

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Approval of the Agenda	Approved
Presentations	
Employee Services Awards - Lorrie Towers, Court Judge, 5 years	Presented
Volunteer of the Month - Eric & Patricia Schoonmaker	Presented
Citizen Award - Noah Allen	Presented
Committee Reports	Presented
Approval of Minutes	
Approval of the July 7, 2014 City Council Work Session Minutes.	Approved
Consent Agenda	
Approval of the July 9, 2014 Claims in the Amount of \$552,647.03; Paid by Check Number's 93263 through 93411 with No Check Numbers Voided.	
Approval of the July 16, 2014 Claims in the Amount of \$723,593.00; Paid by Check Number's 93412 through 93556 with Check Number's 82356 and 89602 Voided.	Approved
Approval of the July 23, 2014 Claims in the Amount of \$299,908.68; Paid by Check Number's 93557 through 93721 with No Check numbers Voided.	Approved
Approval of the July 18, 2014 Payroll in the Amount of \$901,526.53; Paid by Check Number's 27958 through 28012 with Check Number's 27722 and 27603 Voided and Reissued with Check Number's 27956 and 27957.	Approved
Review Bids	
Public Hearings	
New Business	
Consider Professional Services Agreement in the Amount of \$375,672.00 with TCA Architecture Planning Inc. for Planning Programming and Design Services Related to the Retrofit of the Existing Waste Water Treatment Plant Office Building.	Approved
Consider a Professional Services Agreement with Kaplan McLaughlin Diaz, Inc. for Planning, Programming, and Design Services Related to the Retrofit and Expansion of the Jail and Public Safety Building.	Approved
Consider a Professional Services Agreement with Transpo Group USA, Inc. for Consultant Services on the Marysville Transportation Comprehensive Plan Update.	Approved
Consider a Professional Services Agreement between the City of Marysville and Billing Documents Specialist.	
Consider a Resolution of the City of Marysville, Washington Adopting New Standards for the Delivery of Public Defender Services Pursuant to RCW 10.101.030.	Approved Res. No. 2363
Consider a Resolution relating to Public Records; Adopting Public Records Act Rules; Issuing a formal order that maintaining an index would be unduly burdensome, ordering publication of this Resolution and the Public Records Act Rules and Appointing the City Clerk as the Public Records Officer.	Approved Res. No. 2364

Consider an Ordinance Repealing Chapter 1.16 of the Marysville Municipal Code entitled "Public Records" and establishing an effective date.	Approved Ord. No. 2964
Consider an Ordinance of the Authorizing the Condemnation, Appropriation, taking Damaging and Acquisition of Land and Other Property for the Purpose of Widening State Avenue from Three Lanes to Five Lanes and Constructing Curbs, Gutters and Sidewalks, from Approximately 116 th Street NE to Approximately 136 th Street NE, and Repealing Ordinance Number 2703.	Approved Ord. No. 2965
Consider an Ordinance of the Authorizing the Condemnation, Appropriation, taking Damaging and Acquisition of Land and Other Property for the Purpose of Widening State Avenue from Three Lanes to Five Lanes and Constructing Curbs, Gutters and Sidewalks, from Approximately 116 th Street NE to Approximately 136 th Street NE, and Repealing Ordinance Number 2685.	Approved Ord. No. 2966
Consider an Ordinance of the City of Marysville, Washington, relating to contracting indebtedness; amending provisions of Ordinance No. 2957 that authorized the issuance, sale and delivery of not to exceed \$8,254,825 aggregate principal amount of local improvement district bonds; and providing for other matters properly related thereto, all as more particularly set forth herein.	Approved Ord. No. 2967
Bee Regulations – Refer to the Planning Commission for review and a recommendation	Approved
Legal	
Mayor's Business	
Fireworks Law Review – Direct staff to form an ad hoc committee.	Approved
Planning Commission Reappointments: Katherine Smith and Roger Hoen.	Approved
Hotel/Motel Appointments: Jennifer Caveny, Carol Kapua, Mary Kirkland, and Charles Lee.	Approved
Library Board Appointment: Cheryl Deckard.	Approved
Salary Commission Appointment: Steve Edin.	Approved
Staff Business	
Direct the Chamber to respond in writing within 30 days with more information and meet the intent of the agreement before the invoice can be paid due to that fact that the City doesn't believe the conditions of the contract were met.	Approved
Call on Councilmembers	
Adjournment	9:15 p.m.

COUNCIL



MINUTES

Regular Meeting July 28, 2014

Call to Order / Pledge of Allegiance

Mayor Nehring called the meeting to order at 7:00 p.m. Pastor Greg Kanehen 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, Financial Operations Manager John Nield, Fire Marshal Tom Maloney, and Recording Secretary Laurie Hugdahl.

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

Committee Reports

Michael Stevens reported on the July 16 Marysville Fire District Board of Directors meeting where the following items were discussed:

- They are still awaiting findings from the Washington Survey and Rating Bureau.
- The Fire District will be retesting for a paramedics list in the fall. This is in addition to two firefighters that will be sent to Harborview to begin their official training in October of 2014.
- The Board was updated on fireworks activity during 4th of July celebrations.
- Service Awards will be held during the September meeting.

Jeff Seibert reported on the Finance Committee meeting on July 17:

- City Clerk's office is having a policy revision regarding the Public Records Act which is in the Council's packet.
- The Clerk's office has 66 requests ongoing.
- There was an update on the biannual budget process. There will be additional costs for legal services.
- There was discussion of the LID process.
- There was a review for a recommendation for a new service provider for our lock box and mailers for utility billing.

Presentations

A. Employee Services Awards.

The following employees received awards:

- Lorrie Towers, Court Judge, 5 years

The following employees were not present to receive their awards:

- Nate Zaretske, Police Officer, 15 Years
- Joby Johnson, Police Sergeant, 15 Years
- Elizabeth Kehler, Administrative Secretary, 15 Years

B. Volunteer of the Month.

Eric & Patricia Schoonmaker were presented with the Mayor's Volunteer of the Month Award for June 2014 for their outstanding community service through leadership in carrying out the annual Marysville Street Festival in August with the Downtown Merchants Association, Rodz on 3rd Car Show in July, and their ongoing commitment to promoting more activity and events in the downtown district.

C. Citizen Award.

Mayor Nehring thanked Noah Allen for his participation in identifying suspicious individuals. Chief Smith also thanked Noah Allen and presented him with a Marysville Good Citizen Award.

Audience Participation

David Reisner, 6323 82nd Street NE, complained about the fireworks in the City of Marysville. He expressed disappointment at the lack of police presence on his street which is extremely active with fireworks. He thanked Councilmember Kamille Norton for taking the time to write to thank them for bringing this to the attention to the City of Marysville. He distributed two pictures as evidence of the fireworks problem in his neighborhood. He asked for a definition of "targeted area" so they know what to expect next year. He commented on the irony of having signs prohibiting fireworks at city parks, but then also having city staff sent out to clean up and street sweepers to sweep it up in

the morning. He asked when the sign was posted at the park because he just recently noticed it.

Park and Recreation Director Ballew explained that sometimes those signs are left up year-round. The particular sign in question has been there for several years. He noted that staff is sent out every Saturday morning to clean up all the city parks so it is just part of the regular routine.

Mrs. Reisner requested a police officer to sit in their park. Chief Smith stated that there would be a greater discussion on the issue of fireworks later tonight. Regarding the definition of targeting, he stated that it means being able to identify the areas and send some folks out into those areas. This year the focus and targeting were highly confined to the days before and after the 4th of July. However, the focus on July 4 was illegal fireworks. The NITE team and the Pro-Act unit were very busy the whole night. He urged people to call the police if there are issues in their neighborhoods. In terms of enforcement, the police wrote 35 tickets this year, where last year they wrote 13.

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

1. Approval of the July 7, 2014 City Council Work Session Minutes.

Motion made by Councilmember Norton, seconded by Councilmember Stevens, to approve the July 7, 2014 City Council Work Session Minutes as presented. **Motion** passed unanimously (7-0).

Consent

2. Approval of the July 9, 2014 Claims in the Amount of \$552,647.03; Paid by Check Number's 93263 through 93411 with No Check Numbers Voided.
3. Approval of the July 16, 2014 Claims in the Amount of \$723,593.00; Paid by Check Number's 93412 through 93556 with Check Number's 82356 and 89602 Voided.
4. Approval of the July 23, 2014 Claims in the Amount of \$299,908.68; Paid by Check Number's 93557 through 93721 with No Check numbers Voided.
5. Approval of the July 18, 2014 Payroll in the Amount of \$901,526.53; Paid by Check Number's 27958 through 28012 with Check Number's 27722 and 27603 Voided and Reissued with Check Number's 27956 and 27957.

Motion made by Councilmember Vaughan, seconded by Councilmember Wright, to approve Consent Agenda items 2, 3, 4, and 5. **Motion** passed unanimously (7-0).

Review Bids

Public Hearings

New Business

6. Consider Professional Services Agreement in the Amount of \$375,672.00 with TCA Architecture Planning Inc. for Planning Programming and Design Services Related to the Retrofit of the Existing Waste Water Treatment Plant Office Building.

Director Nielsen stated that this is regarding programming and planning for the future. Staff is considering doing an expansion at the Wastewater Treatment Plant in order to move personnel back there and bring Sanitation back over to Public Works.

Motion made by Councilmember Muller, seconded by Councilmember Seibert, to authorize the Mayor to sign and execute the Professional Services Agreement in the Amount of \$375,672.00 with TCA Architecture Planning Inc. for Planning Programming and Design Services Related to the Retrofit of the Existing Waste Water Treatment Plant Office Building. **Motion** passed unanimously (7-0).

7. Consider a Professional Services Agreement with Kaplan McLaughlin Diaz, Inc. for Planning, Programming, and Design Services Related to the Retrofit and Expansion of the Jail and Public Safety Building.

CAO Hirashima stated that this is for the jail and public safety expansion and retrofit project. The City is looking at increases to future jail bed space. The primary focus of this report and plan will be on the jail beds and the jail facility.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to authorize the Mayor to sign and execute the Professional Services Agreement in the amount of \$89,500 with Kaplan McLaughlin Diaz, Inc. for Planning, Programming, and Design Services Related to the Retrofit and Expansion of the Jail and Public Safety Building. **Motion** passed unanimously (7-0).

8. Consider a Professional Services Agreement with Transpo Group USA, Inc. for Consultant Services on the Marysville Transportation Comprehensive Plan Update.

Director Nielsen stated that this is for the Transportation Element in the Comprehensive Plan Update. The consultant will be looking at two approaches – one is the Level of Service in the traffic; the other is the pedestrian and bike issues around town. He doesn't think there will be much change in zoning so the trips should be about the same, but there are some key areas they want to focus on.

Motion made by Councilmember Stevens, seconded by Councilmember Muller, to authorize the Mayor to sign and execute a Professional Services Agreement with

Transpo Group USA, Inc. for Consultant Services on the Marysville Transportation Comprehensive Plan Update. **Motion** passed unanimously (7-0).

9. Consider a Professional Services Agreement between the City of Marysville and Billing Documents Specialist.

Financial Operations Manager John Nield explained that the Billing Documents Specialist would be in charge of handling all of the bill printing for utility bills as well as lock box services as people mail their checks in. This company has a good referral from the City of Bonney Lake and provides services all over the United States.

Councilmember Seibert thanked Mr. Nield for answering his question from the Finance Committee meeting about the cost of freight.

Motion made by Councilmember Toyer, seconded by Councilmember Seibert, to authorize the Mayor to sign and execute a Professional Services Agreement between the City of Marysville and Billing Documents Specialist. **Motion** passed unanimously (7-0).

10. Consider a **Resolution** of the City of Marysville, Washington Adopting New Standards for the Delivery of Public Defender Services Pursuant to RCW 10.101.030.

City Attorney Grant Weed explained that by state law the cities are required to adopt standards for the provision of public defender services. CAO Hirashima explained that the WCIA is promoting education to understand the ramifications of the federal court case and the Supreme Court standards. There will be a presentation coming up in the fall regarding highlights of this issue and additional steps the City will be taking.

Motion made by Councilmember Muller, seconded by Councilmember Vaughan, to approve Resolution No. 2363. **Motion** passed unanimously (7-0).

11. Consider a **Resolution** relating to Public Records; Adopting Public Records Act Rules; Issuing a formal order that maintaining an index would be unduly burdensome, ordering publication of this Resolution and the Public Records Act Rules and Appointing the City Clerk as the Public Records Officer.

Finance Director Langdon reviewed this item.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve Resolution No. 2364. **Motion** passed unanimously (7-0).

12. Consider an **Ordinance** Repealing Chapter 1.16 of the Marysville Municipal Code entitled "Public Records" and establishing an effective date.

Motion made by Councilmember Muller, seconded by Councilmember Norton, to approve Ordinance No. 2964. **Motion** passed unanimously (7-0).

13. Consider an **Ordinance** of the Authorizing the Condemnation, Appropriation, taking Damaging and Acquisition of Land and Other Property for the Purpose of Widening State Avenue from Three Lanes to Five Lanes and Constructing Curbs, Gutters and Sidewalks, from Approximately 116th Street NE to Approximately 136th Street NE, and Repealing Ordinance Number 2703.

Director Nielsen explained that this is an agreement for an easement with BNSF across the spur line so the other two lanes on State Avenue can be completed.

Motion made by Councilmember Vaughan, seconded by Councilmember Muller, to approve Ordinance No. 2965. **Motion** passed unanimously (7-0).

14. Consider an **Ordinance** of the Authorizing the Condemnation, Appropriation, taking Damaging and Acquisition of Land and Other Property for the Purpose of Widening State Avenue from Three Lanes to Five Lanes and Constructing Curbs, Gutters and Sidewalks, from Approximately 116th Street NE to Approximately 136th Street NE, and Repealing Ordinance Number 2685.

Director Nielsen explained that this is another item to support the widening of State Avenue.

Councilmember Muller asked if this would come back to the Council. Director Nielsen said it wouldn't come back to the Council unless it is more than 10% above the appraised value.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve Ordinance No. 2966. **Motion** passed unanimously (7-0).

15. Consider an **Ordinance** of the City of Marysville, Washington, relating to contracting indebtedness; amending provisions of Ordinance No. 2957 that authorized the issuance, sale and delivery of not to exceed \$8,254,825 aggregate principal amount of local improvement district bonds; and providing for other matters properly related thereto, all as more particularly set forth herein.

Finance Director Langdon stated that the City is hopefully entering the final stages of the bond. The financing team has discussed the best way to market this bond and has determined that amending the current bond ordinance would be helpful. This would keep in a minimum for the Guaranty Fund and acknowledge the RCW that indicates if there's a shortfall in the LID Guaranty Fund, a levy would be enacted by Council to take care of the amount needed. This is an RCW requirement under the LID law.

Councilmember Seibert asked if in the event that the Council had to enact that levy, but the money was not needed, the Council could refund people's property taxes to offset the cost of that levy. Finance Director Langdon replied that the Council could decide what to do with those remaining funds at the end of the payoff of the bond.

Motion made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve Ordinance No. 2967. **Motion** passed unanimously (7-0).

21. Bee Regulations.

CAO Hirashima reviewed research regarding regulations staff did on surrounding jurisdictions regarding bee regulations. She noted that there are a number of variations on regulations. The items that seem to be commonly regulated relate to the number of colonies or hives allowed. Several jurisdictions have setback regulations. There are also various regulations regarding the overall owner management of the colonies. Staff also visited the neighborhood and the house of concern. Staff's recommendation is to refer this to the Planning Commission for a more thorough review.

Councilmember Seibert noted that some of the cities' regulations talked about regulating swarms, replacing the queen, etc. He requested that the Planning Commission address the reasons for these regulations.

Councilmember Muller asked why the property in question had such a large number of bees. CAO Hirashima wasn't sure, but indicated that it doesn't appear that there is commercial activity going on. It also doesn't appear to be uncommon.

Motion made by Councilmember Muller, seconded by Councilmember Seibert, to refer this matter to the Planning Commission for review and recommendation. **Motion** passed unanimously (7-0).

Legal

Mayor's Business

16. Fireworks Law Review.

CAO Hirashima explained that staff pulled together a comparison of various cities in Snohomish and a summary of fireworks laws. The 2014 Fireworks Incident Reports that were reported to the Fire District and the 2013 and 2014 Police citation data were also included in the Council packet. There is also an email summary from Puget Sound Clean Air Agency indicating the air quality over the 4th of July holiday weekend and a copy of the City's current fireworks ordinance, Chapter 9.20. Grant Weed distributed an overview and summary of the fireworks regulations that Municipal Research Services Center has put together. City Attorney Weed commented that there are three layers of regulations regarding fireworks – federal, state, and city. Any city regulations must be done at least a year in advance of taking effect.

Councilmember Seibert referred to the list of fires related to fireworks and wondered why the one at Cedarcrest Vista wasn't on the list. Fire Marshal Tom Maloney explained that there were various reasons. People often don't call. In the last six years there have been 90 calls directly related to fireworks. The trend is a lot of burning bushes which are

turned into insurance companies. Director Jim Ballew pointed out that the fire he referred was on school district property.

Councilmember Muller noted that a lot of fire departments in southern Oregon sponsor fireworks shows as fundraisers. He asked about the cost for those. Director Nielsen replied that it is anywhere from \$5,000 to \$30,000 depending on the size of the show. Councilmember Muller thought this would be a nice compromise. Director Ballew commented that the one year they tried it there was not a good turnout. He pointed out that there is already a fireworks show as part of the Strawberry Festival.

Councilmember Seibert asked how effective the bans are. Chief Smith replied that his colleagues like the bans because there is no ambiguity on enforcement.

Director Ballew commented that the City doesn't have a city park facility large enough to accommodate a public display of fireworks, and the school district's policies prohibit fireworks on their property.

Chief Smith reiterated Director Ballew's comment that there is already a large fireworks show a couple weeks before the 4th of July as part of Strawberry Festival. He thought adding another show would be quite taxing on staff.

Councilmember Vaughan stated that he enjoys fireworks, but he doesn't enjoy people who are unsafe with fireworks. He asked if it would even be possible to see the benefits of a ban given the City's proximity to the illegal fireworks. Chief Smith said he thought they would see a decrease, but they would not stop altogether. A ban would allow the City to take action more effectively.

Councilmember Wright noted that a ban would affect a lot of service clubs who use the proceeds from fireworks sales. She stressed that it is the illegal stuff that people are concerned about.

Chief Smith clarified his earlier comments stating that 35 citations were written with 5 of those being written on July 4. He assumes that most of those were for illegal fireworks.

Councilmember Vaughan asked about the possible indirect economic benefits of allowing fireworks in the community. Councilmember Vaughan commented on the importance of public input on this topic.

Motion made by Councilmember Seibert to direct staff to put a continuation of this discussion on the agenda as a discussion item with possible action in September or when possible.

Councilmember Vaughan suggested a different approach such as a committee study or an advisory vote of citizens in order to have more public input on this matter.

Motion failed for lack of a second.

Motion made by Councilmember Vaughan, seconded by Councilmember Toyer to direct staff to begin the work of forming an ad hoc fireworks committee.

Councilmember Wright suggested having the Fire Marshal involved on the committee. Councilmember Vaughan suggested having one or more council members, but stressed that he thought the purpose was to get more community input. Councilmember Stevens spoke in support of this motion. He recommended having some members of the service organizations and also a pro-fireworks voice at the table for those discussions.

Councilmember Stevens asked about the deadline for adopting a ban. City Attorney Weed explained that if Council is going to change its current regulations it would have to have an ordinance adopted and effective before the end of June 2015.

Councilmember Seibert recommended allowing staff to determine the specific makeup of the committee.

Motion passed unanimously.

17. Planning Commission Reappointments: Katherine Smith and Roger Hoen.

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to approve the reappointment of Katherine Smith to the Planning Commission. **Motion** passed unanimously (7-0).

Motion made by Councilmember Muller, seconded by Councilmember Toyer, to approve the reappointment of Roger Hoen to the Planning Commission. **Motion** passed unanimously (7-0).

18. Hotel/Motel Appointments: Jennifer Caveny, Carol Kapua, Mary Kirkland, and Charles Lee.

Motion made by Councilmember Seibert, seconded by Councilmember Toyer, to approve the appointment of Jennifer Caveny to the Hotel/Motel Committee. **Motion** passed unanimously (7-0).

Motion made by Councilmember Toyer, seconded by Councilmember Seibert, to approve the appointment of Carol Kapua to the Hotel/Motel Committee. **Motion** passed unanimously (7-0).

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve the appointment of Mary Kirkland to the Hotel/Motel Committee. **Motion** passed unanimously (7-0).

Motion made by Councilmember Vaughan, seconded by Councilmember Stevens, to approve the appointment of Charles Lee to the Hotel/Motel Committee. **Motion** passed unanimously (7-0).

19. Library Board Appointment: Cheryl Deckard.

Motion made by Councilmember Norton, seconded by Councilmember Muller, to approve the appointment of Cheryl Deckard to the Library Board. **Motion** passed unanimously (7-0).

20. Salary Commission Appointment: Steve Edin.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to approve the appointment of Steve Edin to the Salary Commission. **Motion** passed unanimously (7-0).

Other Mayor's Business:

- Snohomish County Tomorrow met on July 23 and adopted the budget and assessments for this year. The assessments for Snohomish County Tomorrow increased by about 2.5%. There were some great updates from PSRC and Economic Alliance Snohomish County.
- Snohomish County Cities Dinner was a big success. Thanks to everyone for coming.
- Community Transit CEO is retiring August 12. The Executive Committee is very busy doing a CEO search.
- He thanked those who were able to attend the Walgreens ribbon cutting.
- He reminded everyone that Mike and Janet Elmore will be doing their open house this weekend.
- PSRC did a great study which bolsters everything the City has been saying about the need for mitigation dollars for communities like Marysville for trains. This could help with getting help for the 529 project. He encouraged everyone to read at least the Executive Summary

Staff Business

Chief Smith:

- It was great to give the Citizen Award to Noah Allen
- He thanked Wendy Wade for all the work she has been doing on the jail study.
- Police have been very busy, but continue to be proactive in their approach.
- There will be no public safety meeting in August, but there will be one in September.
- A mid-year report will be coming soon.
- He wished everyone a great rest of the summer.

Finance Director Langdon:

- Thanks to John Nield for his work on the printing and lockbox contract.
- She distributed copies of the Chambers statistics. Staff is looking for Council's approval to pay for the first half of the year.

Councilmember Vaughan asked Finance Director Langdon if she is satisfied with the information provided. Finance Director Langdon thought it was more important that the Council is satisfied. Councilmember Vaughan said he didn't think it was sufficient. It appears that the report is merely tweaked numbers from the past. He wants to see something that shows the value that this has to the City and that the Chamber is meeting their obligations of the agreement.

Councilmember Wright questioned how up to date the list of membership is.

Councilmember Stevens said it would be helpful to make a determination on this to have the agreement requirements to look at also. CAO Hirashima commented that technically this meets the requirements. She thought that perhaps the Council was hoping for a more detailed report.

Councilmember Muller referred to the requirement to reach out and have collaborative efforts with other groups. He didn't see any information regarding that. He concurred that this report was just new numbers in an old spreadsheet, but was lacking in information. He thought it was pretty weak.

Councilmember Seibert agreed that he would like to review the expectations again and have some more comments from staff before making a decision.

Mayor Nehring asked City Attorney Weed about the action required of the Council in order to authorize payments. City Attorney Weed commented that the Council had made a specific request to first review what they were receiving before payment was made. This would need to be done on a quarterly basis.

Mayor Nehring asked what kind of direction the Council needed to give. Finance Director Langdon stated that per the contract, if the City doesn't feel that the Chamber has met the requirements the Chamber has 30 days to rectify that after a written response to them.

Motion made by Councilmember Muller, seconded by Councilmember Vaughan, to direct the Chamber to respond in writing within 30 days with more information and meet the intent of the agreement before the invoice can be paid due to that fact that the City doesn't believe the conditions of the contract were met. He requested a written dialogue supporting each line item regarding each event they are logging. He also requested a description of how they are working with other organizations, which was not included at all with this report.

Councilmember Toyer stated he would like to review the contract again before approving this.

There was discussion about the timeline and the fact that Council will be off for the month of August. CAO Hirashima suggested that staff could solicit a general request for more information. Councilmember Muller spoke to the importance of having the expectations be clarified now so that this doesn't continue.

Councilmember Vaughan asked Councilmember Toyer if he is still on the Chamber Board. Councilmember Toyer said he was and that he agreed that the report doesn't meet the intent of the agreement. Councilmember Vaughan thought that it was a little awkward having Councilmember Toyer as part of the discussion, given his position on the Chamber Board. Mayor Nehring asked City Attorney Weed for his opinion. City Attorney Weed explained that it was legal for Councilmember Toyer to participate, but from an appearance of conflict of interest standpoint, it was Councilmember Toyer's prerogative to recuse himself from voting on this motion or other further actions the Council might have regarding the Chamber.

Motion carried.

Sandy Langdon also had the following comments:

- The auditors have completed their 2013 audit. The exit conference will be next week.
- Have a fabulous break.

Kevin Nielsen:

- 67th is open for traffic now.
- There will be no Public Works Committee meeting in August.
- Public Works will be involved in a lot of construction in August including a signal at 53rd, a signal at 55th & 88th, Bayview Trail, overlays, and Pond 2.

Jim Ballew:

- Marysville Noon Rotary has been working on Rotary Ranch at Jennings Park. It looks great.
- Next door to that, the Snohomish County Master Garden is in wonderful condition.
- Thanks for mentioning Mike and Janice Elmore's open house and drive for the food bank.
- He wished everyone a beautiful August.

Grant Weed:

- He announced he would be stepping down from his position as City Attorney to help the City transition to an in-house legal counsel. He expressed gratitude for the experience and discussed his intention to assist with the transition.
- He stated there was no need for an executive session tonight.

Mayor Nehring commended Grant Weed's service to the City and expressed appreciation to Grant for his willingness to do whatever it takes to help with the transition.

Gloria Hirashima:

- She discussed her appreciation for Grant Weed's legal counsel and guidance for the last 24 years.
- She let Council know there would be a public open house for the 2015 Comprehensive Plan update tomorrow.
- Staff has plans to do a business appreciation VIP event in September. She will email out the postcard to the Council for their review. The two potential dates are either September 10 or 11.

Call on Councilmembers

Kamille Norton:

- She commented that Grant and his puns would be missed.
- She wished everyone a great August.

Steve Muller suggested discussing the topic of code enforcement in backyard maintenance as it relates to safety issue. CAO Hirashima recalled that it was intentional that they addressed front yard and not back yard regulations due to legal issues.

Rob Toyer had no comments.

Michael Stevens asked when they were expecting the results of the Fire Annexation Study. Finance Director Langdon said staff was supposed to receive it by the end of day today.

Jeff Seibert:

- Thanks to Grant Weed for his years of service.
- Happy August to everyone.

Donna Wright thanked Grant Weed for his service.


Jeff Vaughan thanked staff for their research on the beekeeping regulations.

Executive Session - None


Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 9:15 p.m.

Approved this 8th day of September, 2014.



Mayor
Jon Nehring



April O'Brien
Deputy City Clerk