

City Council



501 Delta Ave
Marysville, WA 98270

Regular Meeting
November 27, 2023

Call to Order

Mayor Nehring called the meeting to order at 7:00 p.m.

Invocation

Pastor Alex Ghelli from Allen Creek Community Church gave the invocation.

Pledge of Allegiance

Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Council President Kamile Norton, Councilmember Peter Condyles, Councilmember Mark James, Councilmember Tom King, Councilmember Michael Stevens, Councilmember Kelly Richards, Councilmember Steve Muller

Staff: City Attorney Jon Walker, Community Development Director Haylie Miller, Police Chief Erik Scairpon, Parks & Recreation Director Tara Mizell, Public Works Director Jeff Laycock, Network Systems Administrator Chris Brown, I.S. Director Stephen Doherty, Finance Director Jennifer Ferrer-Santa Ines, Public Information Officer Connie Mennie, Assistant City Engineer Ken McIntyre

Approval of the Agenda

Motion to approve the agenda moved by Councilmember Muller seconded by Council President Norton.

AYES: ALL

Presentations

Audience Participation

Julie and Steve Polkinghorn, 5016 83rd Avenue NE, 98270 expressed concern about development, the impact on their property, and why their parcel should not be part of the recovery contract that will be discussed tonight.

Mayor Nehring acknowledged their concerns and explained their comments would be added to the public hearing.

Approval of Minutes

1. November 6, 2023 City Council Work Session Minutes

WS11062023.docx

Councilmember Condyles referred to page 2 under proclamations and noted that Court Administrator *Ellings* should be corrected to *Elsner*.

Motion to approve November 6, 2023 City Council Work Session Minutes as revised moved by Council President Norton seconded by Councilmember Richards.

AYES: ALL

2. November 13, 2023 City Council Meeting Minutes.

CC 11132023.docx

Motion to approve November 13, 2023 City Council Meeting Minutes as presented moved by Councilmember Richards seconded by Councilmember Muller.

AYES: ALL

Consent

3. November 1, 2023 Claims in the Amount of \$2,842,056.54 Paid by EFT Transactions and Check Numbers 166048 through 166183

110123.rtf

4. November 8, 2023 Claims in the Amount of \$1,172,523.02 Paid by EFT Transactions and Check Numbers 166184 through 166305 with Check Numbers 165391 and 165647 Voided

110823.rtf

5. November 15, 2023 Claims in the Amount of \$1,099,245.61 Paid by EFT Transactions and Check Numbers 166306 through 166478 with Check Numbers 164809, 165242 and 165832 Voided

[111523.rtf](#)

Motion to approve Consent Agenda items 3, 4, and 5 moved by Councilmember Muller seconded by Councilmember James.

AYES: ALL

Public Hearings

6. Recovery Contract (23-305) for Offsite Sewer Utility Construction Costs.

[RC 23-305 Contract Doc \(partially executed\).pdf](#)

[Hearing Notice.pdf](#)

[Polkinghorn Request for Hearing.pdf](#)

Public Works Director Laycock and Ken McIntyre, Assistant City Engineer, reviewed the background on this recovery contract. Director Laycock addressed comments made by the Polkinghorns.

Council President Norton asked how they determined the boundary. Asst. City Engineer McIntyre explained how they determined the benefit area by looking at parcels' ability to connect to future sewer connection.

General clarification questions and answers followed.

Public Hearing:

Steve Polkinghorn explained how this sewer recovery contract would impact the value of their property when they are ready to sell. He expressed frustration with the development around their property. They requested to be removed from the recovery contract.

Staff Comments:

Director Laycock explained that the sewer is already out there if they wanted to connect with development of the additional lots in the future. The additional cost would only be for recovery cost reimbursement for increased capacity.

Council Discussion:

Councilmember James asked if they need to do this tonight. Mr. McIntyre explained that the developer is waiting on this.

Councilmember Richards empathized with the Polkinghorns but added that if they weren't part of this they wouldn't be able to hook up in the future. Even though it will increase the cost per lot when they go to develop, it will also increase the value.

Council President Norton thanked the Polkinghorns for sharing their comments and their experience with the Council. She noted that the increased capacity would offset the increased cost for them.

Councilmember Stevens sympathized with the Polkinghorns and expressed appreciation to them for coming in.

Mayor Nehring explained that the GMA dictates that the City must accommodate a certain growth allocation and zone for it. City councils have a lot less authority regarding growth than people think.

Councilmember Condyles agreed that development can be painful. He expressed appreciation for their comments about the work that needs to be done on 83rd and some of the surrounding roads.

Councilmember Muller thanked the Polkinghorns for their comments and spoke to the importance of recovery contracts.

Motion to authorize the Mayor to sign and execute recovery contract No. 23-305 moved by Councilmember King seconded by Councilmember Muller.

AYES: ALL

New Business

7. [An Ordinance approving amendments to Chapter 3.51 of the Marysville Municipal Code, Petty Cash Fund.](#)

Amended Petty Cash Funds Ordinance - Oct2023.docx

Director Ferrer-Santa Ines reviewed the ordinance to amend the ordinance regarding petty cash funds.

Motion to adopt Ordinance No. 3298 moved by Councilmember Condyles seconded by Council President Norton.

AYES: ALL

8. [Project Acceptance - 2023 Road Re-Striping](#)

Notice of Physical Completion 23'.pdf

Director Laycock explained this is a recommendation for project acceptance of road re-striping.

Councilmember Muller said they did a good job.

Councilmember King asked about a road striper that he thought was ordered. Director Laycock explained it would be delivered in February.

Motion to authorize the Mayor to accept the 2023 Road Re-Striping project, starting the 60-day lien filing period for project closeout moved by Council President Norton seconded by Councilmember Muller.

AYES: ALL

9. [An Ordinance Dedicating Olympic View Park Property as Right-of-Way.](#)

[Ordinance - ROW 59th Drive.pdf](#)

[Ordinance - EXHIBIT A.pdf](#)

[Ordinance - EXHIBIT B.pdf](#)

[Ordinance - EXHIBIT C.pdf](#)

[Ordinance - Council Exhibit.pdf](#)

Director Laycock reviewed this item. He responded to a previous question about parking and explained they would be striping the west side of the roadway to provide for on-street parking.

Motion to adopt Ordinance No. 3299 moved by Councilmember Richards seconded by Councilmember James.

AYES: ALL

10. [US DOJ Justice Assistance Grant \(JAG\) Grant, Local Award for 2023](#)

[JAG2_20231114224413.pdf](#)

[JAG 2023_20231114222505.pdf](#)

Chief Scairpon reviewed this grant award which will be used to pay for Flock cameras throughout the city. They will also be purchasing some fingerprinting kits and a foreign language learning platform to help officers learn other languages.

Motion to authorize the Mayor to approve and accept the US DOJ Justice Assistance grant funds moved by Councilmember Richards seconded by Councilmember Condyles.

AYES: ALL

11. [Supplemental Agreement No. 4 with Parametrix, Inc. for Engineering Services for the Downtown Stormwater Treatment Project.](#)

[PSA_SuppTime 4_DSTP_11-13-23.pdf](#)

Director Laycock explained this is a no-cost time extension for the stormwater treatment project.

Motion to authorize the Mayor to sign and execute Supplemental Agreement No. 4 with Parametrix, Inc. for engineering services for the Downtown Stormwater Treatment Project moved by Council President Norton seconded by Councilmember King.

AYES: ALL

12. Right of Entry and Use Permit with LGL Investments for the 53rd Ave NE and 61st St NE Intersection and Shared-Use Path Improvements Project.

Permit ROE Signed.pdf

Director Laycock reviewed this item.

Motion to authorize the Mayor to sign and execute the Right of Entry and Use permit with LGL Investments moved by Councilmember Richards seconded by Councilmember Condyles.

AYES: ALL

13. A Resolution to Provide a Ballot Proposition to Renew the Transportation Benefit District Sales and Use Tax.

TBD Resolution 2023 (Final Clean).pdf

Director Laycock reviewed this item which would renew the TBD sales tax for the same amount on the February 13, 2024 special election.

Council President Norton asked why the date was chosen and if there are other items on the ballot. Mayor Nehring explained that neither the school district nor the RFA will be running items on that ballot. He thought the timing was mainly due to the cash flow needs. Director Laycock agreed and added that they knew there would be no competing items on that ballot. Director Ferrer-Santa Ines explained that the TBD currently in place expires on September 6, 2024. Since the DOR doesn't make any changes in the 4th quarter, the information from the approved vote needs to be provided to them by June. This will ensure there is no break in collection and is the timing recommended by the Department of Revenue.

Councilmember Muller asked if they would be providing a communication page on this item explaining what has been done over the years. CIO Mennie said they have worked on a communications plan which would include an updated web page with facts about the measure. They would also do a Herald editorial board, public meetings, an informational mailer, and other information. It would explain what the money accomplished over the past ten years and the types of projects that it could cover in the future. It would explain that this isn't a new tax and would just continue what has been done over the past ten years.

Council President Norton asked if they would explain what the money would be used for in the future. Director Laycock explained they would discuss that generally.

Motion to approve Resolution No. 2543 moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

14. Revised Local Agency Agreement Supplement and Local Agency Federal Aid Project Prospectus with WSDOT for the 116th Street Pavement Preservation National Highway System (NHS) Project.

[116th NHS_LAA Supplement_Revised.pdf](#)

[116th NHS_Construction Prospectus.pdf](#)

[116th St NHS_STIP.pdf](#)

Director Laycock reviewed this item and item 15 regarding NHS projects.

Motion to authorize the Mayor to sign and execute the revised Local Agency Agreement Supplement and Local Federal Aid Prospectus to obligate construction funds for the 116th Street Pavement Preservation NHS Project moved by Councilmember Muller seconded by Council President Norton.

AYES: ALL

15. Revised Local Agency Agreement Supplement and Local Agency Federal Aid Project Prospectus with WSDOT for the State Avenue Pavement Preservation National Highway System (NHS) Project.

[State Ave NHS_LAA Supplement_Revised.pdf](#)

[State Ave NHS_Construction Prospectus.pdf](#)

[State Ave NHS_STIP.pdf](#)

Motion to authorize the Mayor to sign and execute the revised Local Agency Agreement Supplement and Local Federal Aid Prospectus to obligate construction funds for the State Avenue Corridor Pavement Preservation NHS Project moved by Councilmember James seconded by Council President Norton.

AYES: ALL

Mayor's Business

16. Community Transit Board Composition Review and Selection Meeting

[Community Transit_Board Composition & Review_2024JAN18.pdf](#)

Mayor Nehring:

- Marysville for the Holidays is this weekend. He is looking forward to that. Thanks to everyone who is working hard to put the event together.
- Eric's Little Heroes has a great clip on the new pump track and Landon Oliphant.
- He requested that the Council recommend him to represent the City at the Community Transit Board Composition and Selection Meeting.

Motion to approve the Mayor to attend the Community Transit Board Composition Review and Selection Meeting moved by Councilmember Richards seconded by Councilmember Condyles.

AYES: ALL

Staff Business

Director Miller referred to a public comment regarding the newly adopted fowl ordinance. She responded to questions raised by Ms. Villasin and explained that staff is proposing no changes to the ordinance at this time. Director Miller has expressed this to Ms. Villasin and let her know what she would be recommending to Council. She also let her know that if she had any issues she could contact a code enforcement officer.

Councilmember Muller commented that the neighbor was out of compliance. Director Miller explained that she heard from Mr. Perilla that the number of fowl on the property now meets the code and that he got rid of the rooster. There may be other items they need to look into.

City Attorney Walker asked for a brief recess to talk with the Mayor. Council recessed from 8:31 to 8:32 p.m.

Mayor Nehring stated there would be no executive session.

Call on Councilmembers and Committee Reports

Councilmember Condyles said he had a nice time at the NLC conference in Atlanta. He reviewed the topics of conversation.

Councilmember James:

- He asked when the light at 52nd and Sunnyside will get turned on. Director Laycock explained that the vendor needs to program it. He thought it would be on the first or second week of December.
- He enjoyed the beltline mobile tour at NLC conference.
- He is looking forward to Marysville for the Holidays.

Councilmember King:

- He appreciated being able to attend the NLC conference. He reported on the mobile tour he attended. He also enjoyed the sessions.
- He is looking forward to the holiday parade this Saturday.

Councilmember Stevens reported on the NLC conference and said he also enjoyed the rail conversation.

Councilmember Richards:

- He attended the emergency management meeting. There was a lot of good information.
- He is looking forward to the holiday parade.

Councilmember Muller:

- NLC had good information about public-private partnerships and other ideas that they might be able to use for development of the waterfront.
- He asked if the parking design on 10th Street was intentional. Director Laycock explained they put it back the way it was before, but they still need to address the middle area.
- He hopes the weather cooperates this weekend for the parade.

Council President Norton:

- She reported on the Public Safety Committee meeting where they discussed crime statistics, employment statistics, and the jail.
- She reported on the Finance Committee meeting where they reviewed revenues and expenses which are tracking well. They also discussed tax increment financing which was passed in 2021.

Adjournment

Motion to adjourn the meeting at 8:43 p.m. moved by Councilmember Richards seconded by Councilmember Stevens.

AYES: ALL

The meeting was adjourned at 8:43 p.m.

Approved this 31st day of January, 2024.

Mayor
Jon Nehring