning commissioner, a council member, a pro-business/applicant representative, and a general citizen. They put together a menu of different alternatives that could be taken depending on how the City wanted to regulate marijuana businesses. Ms. Hunter recommended that the Council meet with the potential applicants to open up further dialogue and answer any questions.

Approval of Minutes

1. Approval of the November 25, 2013 City Council Meeting Minutes.

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to approve the November 25, 2013 minutes as presented. **Motion** passed unanimously (7-0).

2. Approval of the December 2, 2013 City Council Work Session Minutes.

Kamille Norton referred to item 21 on page 5 of 10 of the minutes under the first paragraph and noted that the grant was not a CDBG grant, but instead should be corrected to Hotel Motel Tax Fund.

Motion made by Councilmember Muller, seconded by Councilmember Stevens, to approve the December 2, 2013 minutes with the correction as stated by Councilmember Norton. **Motion** passed unanimously (7-0).

3. Approval of the December 9, 2013 City Council Meeting Minutes.

Councilmembers Wright and Stevens indicated that they were absent and would not be voting.

Motion made by Councilmember Vaughan, seconded by Councilmember Norton, to approve the December 9, 2013 City Council Meeting Minutes. **Motion** passed 5-0 with Councilmembers Wright and Stevens abstaining.

Consent

4. Approval of the December 11, 2013 Claims in the Amount of \$459,586.68; Paid by Check Number's 88783 through 88901 with No Check Numbers Voided.
5. Approval of the December 18, 2013 Claims in the Amount of \$5,134,304.61; Paid by Check Number's 88902 through 89078 with No Check Numbers Voided.
6. Approval of the December 25, 2013 Claims in the Amount of \$872,272.39; Paid by Check Number's 89079 through 89231 with No Check Numbers Voided.
7. Approval of the December 20, 2013 Payroll in the Amount of \$1,184,288.81; Paid by Check Number's 27234 through 27273 with Check Number 27217 Voided and Reissued with Check Number 27233.
8. Consider Approving the Professional Services Agreement with Strategies 360 for Lobbying Services.
9. Consider the Snohomish County Human Services Grant Agreement which will provide \$11,000 in Reimbursed Funds for the Salaries and Benefits of the Program Clerk Position at the Ken Baxter Community Center through December 31, 2014.
10. Consider Approving the Supplemental Agreement No. 2 with ECCOS Design LLC to Provide for a Contract Extension through June 30, 2014.
11. Consider the Fuel Tax Grant Agreements and Project Funding Status Form for Transportation Improvement Board (TIB) Grant Funding of the State Avenue 116th Street NE to 136th Street NE Project.
15. Consider Approving the Real Estate Conveyance Agreement with Marysville School District No. 25 and Associated Interlocal Agreement.

20. Approval of the December 26, 2013 Claims in the Amount of \$118,495.87; Paid by Check Number's 89232 through 89317 with Check Number 89199 Voided.
21. Approval of the January 1, 2014 Claims in the Amount of \$785,846.99; Paid by Check Number's 89318 through 89351 with No Check Number's Voided.
22. Approval of the January 3, 2014 Payroll in the Amount of \$1,532,530.14; Paid by Check Number's 27276 through 27317 with Check Number's 27274 and 27275 issued.

Motion made by Councilmember Toyer, seconded by Councilmember Wright, to approve Consent Agenda items 4-11, 15, and 20-22. **Motion** passed unanimously (7-0).

Review Bids

Public Hearings

New Business

12. Consider an Ordinance Repealing Marysville Municipal Code (MMC) Chapter 7.04 Entitled "Unsanitary Condition-Nuisances;" and Amending MMC Section 6.24.050 Entitled "Types of Nuisances" Adding Subsection (30) through (34); Providing for Severability; and Effective Date.

Motion made by Councilmember Muller, seconded by Councilmember Seibert, to approve Ordinance No. 2950. **Motion** passed unanimously (7-0).

13. Consider an Ordinance Amending Portions of Marysville Municipal Code (MMC) Chapter 4.02 Entitled "Enforcement Procedures" and Chapter 6.24 Entitled "Public Nuisance"; Providing for Severability; and Effective Date.

Motion made by Councilmember Muller, seconded by Councilmember Toyer, to approve Ordinance No. 2951. **Motion** passed unanimously (7-0).

14. Consider an Ordinance of the City of Marysville Amending the 2013 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2911.

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to approve Ordinance No. 2952. **Motion** passed unanimously (7-0).

17. A Resolution of the City of Marysville Encouraging the Citizens of Marysville to Vote on Marysville School District Propositions No. 1 & 2 on the Election Ballot on February 11, 2014.

Mayor Nehring explained that the School District had requested the Council take some sort of action on this ballot item.

Councilmember Wright pointed out that they are not taking sides; they are just encouraging citizens to vote.

Motion made by Councilmember Wright, seconded by Councilmember Toyer, to approve Resolution No. 2355.

Councilmember Stevens pointed out that under the first WHEREAS *Council's* should be changed to *Council*. There was consensus to approve the correction.

Motion passed unanimously (7-0).

23. Consider an Ordinance Amending the Marysville City Code to Enact a New Chapter 12.06 Marysville Transportation Benefit District, Establishing a Transportation Benefit District, Specifying the Boundaries for the Transportation Benefit District, Specifying the Maintenance and Preservation of Existing Transportation Improvements and Fixing a Time when the Same Shall Become Effective.

City Attorney Grant Weed gave a summary of this item. He explained that when this was addressed back in November part of the Council action included a limitation on the funding mechanism of the TBD to the .2 of 1% sales tax option and would have eliminated all other funding mechanisms that are provided by law. Following Council action his office did further research, and it was determined that Council did not have the authority to place that sort of limitation on the formation of another municipal entity. Reconsideration of the Ordinance, as originally written, would provide for all the funding mechanisms as provided by state law.

Councilmember Norton asked for confirmation that any other actions that future Councils might want to take in regards to the TBD would still have to be approved by voters. Only the \$20 car tab does not require the vote of the people. City Attorney Weed confirmed this.

Councilmember Seibert asked if another public hearing would be necessary. City Attorney Weed stated that it was not necessary since the public has already had the opportunity to provide input, but it is an option if Council desires.

Councilmember Seibert referred to the description on page 23-12, which says the ordinance adopting a TBD must include:

- A finding that the creation of a TBD must be in the public's best interest
- The boundaries of the TBD
- The functions of the TBD
- Description of the transportation improvements proposed by the district

Councilmember Seibert expressed concern that that these things were not included in this ordinance. City Attorney Weed explained that once the TBD is formed, staff would

bring the TBD a list of projects that would be funded if they decided to put a measure before the voters. The requirement is that the program be established in some manner such as the Transportation Improvement Program or the Capital Facilities Plan. These documents have already been approved by Council and have all of the projects that would be available to fund if the TBD is formed.

Motion made by Councilmember Stevens, seconded by Councilmember Toyer, to approve Ordinance No. 2938. **Motion** passed 5-2 with Councilmembers Seibert and Vaughan voting against the motion.

Legal

Mayor's Business

- Marysville Night at the Silvertips is this Saturday. Discounted tickets can be obtained by calling the Silvertips office.
- Snohomish County Cities Dinner will be held in Snohomish this Thursday evening. Contact Leah if you want to attend.
- National League of Cities is coming up. Council members should let Leah know if they will be attending.

Staff Business

Jim Ballew:

- The Park Board discussed a potential date of February 22 for the Doleshel Park grand opening.
- During the storm event over the weekend, the city suffered the loss of about a dozen large trees in Jennings Park in the ravine area and a lot of windfall at the golf course.

Chief Smith:

- There will be a Public Safety meeting next week on January 22 at the shop.
- Several search warrants have been served in the last couple weeks.
- Thanks to Mayor Nehring for attending the Volunteer Dinner last Thursday night. This was given to recognize the many volunteers who gave over 3100 hours of volunteer time over the last year.
- There was a great sergeants' meeting. He was asked by Councilmember Muller about what the Police Department is doing about crime reduction. Chief Smith explained that they are stressing being proactive and the importance of interacting with the community as opposed to just being responsive. Additionally, they are increasing internal and external communication.
- Lt. Akau has been working for a while on an issue with renters who have been selling drugs out of their rental homes. Chief Smith was pleased to report that the owners have been contacted, and the renters will be evicted out of those homes.

Kevin Nielsen:

- Transportation is a very large topic in Olympia.
- Staff is now picking up trash in the Sunnyside/Whiskey Ridge area.
- Everyone was kept in power during the storm even with wind, rain, and high tides.
- Go Hawks!

Sandy Langdon stated that the Finance Committee will be meeting in January.

Grant Weed stated the need for a 15-minute Executive Session to discuss two matters – one matter concerning purchase and sale of real estate and one matter concerning pending litigation with action taken on the item concerning real estate.

Call on Councilmembers

Kamille Norton had no comments.

Steve Muller cheered for the Seahawks.

Rob Toyer had no comments.

Michael Stevens congratulated Sgt. Maples, and said he is looking forward to the Silvertips game with his two junior Silvertips.

Jeff Seibert congratulated Sgt. Maples, the Police Department, and Public Works.

Donna Wright had no further comments.

Jeff Vaughan stated that he hadn't heard any comments about changes needed on committee assignments. He brought up the need to vote on Mayor Pro Tem / Council President.

Councilmember Seibert nominated Councilmember Vaughan for Council President. Seeing no further nominations, nominations closed.

Motion made by Councilmember Seibert, seconded by Councilmember Muller, to approve Councilmember Vaughan as Council President. **Motion** passed 6-1 with Councilmember Vaughan voting against the motion.

Council recessed at 7:55 for five minutes after which time they reconvened into Executive Session for 15 minutes to discuss one item concerning pending litigation and one item concerning the purchase and sale of real estate with possible action on the item concerning real estate.

Executive Session

- A. Litigation – one item – RCW 42.30.110(1)(a)
- B. Personnel
- C. Real Estate – one item – RCW 42.30.110 (1)(i)

Executive Session extended 5 minutes.

Executive Session ended and meeting reconvened into regular session at 8:20 pm.

Motion made by Councilmember Muller, seconded by Councilmember Toyer, to sign the Purchase and Sale Agreement with Cardenas. **Motion** passed unanimously (7-0).

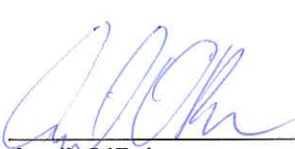
Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 8:24 p.m.

Approved this 10 day of February, 2014.



Mayor
Jon Nehring



April O'Brien
Deputy City Clerk