

**City Council**



**1049 State Avenue  
Marysville, WA 98270**

**Regular Meeting  
Minutes  
September 28, 2020**

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

Mayor Nehring called the meeting to order at 7:00 p.m. Pastor Kate Kilroy of Marysville Foursquare Church delivered the invocation. Mayor Nehring led the Pledge of Allegiance.

**Invocation**

**Pledge of Allegiance**

**Roll Call**

**Present:**

Mayor: Jon Nehring

Council: Council President Kamille Norton, Councilmember Jeff Vaughan, Councilmember Tom King, Councilmember Mark James, Councilmember Michael Stevens, Councilmember Steve Muller, Councilmember Kelly Richards

Staff: CAO Gloria Hirashima, Finance Director Sandy Langdon, Parks, Culture, and Recreation Director Tara Mizell, Public Works Director Kevin Nielsen, Police Chief Erik Scairpon, Interim Chief Jeff Goldman, Human Resources Manager Teri Lester, Deputy City Attorney Burton Eggertsen, Fire Chief Martin McFalls, Public Relations Administrator Connie Mennie, Senior Planner Angela Gemmer, IS Manager Worth Norton, Systems Analyst Mike Davis, Interim CD Director Allen Giffen

**Approval of the Agenda**

**Motion** to approve the agenda moved by Councilmember Richards seconded by Councilmember Muller.

**AYES: ALL**

### **Committee Reports**

Councilmember King reported on the recent LEOFF 1 Board meeting where they approved one claim. At the meeting, Board Member Donna Wright announced that she will be moving so there will be an opening for a citizen-at-large position on that board.

### **Presentations**

### **Audience Participation**

Kelly Egan proposed that the space in front of Public Works be turned into an edible green space in order to provide a community benefit. She also expressed several concerns about the neighborhood including the parking situation, speeding in the alley, general safety especially for children, and incomplete sidewalks. Director Nielsen responded to her concerns. He noted that the alley would be analyzed for speeding and traffic flow after the bypass is complete. The City will be applying for a CDBG grant to finish the sidewalk, and is putting in the ADA ramps now.

David Toyer expressed concern about a zoning code change in permitted uses that impacts his client's plans for a development in process. They are seeking guidance on how to move forward given this new situation. CAO Hirashima offered to provide more information and discuss this during item 10.

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

1. Approval of the July 27, 2020 City Council Meeting Minutes

**Motion** to approve the July 27, 2020 City Council Meeting Minutes moved by Councilmember King seconded by Council President Norton.

**VOTE: Motion carried 6 – 0**

**ABSTAIN: Councilmember Muller**

2. Approval of the August 20, 2020 City Council Special Meeting Minutes

**Motion** to approve the August 20, 2020 City Council Special Meeting Minutes moved by Councilmember Richards seconded by Councilmember James.

**AYES: ALL**

3. Approval of the September 8, 2020 City Council Work Session Minutes

**Motion** to approve the September 8, 2020 City Council Work Session Minutes moved by Councilmember James seconded by Councilmember King.

**VOTE: Motion carried 6 - 0**

## **ABSTAIN: Councilmember Stevens**

### **Consent**

4. Approval of the September 9, 2020 Claims in the Amount of \$1,229,713.78 Paid by EFT Transactions and Check Numbers 143157 through 143258 with Check Numbers 137874 and 140419 Voided
6. Approval of the September 16, 2020 Claims in the Amount of \$7,401,227.16 Paid by EFT Transactions and Check Numbers 143259 through 143409 with Check Numbers 127179 and 138993 Voided
7. Approval of the September 25, 2020 Payroll in the Amount of \$1,608,551.96 Paid by EFT Transactions and Check Numbers 33237 through 33248

**Motion** to approve Consent Agenda items 4, 6, and 7 moved by Councilmember James seconded by Councilmember Muller.

**AYES: ALL**

### **Review Bids**

### **Public Hearings**

### **New Business**

8. Consider Approving the Communication Site Sublease/License with Island County Emergency Services Communications Center

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

**Motion** to authorize the Mayor to sign and execute the Communication Site Sublease/License with Island County Emergency Services Communications Center moved by Councilmember King seconded by Councilmember Richards.

**AYES: ALL**

9. Consider Approving the Amendment to the Interagency Agreement with the Washington State Department of Commerce through the Coronavirus Relief Fund for Local Governments

Finance Director Langdon discussed the proposed allocation of CARES Act funding. There was discussion about details of expenditures to date. There was consensus to have Director Langdon regularly give an update on the status of the expenditures at future Council meetings to allow Council to change allocations if desired.

**Motion** to authorize the Mayor to sign and execute the Amendment to the Interagency Agreement with the Washington State Department of Commerce through the

Coronavirus Relief Fund for Local Governments moved by Council President Norton seconded by Councilmember King.

**AYES: ALL**

10. Consider Approving an Ordinance Adopting the Commercial Permitted Uses, and Density and Dimensional Amendments

Associate Planner Gemmer reviewed the proposed amendments to Commercial Permitted Uses Matrices and to Density and Dimensional Standards. The changes would correct a discrepancy between the East Sunnyside/Whiskey Ridge Area Master Plan which doesn't contemplate residential density and the Commercial Permitted Uses Matrices which combines the Community Business and Community Business Whiskey Ridge zones.

Referring to Mr. Toyer's concern raised during Citizen Comments, CAO Hirashima clarified that there were never any residential uses contemplated for that zone and no density assigned for it. The area was anticipated to be a commercial "Big Box" zone with a goal of sales tax creation, and the use got introduced through a scrivener's error when tables were combined. She reviewed a planning interpretation that had been given on this matter by former Director Thomas to Mr. Toyer explaining that residential uses were not allowed in the code. The appeal period on the planning interpretation has lapsed, but she suggested that Council could reconsider whether or not the City wishes to allow residential uses in a Comprehensive Plan review process.

Councilmember King asked if the utilities such as water and sewer in that area would be capable of handling a change in usage to residential. Associate Planner Gemmer explained that the adequacy of roads and utilities would need to be analyzed because it wasn't contemplated. Director Nielsen added that all the traffic modeling was done using commercial numbers and would be very different for residential.

Councilmember Muller recalled from his time on the Planning Commission that it was very evident the City didn't want residential in that area. He referred to the minutes and noted that there were still a lot of conversations to be had about vertical and horizontal mixed use applications and what that might look like in the City. That conversation should still go forward, and they could come back with a Comprehensive Plan amendment if the Council decides to. He asked for more information about how this problem arose. Associate Planner Gemmer reviewed the background on this matter.

Councilmember James expressed concern about how this happened and suggested that they should postpone the matter for more discussion.

**Motion** to table the Ordinance Adopting the Commercial Permitted Uses, and Density and Dimensional Amendments until the next meeting moved by Councilmember James seconded by Councilmember Muller.

**AYES: ALL**

There was discussion about how to proceed from here. It was noted that the loophole in the code would need to be fixed no matter what, but if the Council desired a review of the Comprehensive Plan that was also an option. CAO Hirashima summarized that Council could direct staff to initiate a city review of the area to start the alternatives analysis and look at the options or authorize money for a consultant to come on to help expedite it since staff is quite busy. There was consensus to have staff bring back the code to the next meeting to take action if desired.

11. Consider Approving a Resolution to Address Police Command Staff Compensation and Police Hire Incentives and Authorize the Changes to Personnel Rules to Authorize these Subjects in the Future

CAO Hirashima reviewed this item. There were no comments or questions.

**Motion** to adopt Resolution No. 2490, to Address Police Command Staff Compensation and Police Hire Incentives and Authorize the Changes to Personnel Rules to authorize these Subjects in the Future moved by Councilmember James seconded by Councilmember Richards.

**AYES: ALL**

## **Legal**

## **Mayor's Business**

Mayor Nehring had the following comments:

- He was honored to speak at the Amazon Catalyst ceremony last week. Congratulations to two Marysville residents who won awards for their innovative thinking.
- The City is working with Strategies 360 to step up efforts to try to extend the 2015 tax exemption pilot for the Manufacturing Industrial Center.
- Four new officers were sworn in on September 18.
- He solicited discussion regarding deciding on a new name for the 1st Street bypass. There was consensus to remand this to the Public Works Committee for a recommendation.

## **Staff Business**

Chief McFalls welcomed Chief Scairpon and Interim Director Giffen.

Chief Scairpon said he is looking forward to getting to know the team and the community better.

Director Langdon welcomed Chief Scairpon and Interim Director Giffen.

Director Nielsen noted that the ribbon cutting for the 1st Street bypass is this Friday at 2 p.m. He also welcomed Chief Scairpon and Interim Director Giffen.

Interim Director Giffen thanked everyone for the welcome. He is looking forward to working with the City.

Community Information Officer Mennie noted that Pastor Kate Kilroy contacted her to offer the assistance of the Chaplain's organization to get information out to people about community resources. All Council members are invited to the ribbon cutting on Friday.

Director Mizell had no comments.

Human Resources Manager Lester had no comments.

Deputy Attorney Eggertsen also welcomed Chief Scairpon and Interim Director Giffen. He stated the need for two Executive Session items involving real estate with no action intended. The time was estimated to be 15 minutes.

CAO Hirashima welcomed Chief Scairpon and Interim Director Giffen with the City.

### **Call on Councilmembers**

Councilmember Stevens welcomed Chief Scairpon and Interim Director Giffen.

Councilmember Richards welcomed Chief Scairpon and Interim Director Giffen. He is looking forward to the ribbon cutting. He asked about a date for the opening of Cedar Fields. Director Mizell replied they are tentatively thinking about doing it in the spring at the Jamboree so the kids can be present.

Councilmember King welcomed Chief Scairpon and Interim Director Giffen. He thanked the Mayor and staff for responding to citizens' concerns about the speed limit on Sunnyside Blvd. He is glad to see the upper parking lot at Jennings Park being paved. He will be at the ribbon cutting on Friday.

Councilmember Muller welcomed Chief Scairpon and Interim Director Giffen. He is excited about 1st Street. It is great to see downtown taking shape.

Council President Norton welcomed Chief Scairpon and Interim Director Giffen. She is also looking forward to the ribbon cutting on Friday.

### **Adjournment/Recess**

Council recessed at 8:27 p.m. for five minutes before reconvened into Executive Session for 15 minutes to address two real estate matters with no action expected.

### **Executive Session**

A. Litigation

B. Personnel

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

Executive session was extended for 15 minutes. No action taken.

**Reconvene**

Council reconvened following Executive Session at 9:02 p.m.

**Adjournment**

The meeting was adjourned at 9:02 p.m.

Approved this 26 day of October, 2020.

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Mayor  
Jon Nehring

