

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Excuse absence of Councilmember Kamille Norton.	Approved
Approval of the Agenda	Approved
Committee Reports	
Presentations	
Employee Service Awards: Wendy Wade, Police Commander – 25 years; Jeremy King, Police Officer – 10 years	Presented
Volunteer of the Month for July 2015: Lenore Neff	Presented
Community Transit Presentation	Presented
Budget Update Presentation	Presented
Audience Participation	
Approval of Minutes	
Consider the June 22, 2015 City Council Meeting Minutes	Approved
Consider the July 6, 2015 City Council Work Session Minutes	Approved
Consider the July 13, 2015 City Council Meeting Minutes	Approved
Consent Agenda	
Consider the July 8, 2015 Claims in the Amount of \$295,888.31; Paid by Check Numbers 101230 through 101389 with No Checks Voided	Approved
Consider the July 20, 2015 Payroll in the Amount \$929,277.33 Check No.'s 29084 through 29132	Approved
Consider the July 22, 2015 Claims in the Amount of \$1,564,973.09; Paid by Check Numbers 101528 through 101711 with Check Numbers 100925 & 101421 voided	Approved
Consider the July 15, 2015 Claims in the Amount of \$914,375.36; Paid by Check Numbers 101390 through 101527 with Check No.'s 90248 & 101352 voided	Approved
Review Bids	
Public Hearings	
New Business	
Consider the Small Public Works Contract with Preferred Electric, Inc. in the Amount Not to Exceed \$40,000	Approved
Consider the Temporary Access and Work Area Easement with Tulalip Tribe	Approved
Consider the Temporary License for Access across Real Property with Tulalip Tribes	Approved
Consider the Application for Marysville Downtown Merchants Association to Conduct a Special Event on August 7, August 8, and August 9, 2015, including the Street Closure of 3rd Street between State Avenue and Alder Avenue, as well as on Columbia Avenue from 2 nd Street to the Alley between 3 rd Street and 4 th Street	Approved
Consider the Professional Services Agreement Supplement No. 1 with Transpo Group USA, Inc. for a Transportation Comprehensive Plan Update	Approved
Consider the Amendment No. 1 to the Coordinated Prevention Grant Agreement No. G1400098 in the Amount of \$9,957.67 with the State of Washington Department of Ecology	Approved

Consider the Agreement with Tulalip Tribes for Embankment Fill Construction Associated with the Qwuloolt Estuary Restoration Project	Approved
An Ordinance of the City of Marysville Amending the 2015-2016 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2972	Approved Ord. No. 2998
Mayor's Business	
Consider the Hotel/Motel Committee Reappointments: Jennifer Caveny, Carol Kapua, Mary Kirkland, and Mr. Charles Lee	Approved
Staff Business	
Call on Councilmembers	
Consider sending a letter to the fire district potentially terminating the City's agreement with them.	Approved
Recess	9:25 p.m.
Reconvenment	9:40 p.m.
Consider a draft resolution regarding an advisory vote about a ban on fireworks	Approved Res. No. 2379
Adjournment	9:45 p.m.
Executive Session	9:45 p.m.
Litigation – two items	
Real Estate – one item	
Reconvenement	10:07 p.m.
Action	
Adjournment	10:07 p.m.

COUNCIL



MINUTES

Regular Meeting July 27, 2015

Call to Order / Pledge of Allegiance

Mayor Nehring called the meeting to order at 7:00 p.m. Pastor Greg Kanehan 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, Jeff Seibert, Michael Stevens, Rob Toyer, Jeff Vaughan, and Donna Wright

Absent: Kamille Norton

Also Present: Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Police Chief Rick Smith, City Attorney John Walker, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Community Development Director Dave Koenig, and Recording Secretary Laurie Hugdahl.

Motion made by Councilmember Stevens, seconded by Councilmember Muller, to excuse the absence of Councilmember Norton. **Motion** passed unanimously (6-0).

Approval of the Agenda

Mayor Nehring stated the need to remove items 8 and 10 from the agenda.

Motion made by Councilmember Toyer, seconded by Councilmember Muller, to approve the agenda with the removal of items 8 and 10. **Motion** passed unanimously (6-0).

Committee Reports

Councilmember Muller reported on the RFA Committee. He noted that the Committee has gotten through the financial side of the RFA process, the application, and the fundamentals of putting it together. They are currently at an impasse over the governance of it so they are giving it a rest.

Councilmember Seibert reported that the Finance Committee received a budget update. He announced that sales tax revenue is 4.2% above last year's at this date.

Council President Vaughan reported that the LEOFF 1 Board met on July 22 where they reviewed and approved three claims.

Councilmember Stevens gave an update on the Marysville Fire District Board of Directors chief search process. He thanked all the members of the community and staff for participating in that. The Board has reached a consensus for a preferred candidate. A contract is currently being negotiated.

Presentations

A. Employee Services Awards

Chief Smith presented employee service awards to:

- Wendy Wade, Police Commander – 25 years
- Jeremy King, Police Officer – 10 years

B. Volunteer of the Month

Lenore Neff was recognized as Volunteer of the Month for July 2015 for her lifetime service to the Marysville Community.

C. Community Transit Presentation

Todd Morrow, Chief of Strategic Communications, and Emmett Heath, CEO, gave a Powerpoint presentation from Community Transit (CT) regarding Meeting the Transportation Needs of Snohomish County. Mr. Heath expressed appreciation for the longstanding good relationship between the City of Marysville and Sound Transit. He summarized that the City of Marysville has grown faster than the CT services in the community. He stressed that transit investments help the economy grow and protect our quality of life. Transit is a key component for the vision that Marysville has for its downtown. Community Transit is very proud of its role in Snohomish County. About 40,000 people ride CT buses, vanpools or DART vehicles each day. They aspire to help 65,000 commuters ride public transportation each day. Without bus service traffic on I-5 would be unmanageable. It helps people get to where they need to go quickly, efficiently, and predictably. The biggest challenge is keeping up with demand. Last year ridership increased 8%, and it's going up even faster this year. More than 1400 riders board buses in Marysville each day. Routes 200, 201, and 202 are the third busiest route combination in Community Transit's system. Commuter service to Seattle buses

fill at the first stop, and people are standing in the aisles for the entire commute which often takes up to 80 minutes. This is clearly a transit-friendly community.

Mr. Morrow discussed a ballot measure which could enable CT to add additional buses to downtown Seattle and the University District to help to relieve congestion on commuter routes. They would also be able to add buses and vanpools across the service area including more east-west connections in the south county and more trips in the northeast county. If the ballot measure is successful they could add another Swift rapid transit line between Paine Field and Canyon Park which would carry about 3300 riders a day. A second line of Swift would connect about 65,000 manufacturing jobs in the Boeing Paine Field center with about 25,000 high tech jobs on the south end around Canyon Park in Bothell. It would also serve the residential and commercial high-density area between Boeing Field and Canyon Park. A second line of Swift would also establish the first high capacity or bus rapid transit network in our county which is eventually planned to extend to Marysville and Smokey Point in the future. The ballot measure would allow CT to explore a possible new route between Marysville and McCollum Park via Lake Stevens and Snohomish along Highway 9. It would also help CT add trips to existing routes and create new routes to jobs, housing, and educational centers throughout the county. Finally, the ballot measure would allow CT to reconfigure bus service to connect with Sound Transit's linked light rail for its scheduled arrival at the Lynnwood Transit Center in 2023. He summarized that CT helps preserve the quality of life in the region by getting people to and from work and able to enjoy their lives.

Councilmember Muller noted that the express route to Seattle now takes about 80 minutes. He asked how this has changed and what is projected for the future. He commented that it used to take 20 minutes from Everett to Seattle. 50 minutes is the current average. Statistically now it takes 80 to 90 minutes to get to Seattle on time. Over the last 3 to 5 years the average time has doubled. If that trend line was extended with nothing to combat it you could expect it to continue to grow 5 to 10 minutes a year. However, there is a lot that can be done. The state recently approved a transportation package which included an option for CT to pursue additional sales tax revenue. Sound Transit's light rail system combined with reconfigured CT routes will help prevent the problems. Public transportation still takes people less time to get to where they are going than private vehicles.

Council President Vaughan commented that routes 201 and 202 are vitally important to the City for both employees and students at Everett Community College. He is glad that route is there and looks forward to future expansion.

Mayor Nehring thanked Emmet Heath and Todd Morrow for their work and for the presentation.

D. Budget Update Presentation

Finance Director Sandy Langdon noted that the General Fund is looking at a 2% increase over the previous year and 4.2% increase in inter-fund department service

charges. Other governmental funds are 23% higher due to TBD funding in 2014. Enterprise funds were down .2% due to lower transfers for utility construction and debt service. The water/sewer operating fund was up 12.8% from 2014, the majority of it (72.3%) from service charges and 27.7% from stormwater recovery and connection fees. Solid Waste increase was at 6.5% which was up from 2014. The golf course performed well under new management with revenues up 27.3%. The Capital & Internet Services Funds were up 27.8% higher than 2014. TBD funding was the result of that. Overall, the first half of 2015 revenues were up 5.1% compared to 2014.

The General Fund expenditures finished the first half of 2015 up 8.5% from the year before. Other General Fund actual expenditures are up 61.4% higher than 2014 due mainly to the addition of the TBD and debt service for LID 71. The Enterprise Fund expenditures are 5% less than 2014. The majority of the decrease is a result of less utility construction activity in 2015 over 2014. The golf course expenses are also lower as the result of new management. Capital & Internal Service Fund expenditures as of the end of June are 30.5% higher than 2015. This is a direct result of capital investment. Overall, the first half of 2015 expenditures finished 7.5% higher compared to 2014 and finished June at 31.5% of the budget.

General Fund Revenues: Property tax finished June at .5% higher than June 2014. Sales tax revenues for the second half of 2015 are up 3.5% over 2014 as retail sales continue to grow. Business (utility) tax collections are .4% higher than 2014 as of the end of June 2015. This is attributed to the mild weather in the first quarter of the year and the warmer spring. Construction permits receipts are up 29.5% over 2014 as of the end of June 2015. Other licenses & permits revenues are 4.7% higher reflecting growth in franchise fees. Service charge revenues are up 4.2% as of the end of June with the majority of the increase from inter-fund department charges. Fines & Forfeits are down 10% from 2014 with the majority of the decrease from traffic infractions and traffic misdemeanors. Miscellaneous revenues finished June 5% lower than 2014 as a result of the transfer of the library to Sno-Isle (reimbursement of utilities is no longer received) and the receipt in 2014 of prior year's tower lease fees.

General Fund Expenditures: General Fund expenditures for 2015 are 8.5% higher as of the end of June and are at 47.1% of budget. Legal Services is up 32.6% as a direct result of an increase in public defense fees needed to meet new requirements. Human Resources are up 11.2% due to increased professional services for union contracts and employee services. Community Development is up 13% due to increased professional services for the Comprehensive Plan update. Park expenditures are up 11.3% compared to 2014 as a result of the repairs to the Baxter Community Center, most of the cost being covered by insurance reimbursement. Library expenditures are lower than 2014 due to the transfer of the library to Sno-Isle in April. Public Safety Building is up 37.7% as a result of the jail study and electrical and HVAC repairs. Non-Departmental expenditures are up 25.3% as a result of the transfer for pavement preservation which occurred in the first half of 2015 instead of the second half of the year as it occurred in 2014.

Cash Activity Report: Staff is tracking well compared to 2014. The balance of cash has been transferred more to investments in order to make some revenue with interest. The City is averaging about .8% interest which is a lot better than the state pool. The City is also working on a contract for investment services.

Questions:

Councilmember Toyer asked how the City is limited in its investments. Finance Director Langdon explained they are basically limited to federal agencies which would be almost guaranteed returns. They can do CDs, but are limited to banks that can be used. She summarized that the City is very limited.

Audience Participation

Ev Stone, PO Box 616, Granite Falls, WA 98252, stated she was representing 200 local seniors with a request for one-year moratorium of City Ordinance 5.26.010 regarding gambling activities as it applies to seniors playing social card games making de minimus wager of no more than \$5 per session. She spoke in support of efforts to propose legislation to change the state law in 2016. She reviewed the background of this item and commented that the reason for the urgency of the request is that the average age is 80 years old and they have lost 25% to 30% of the players due to deteriorating health or death. Mayor Nehring asked City Attorney John Walker to look into the matter and follow up with Council.

Tom King, 3113 Sunnyside Blvd., Marysville. and Mike & Elaine Ferri, 12309 – 51st Avenue NE, Marysville, announced that the National Kiwanis Organization will be celebrating its 100 year celebration at the Rotary Ranch on 8/29 from 2 to 4 p.m. Marysville Kiwanis will be celebrating its 60th anniversary next year.

Approval of Minutes

1. Consider the June 22, 2015 City Council Meeting Minutes

Motion made by Councilmember Stevens, seconded by Councilmember Muller, to approve the June 22, 2015 City Council Meeting Minutes. **Motion** passed unanimously (6-0).

17. Consider the July 6, 2015 City Council Work Session Minutes

Council President Vaughan stated he was absent so would be abstaining.

Motion made by Councilmember Stevens, seconded by Councilmember Muller, to approve the July 6, 2015 City Council Work Session Minutes. **Motion** passed unanimously (5-0) with Council President Vaughan abstaining.

18. Consider the July 13, 2015 City Council Meeting Minutes

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to approve the July 13, 2015 City Council Meeting Minutes. **Motion** passed unanimously (6-0).

Consent

2. Consider the July 8, 2015 Claims in the Amount of \$295,888.31; Paid by Check Numbers 101230 through 101389 with No Checks Voided
12. Consider the July 20, 2015 Payroll in the Amount \$929,277.33 Check No.'s 29084 through 29132
14. Consider the July 22, 2015 Claims in the Amount of \$1,564,973.09; Paid by Check Numbers 101528 through 101711 with Check Numbers 100925 & 101421 voided
15. Consider the July 15, 2015 Claims in the Amount of \$914,375.36; Paid by Check Numbers 101390 through 101527 with Check No.'s 90248 & 101352 voided

Motion made by Councilmember Wright, seconded by Councilmember Muller, to approve Consent Agenda items 2, 12, 14, and 15. **Motion** passed unanimously (6-0).

Review Bids

Public Hearings

New Business

3. Consider the Small Public Works Contract with Preferred Electric, Inc. in the Amount Not to Exceed \$40,000

Director Nielsen stated that this would provide on-call service with Preferred Electric so any problems that come up can be addressed.

Motion made by Councilmember Muller, seconded by Councilmember Toyer, to authorize the Mayor to sign and execute the Small Public Works Contract with Preferred Electric, Inc. in the Amount Not to Exceed \$40,000. **Motion** passed unanimously (6-0).

4. Consider the Temporary Access and Work Area Easement with Tulalip Tribe

Director Nielsen explained this would provide access to the outfalls and the sewer line that the City owns. These need to be improved or moved before the breach can occur.

Motion made by Councilmember Muller, seconded by Councilmember Vaughan, to authorize the Mayor to sign and execute the Temporary Access and Work Area Easement with Tulalip Tribe. **Motion** passed unanimously (6-0).

5. Consider the Temporary License for Access across Real Property with Tulalip Tribes

Director Nielsen explained this would allow the Tribes to cross property to build some berms related to the breach.

Motion made by Councilmember Stevens, seconded by Councilmember Muller, to authorize the Mayor to sign and execute the Temporary License for Access Across Real Property with Tulalip Tribes. **Motion** passed unanimously (6-0).

6. Consider the Application for Marysville Downtown Merchants Association to Conduct a Special Event on August 7, August 8, and August 9, 2015, including the Street Closure of 3rd Street between State Avenue and Alder Avenue, as well as on Columbia Avenue from 2nd Street to the Alley between 3rd Street and 4th Street

CAO Hirashima explained this is for the annual Handmade and Homegrown Street Fair on August 7-9th. The event has been reviewed by all departments.

Motion made by Councilmember Muller, seconded by Councilmember Seibert, to authorize the Mayor to sign and execute the Application for Marysville Downtown Merchants Association to Conduct a Special Event on August 7, August 8, and August 9, 2015, including the Street Closure of 3rd Street between State Avenue and Alder Avenue, as well as on Columbia Avenue from 2nd Street to the Alley between 3rd Street and 4th Street. **Motion** passed unanimously (6-0).

7. Consider the Professional Services Agreement Supplement No. 1 with Transpo Group USA, Inc. for a Transportation Comprehensive Plan Update

Director Nielsen stated this is a no-cost time extension.

Motion made by Councilmember Stevens, seconded by Councilmember Seibert, to authorize the Mayor to sign and execute the Professional Services Agreement Supplement No. 1 with Transpo Group USA, Inc. for a Transportation Comprehensive Plan Update. **Motion** passed unanimously (6-0).

13. Consider the Amendment No. 1 to the Coordinated Prevention Grant Agreement No. G1400098 in the Amount of \$9,957.67 with the State of Washington Department of Ecology

Director Nielsen stated that the DOE wants to give the City additional money because the Blue Marble program was so successful.

Motion made by Councilmember Vaughan, seconded by Councilmember Wright, to authorize the Mayor to sign and execute Amendment No. 1 to the Coordinated Prevention Grant Agreement No. G1400098 in the Amount of \$9,957.67 with the State of Washington Department of Ecology. **Motion** passed unanimously (6-0).

16. Consider the Agreement with Tulalip Tribes for Embankment Fill Construction Associated with the Qwuloolt Estuary Restoration Project

Director Nielsen explained this is the contract to do the embankment work to execute the Ebey Waterfront Trail in the future.

Motion made by Councilmember Muller, seconded by Councilmember Stevens, to authorize the Mayor to sign and execute the Agreement with Tulalip Tribes for Embankment Fill Construction Associated with the Qwuloolt Estuary Restoration Project. **Motion** passed unanimously (6-0).

9. An **Ordinance** of the City of Marysville Amending the 2015-2016 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2972

Finance Director Langdon explained this would adjust the 2015 budget to address carryovers.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to adopt Ordinance No. 2998. **Motion** passed unanimously (6-0).

Legal

Mayor's Business

11. Consider the Hotel/Motel Committee Reappointments: Jennifer Caveny, Carol Kapua, Mary Kirkland, and Mr. Charles Lee

Motion made by Councilmember Seibert, seconded by Councilmember Muller, to approve the appointment Charles Lee to the Hotel/Motel Committee. **Motion** passed unanimously (6-0).

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to approve the appointment of Mary Kirkland to the Hotel/Motel Committee. **Motion** passed unanimously (6-0).

Motion made by Councilmember Vaughan, seconded by Councilmember Muller, to approve the appointment of Carol Kapua to the Hotel/Motel Committee. **Motion** passed unanimously (6-0).

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to approve the appointment of Jennifer Caveny to the Hotel/Motel Committee. **Motion** passed unanimously (6-0).

Other Mayor's Business:

- The SCC Dinner was very informative. He commended the Snohomish County legislators who really rallied.
- Homegrown, Night Out Against Crime, and the Kiwanis event will be happening while Council is on vacation.
- Welcome to the new Community Development Director Dave Koenig.

Staff Business

Chief Smith:

- Tuesday, August 4 is National Night Out Against Crime at Comeford Crime from 6 to 8.
- He welcomed Dave Koenig.
- He wished everyone a fantastic August break.

Sandy Langdon:

- She enjoyed the triathlon and thinks the Council should have a team next year.
- Welcome to Dave Koenig to the Community Development.
- Happy summer break to all.

John Walker stated the need for an Executive Session to discuss three items - one regarding the sale of real estate and two items regarding pending litigation with action expected on one pending litigation item expected to last 20 minutes.

Kevin Nielsen:

- Staff will be paving Sunnyside this weekend so it will be down to one lane.
- 116th Interchange is underway.
- State Avenue is moving along.

Jim Ballew:

- Thanks for recognizing Lenore Neff. She is an outstanding lady.
- The Kiwanis Club is a very proud service organization. The triathlon echoes the pride that CT and the Kiwanis Club has. He commented on the camaraderie and pride associated with the triathlon.
- There will be a community charrette on August 12 at the high school for the Tuscany Park project. It is one of the City's most used, but oldest parks.
- There will be a meeting in September regarding the Ebey Waterfront Trail.
- Welcome to Dave Koenig.
- Have a great August break.
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Dave Koenig:

- He is excited to be working with the City of Marysville.
- He heard very good things about Marysville when he was exploring going to work here.

Gloria Hirashima:

- She is very happy to have Dave Koenig here.
- There are still opening spots at the city booth on Saturday at the Handmade and Homegrown Festival.
- Thanks to everyone involved in the city wellness event last week. She discussed efforts undertaken to inspire pride in the City by employees.

Chief McFalls:

- Thanks to Jim Ballew and his staff for the great event.
- Welcome to Dave Koenig.
- He expressed appreciation to the Mayor and Council for the hard work and the great example to the community.

Chief Smith commented on the feeling of teamwork and camaraderie he got from the event last week.

Call on Councilmembers

Steve Muller:

- Welcome to Dave Koenig.
- He suggested putting the fireworks question out to the community since there would be no cost to the City and would provide more information to the City. CAO Hirashima replied the deadline would be August 2 to have this on the ballot. Because there are so many other issues on the ballot this would be at no additional cost to the City. Action would need to be taken tonight since the Council will be off in August.

Motion made by Councilmember Muller, seconded by Councilmember Seibert, to run an advisory ballot to the citizens to get more information from the community about a ban on fireworks.

Councilmember Vaughan spoke in support of an advisory vote, but expressed concern about the time needed to develop and decide on the verbiage.

Finance Director Langdon stated that an Ordinance would need to be adopted by August 2.

Councilmember Seibert commented it doesn't appear there is time.

Councilmember Wright stated her opinion is to ask citizens if they want to ban fireworks. This appears like a pretty straightforward question.

Councilmember Muller commented that this could simply ask, "Do you support a fireworks ban in the City of Marysville?"

Councilmember Stevens suggested another way to approach this would be to publish a memo on the results of the work the Fireworks Committee has already done.

Councilmember Vaughan said he doesn't think that putting this to a vote would put an end to citizen comments or complaints on this matter. Communities that have done bans have indicated it has taken years for things to change. He commented that the Council was elected to study things and take a vote. He has not seen this sort of action taken on the Council in his time here.

Councilmember Muller withdrew his motion to allow the City Attorney time to work on verbiage.

Rob Toyer welcomed Dave Koenig and wished everyone a great August.

Michael Stevens:

- Welcome Dave Koenig.
- The Ken Baxter Center makes a great backdrop in the city.
- Best of Maryville nominations are due soon.
- It's nice to see all the Qwuloolt work happening.
- It's also nice to see the cities coming together at Snohomish County Cities with the expressed purpose of getting things done in Olympia.
- He and Councilmember Wright attended the Sno-Isle fire commissioners meeting last month. The expectation for fire danger is expected to be worse on this side of the mountains than the eastern side of the mountains. He thanked staff for their hard work on the fire chief selection process.

Jeff Seibert:

- Welcome Dave Koenig.
- He travelled on 67th this weekend, and it looks great.
- He thanked Councilmember Wright and her family and Councilmember Stevens and his family for coming out to support the Mayor's Cup.
- Regarding the RFA, the Council probably needs to take action to direct staff to put together some way for the committee to analyze whether or not they should investigate a city department. There was general agreement for staff to bring back information on this.
- The City needs to give three years' notice to end the agreement with the fire district. He recommended giving notice sooner rather than later because his understanding is it can always be rescinded.

Motion made by Councilmember Seibert, seconded by Councilmember Vaughan, to send a letter to the fire district potentially terminating the City's agreement with them.

Councilmember Vaughan stated he believes this is a fair thing to do to let the fire district know about the possibility.

Councilmember Stevens said he would prefer to send a letter until they see the results of the staff study.

Councilmember Toyer concurred.

Councilmember Muller clarified that the reason they are looking at the City being able to contract out to the fire district is that it would allow them to structure a system that is more fiscally responsible and sustainable. This is one option; and the RFA is another. The message to the fire district is that the City wants to start the process.

Councilmember Seibert said the reason he wants to do the letter is that it starts the clock.

Councilmember Stevens expressed concern about how this will get relayed to the public. He again recommended having staff study the situation first.

Councilmember Vaughan stated that by not acting with this letter they are actually kicking the can down the road. It could potentially make the RFA happen faster. He thinks it leaves the City with more options rather than fewer.

Motion to send a letter to the fire district expressing the City's intent to terminate the agreement within a three-year period passed 4-2 with Stevens and Toyer voting against the motion.

Mayor Nehring clarify that the intent of the Council is to carefully craft the letter so as not to alarm anyone.

Donna Wright:

- Congratulations to Jeff Seibert for his participation in the Mayor's Cup.
- She attended the exit interview with the auditors. The City as usual got a great report.

Jeff Vaughan thanked the Board Members on the Fire District Board of Directors for their work.

Mayor Nehring recognized the Council for the extra work that has gone into the past six months.

Adjournment

Council recessed from 9:25 until 9:40 before reconvening to take action on the fireworks advisory vote item and recessing into Executive Session to discuss three items - one regarding the sale of real estate and two items regarding pending litigation with action expected on one pending litigation item. The Executive Session was expected to last 20 minutes

Following the recess, City Attorney John Walker distributed a draft resolution regarding an advisory vote for fireworks for Council's consideration.

Motion made by Councilmember Muller, seconded by Councilmember Seibert, to adopt Resolution No. 2379 as presented by City Attorney Walker. **Motion** passed 4-2 with Councilmembers Stevens and Toyer voting against the motion.

Council adjourned into Executive Session at 9:47 p.m.

Executive Session

- A. Litigation – two item with action expected one of them – RCW 42.30.110(1)(i)
- B. Personnel
- C. Real Estate – one item – RCW 42.30.110(1)(c)

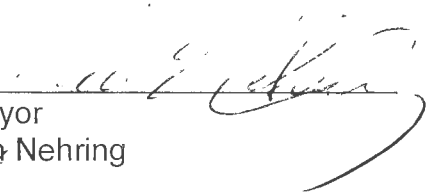
Executive Session ended and public meeting reconvened at 10:07 p.m.

Motion made by Councilmember Muller, seconded by Councilmember Seibert to authorize the Mayor to enter into a Settlement Agreement in substantially the same form as that is filed with the City Clerk.

Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 10:07 p.m.

Approved this 14 day of September, 2015.



Mayor
Jon Nehring



April O'Brien
Deputy City Clerk