

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
Add a Resolution regarding surplus property at the end of New Business to the agenda.	Approved
<b>Presentations</b>	
Employee Services Awards - Daniel Vinson, Police Officer, Police - 5 Years; Debbie Dreyer, Program Specialist, Police - 25 Years	Presented
Volunteer of the Month for April – Dan Steffen	Presented
<b>Approval of Minutes</b>	
Approval of April 4, 2011, City Council Work Session Minutes.	Approved
Approval of April 11, 2011 City Council Meeting Minutes.	Approved
<b>Consent Agenda</b>	
Approval of April 13, 2011 Claims in the Amount of \$470,821.08; Paid by Check Number's 69489 through 69661 with Check Number's 68284 and 69247 Voided.	Approved
<b>New Business</b>	
Authorize the Mayor to Sign the Interlocal Agreement with City of Granite Falls to Provide Outdoor Movie Equipment and Staff for Three Performances in 2011 at a Fee of \$350.00 per Performance.	Approved
Authorize the Mayor to sign the Interlocal Agreement with City of Granite Falls to Provide Outdoor Movie Equipment and Staff for Three Performances in 2011 at a Fee of \$350.00 per Performance.	Approved
Authorize the Mayor to sign Supplemental Agreement Number 4 to Existing Professional Services Agreement with BergerABAM in the Amount of \$42,104.00 for Design Services on the Lakewood Triangle Access and 156th Street Overcrossing.	Approved
Application for Crossfit Marysville, LLC to Conduct a Special Event on Saturday, May 7, 2011 Including the Street Closure of Columbia Avenue, as Requested by the Applicant.	Approved
Adopt an Ordinance of the City of Marysville, Washington, Amending Sections of Marysville Municipal Code Title 14 "Water and Sewers" Chapters 14.03, 14.07, 14.15, 14.18, and 14.32 Relating to and Updating Referenced MMC Sections as a Result of the Adoption of the Uniform Development Code; and Providing for Severability; and Effective Date.	Approved Ord. No. 2857
A Resolution Of The City Of Marysville, Washington, Declaring Real Property Located At 7610 - 47 <sup>th</sup> Avenue N.E., Marysville, WA, To Be Surplus To The Needs Of The City Of Marysville And Authorizing The Sale Or Lease Of Such Property.	Approved Res. No. 2302
<b>Legal</b>	
Adopt an Ordinance of the City of Marysville, Washington Relating to the City's Uniform Development Code (MMC Title 22) and Traffic Impact Fees; Amending MMC 22D.030.070 to Add a New Subsection (4)(d)(v) Relating to Traffic Impact Fee Exemption Refunds and Amending MMC 22A.010.160 Related to Tracking Amendments.	Approved Ord. No. 2858
Authorize the Mayor to Sign the Mutual Agreement Regarding Application of Refund - Costco Wholesale Corporation.	Approved

<b>Mayor's Business</b>	
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Adjournment</b>	7:55
<b>Executive Session</b>	8:00
<b>Litigation – 1 potential litigation item – RCW 42.30.110 (1)(i)</b>	
<b>Adjournment</b>	8:15

# COUNCIL



# MINUTES

## **Regular Meeting** *April 25, 2011*

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

Mayor Nehring called the meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance. The invocation was given by Steve Schertzinger of Resurgence Ministries.

### **Roll Call**

Chief Administrative Officer Hirashima gave the roll call. The following staff and councilmembers were in attendance.

**Mayor:** Jon Nehring

**Council:** Lee Phillips, Carmen Rasmussen, Jeff Seibert, John Soriano, Michael Stevens, Jeff Vaughan, and Donna Wright

**Absent:** None

**Also Present:** Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Police Chief Rick Smith, Recording Secretary Laurie Hugdahl.

### **Committee Reports**

Councilmember Seibert reported on the April 13 Snohomish County Solid Waste Advisory Committee meeting where the following items were discussed:

- Flow control update. The focus is on keeping garbage going through the system.
- Tire recycling event will be held at the end of April. More information is available on the Snohomish County Solid Waste website.
- Revenue Sharing Agreement presentations by Waste Management and Allied.

Councilmember Seibert also reported on the April 20 Finance Committee Meeting.

- Financial Budget Update. After the State's budget came through it looks like the City will lose about \$40,000.
- The committee reviewed the utility shutoff and reconnect policy.
- They are also reviewing the policy for charges for after-hours call out.

- There have been some problems with tampering. This will be discussed more in upcoming information.
- Ordinance for I-Net Budget Amendment follow up. This was approved by Council on 4/11.

Mayor Nehring commented that they need to add a surplus item to the agenda.

**Motion** made by Councilmember Wright, seconded by Councilmember Seibert, to add a resolution regarding surplus property at the end of New Business. **Motion** passed unanimously (7-0).

## Presentations

### A. Employee Services Awards

The following employees were recognized for their service to the City:

- Daniel Vinson, Police Officer, Police - 5 Years
- Debbie Dreyer, Program Specialist, Police - 25 Years

### B. Volunteer of the Month – Dan Steffen

Dan Steffen was honored by Mayor Nehring as April's Volunteer of the Month. Mr. Steffen has served as a mentor for students at Marysville-Pilchuck High School. NJROTC Commander Brassfield nominated Mr. Steffen for the award. Mr. Steffen has been a volunteer air rifle coach for the NJROTC Air Rifle Team for three years. Mayor Nehring reviewed Mr. Steffen's impressive marksmanship experience which provides the youth with an extremely high level of coaching. Mr. Steffen also serves as president of the Marysville Kiwanis club. Mayor Nehring thanked him for his countless hours of contribution to the community and for investing in the youth who will be the leaders of the future.

## Audience Participation

Mayor Nehring solicited public comments. There were none.

## Approval of Minutes

1. Approval of April 4, 2011, City Council Work Session Minutes.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Vaughan, to approve the minutes of the April 4, 2011, City Council Work Session. **Motion** passed unanimously (7-0).

2. Approval of April 11, 2011 City Council Meeting Minutes.

**Motion** made by Councilmember Wright, seconded by Councilmember Stevens, to approve the minutes of the April 11, 2011, City Council Work Session. **Motion** passed unanimously (6-0) with Councilmember Rasmussen abstaining.

#### Consent

3. Approval of April 13, 2011 Claims in the Amount of \$470,821.08; Paid by Check Number's 69489 through 69661 with Check Number's 68284 and 69247 Voided.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Soriano, to approve Consent Agenda item 3. **Motion** passed unanimously (7-0).

#### New Business

4. Interlocal Agreement with City of Granite Falls to Provide Outdoor Movie Equipment and Staff for Three Performances in 2011 at a Fee of \$350.00 per Performance.

Parks and Recreation Director Ballew stated that this is a duplication of last year except the fee. They are charging \$50 more per event.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Wright, to authorize the Mayor to sign the Interlocal Agreement with the City of Granite Falls to Provide Outdoor Movie Equipment and Staff for Three Performances in 2011 at a Fee of \$350.00 per Performance. **Motion** passed unanimously (7-0).

5. Lakewood Triangle Access and 156th Street Overcrossing Project to Purchase Wetland Mitigation Credits from Mitigation Banking Services, LLC in the Amount of \$34,475.00.

Director Nielsen explained that this will mitigate for filling in ditches in the 156<sup>th</sup> Street project.

**Motion** made by Councilmember Wright, seconded by Councilmember Wright to authorize the Mayor to sign the Buy-Sell Agreement with Mitigation Banking Services, LLC in the Amount of \$34,475.00 for Wetland Mitigation Credits. **Motion** passed unanimously (7-0).

6. Supplemental Agreement Number 4 to Existing Professional Services Agreement with BergerABAM in the Amount of \$42,104.00 for Design Services on the Lakewood Triangle Access and 156th Street Overcrossing.

Director Nielsen commented that this represents a cost savings of about \$300,000 and elimination of a complicated storm system for the 156<sup>th</sup> overcrossing. It eliminates an infiltration pond, a 36-inch pipe and catch basins that are about 28 feet deep. He credited Kari Chennault for her idea to take it to our pond.

**Motion** made by Councilmember Seibert, seconded by Councilmember Wright, to authorize the Mayor to sign the Supplemental Agreement Number 4 to Existing Professional Services Agreement with BergerABAM in the Amount of \$42,104.00 for Design Services on the Lakewood Triangle Access and 156th Street Overcrossing. **Motion** passed unanimously (7-0).

Councilmember Rasmussen asked to express appreciation to Kari Chennault for her creative thinking and hard work that have saved the City quite a bit of money. Mayor Nehring and Director Nielsen concurred.

7. Application for Crossfit Marysville, LLC to Conduct a Special Event on Saturday, May 7, 2011 Including the Street Closure of Columbia Avenue, as Requested by the Applicant.

Director Ballew explained that this is for the Crossfit Youth Fitness event that will be held downtown.

**Motion** made by Councilmember Seibert, seconded by Councilmember Soriano, to approve the Application for Crossfit Marysville, LLC to Conduct a Special Event on Saturday, May 7, 2011 Including the Street Closure of Columbia Avenue, as Requested by the Applicant. **Motion** passed unanimously (7-0).

8. An Ordinance of the City of Marysville, Washington, Amending Sections of Marysville Municipal Code Title 14 "Water and Sewers" Chapters 14.03, 14.07, 14.15, 14.18, and 14.32 Relating to and Updating Referenced MMC Sections as a Result of the Adoption of the Uniform Development Code; and Providing for Severability; and Effective Date.

Director Hirashima explained that this was just a change in the numbering.

**Motion** made by Councilmember Wright, seconded by Councilmember Seibert, to approve Ordinance No. 2857, an Ordinance of the City of Marysville, Washington, Amending Sections of Marysville Municipal Code Title 14 "Water and Sewers" Chapters 14.03, 14.07, 14.15, 14.18, and 14.32 Relating to and Updating Referenced MMC Sections as a Result of the Adoption of the Uniform Development Code; and Providing for Severability; and Effective Date. **Motion** passed unanimously (7-0).

11. A Resolution Of The City Of Marysville, Washington, Declaring Real Property Located At 7610 - 47<sup>th</sup> Avenue N.E., Marysville, WA, To Be Surplus To The Needs Of The City Of Marysville And Authorizing The Sale Or Lease Of Such Property.

Director Hirashima commented that information related to this will be posted on the City's website this week. They will be looking for surplus offers and will be bringing those back to Council for action. Director Nielsen added that Council will be getting a final study with all the maps.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to adopt Resolution No. 2302. **Motion** passed unanimously (7-0).

#### Legal

9. An Ordinance of the City of Marysville, Washington Relating to the City's Uniform Development Code (MMC Title 22) and Traffic Impact Fees; Amending MMC 22D.030.070 to Add a New Subsection (4)(d)(v) Relating to Traffic Impact Fee Exemption Refunds and Amending MMC 22A.010.160 Related to Tracking Amendments.

Director Hirashima stated that this is actually a correcting ordinance because it was unintentionally repealed. This would allow Costco to use their refund towards their LID payment.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to adopt Ordinance No. 2858, An Ordinance of the City of Marysville, Washington Relating to the City's Uniform Development Code (MMC Title 22) and Traffic Impact Fees; Amending MMC 22D.030.070 to Add a New Subsection (4)(d)(v) Relating to Traffic Impact Fee Exemption Refunds and Amending MMC 22A.010.160 Related to Tracking Amendments. **Motion** passed unanimously (7-0).

10. Authorize the Mayor to Sign the Mutual Agreement Regarding Application of Refund - Costco Wholesale Corporation.

Director Hirashima stated that this is the agreement that coincides with item 9 above.

**Motion** made by Councilmember Soriano, seconded by Councilmember Seibert, to Authorize the Mayor to Sign the Mutual Agreement Regarding Application of Refund - Costco Wholesale Corporation. **Motion** passed unanimously (7-0).

#### Mayor's Business

##### Mayor Nehring:

- Commended and thanked the police department for their banquet a week ago.
- He, CAO Hirashima, and Councilmember Wright attended a Foreign Direct Investment NLC Leadership Academy which involved several Chinese businessmen as well as mayors from China that came over to Seattle for a two-day event. The event provided a lot of case studies from different cities around the United States and showed ways to attract foreign direct investment. It also showed ways to revitalized cities. He found this very helpful. He thanked Councilmember Wright for initiating this by suggesting they apply for the grant to attend.
- He and Chairman Sheldon went to the Everett City Council meeting last week to present them with a joint letter regarding concerns about Cedar Grove and the request for a full Environmental Impact Statement.

- He reported on the recent SERS Board Meeting. The lifecycle of the current system was supposed to go to 2020, but Motorola said they would stop supporting it in 2015. The SERS Board has put together a committee which is looking at how to extend the life back to 2020. They had an extremely lengthy meeting with Motorola about a week ago and have found ways to support it through 2018. There will be another meeting tomorrow afternoon to address some of the other issues.
- The volunteer appreciation event will be held here in Council Chambers this Wednesday from 5:30 to 7 p.m.
- He reviewed a letter from the Historical Society regarding their annual get-together and update for the Council on Monday, May 2 from 5:30 to 6:30.
- Mayor Nehring added that the Marysville City Relay-for-Life team will be having a yard sale.

## Staff Business

### Jim Ballew:

- The Easter Egg Hunt on Saturday was great. The event was sponsored by Marysville Rotary, Steve Folton State Farm, Hillside Church, Ivar's, and Grandview Village. He recognized the great team of volunteers including: Councilmembers Wright, Stevens, Soriano and Rasmussen and volunteers from every Marysville high school.
- Staff is getting ready for Earth Day this weekend at Jennings Memorial Park from 10 to 2. There will be continuous education seminars, planting, and fisheries information.
- Shred-a-Thon will also be happening on Saturday from 9 to 1 at City Hall.
- The following weekend will be the pancake breakfast and fishing derby.
- The Comprehensive Plan Surveys were mentioned in *The Herald* and were randomly sent out to a selected group of citizens.
- He thanked Council for their help over the weekend. Mayor Nehring thanked Parks Department for their work on the Easter Egg Hunt.

### Chief Smith:

- He reminded the Council of the Public Safety meeting on Wednesday. Councilmember Soriano asked to move it up to 4:00. There was consensus to move the meeting to 4:00 p.m.
- He thanked everyone for coming to the awards ceremony. He highlighted the Support Staff Person of the Year - Dave Vasconi, Custody Officer of the Year - Brian Gerfin, Supervisor of the Year - Sgt. Jeff Franzen, and Officer of the Year - Dan Vinson. He thanked Mayor Nehring for his excellent comments at the event.

### Kevin Nielsen:

- He recommended that they cancel the Public Works Committee for May. There was consensus to cancel it.
- The snow level is down to 2,000 feet which could result in flooding issues.



- Staff is getting ready to go out to bid on 156<sup>th</sup>.
- They fixed the reed valve that controls the tide coming back to public works.
- The construction crew worked on Saturday to fix a sewer leak in Sunnyside Hills.

**Sandy Langdon:**

- The utility billing office had the smallest shutoff list they've had in a long time.
- Finance is preparing for the annual audit with the Auditor's Office in a month.
- The insurance pool will also be doing an audit on our records and records requests.

**Grant Weed:**

- He commented on the continuing issue with panhandling and aggressive begging. He noted he had researched some new initiatives regarding this to bring back to Council at some point in the future.
- Thursday is Law Day. He will be at WSAMA on Thursday and Friday.
- He stated the need for an Executive Session to discuss one item concerning potential litigation with no action required and expected to last 15 minutes.

**Gloria Hirashima:**

- The National League of Cities event in Seattle was very helpful; they had a lot of good ideas about economic development. She was particularly interested in some of the stories of downtown revitalization of cities. Staff will be bringing some ideas regarding this to Council in a workshop format possibly in June. They will be looking at several potential alternatives relating to traffic safety, overall safety and enforcement, aesthetics, catalyst projects, recreational opportunities, and waterfront access.
- Mike Davis also attended the City of Everett Council meeting and presented 1,300 citizen signatures in the form of petitions to the City of Everett. This was compelling evidence that there is a problem in terms of odor at the Cedar Grove facility.
- City staff and Tulalip Tribes' staff went on a tour together at the Cedar Grove facility where they were able to review Cedar Grove's modified future plans. They are not, at this time, proposing for an overall site expansion. Cedar Grove expects to submit their application in the next week or two.
- Economic Summit materials went out last week to about 600 mailing addresses. This will be held on May 25.

**Call on Councilmembers**

**Carmen Rasmussen:**

- Congratulations to Jim Ballew and staff for a great event on Saturday.
- She asked if the establishment of the Economic Development Committee had happened. She expressed interest in serving on this committee.
- She will be looking for a *Happy Law Day* card at Hallmark for City Attorney Weed.

Lee Phillips had no comments.

John Soriano complimented the police awards ceremony and agreed that the Easter Egg Hunt was a great event.

Michael Stevens commented that the police awards ceremony was a great event. He also enjoyed the Easter Egg Hunt. This type of event makes him proud to be a citizen of Marysville.

Jeff Vaughan had no comments.

Donna Wright:

- It was an honor to attend the police awards ceremony.
- It was a delight to attend the Easter Egg Hunt. She had the privilege of handing out prizes.
- National League of Cities Leadership Training was extremely interesting. She reviewed some of the highlights.

Jeff Seibert:

- The police awards ceremony was very good.
- Thanks to Kevin for the letter to the citizen over the water sewer issue.
- The article on 156<sup>th</sup> Street seemed to be good.
- He announced that the Economic Development Committee will consist of Councilmembers Soriano, Stevens, and Seibert with Rasmussen as alternates since they both have some scheduling conflicts.

Mayor Nehring recessed the meeting at 7:55 p.m. for approximately five minutes before reconvening into Executive Session to discuss one potential litigation item expected to last 15 minutes with no action.

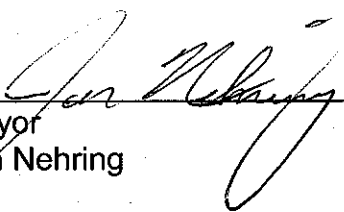
### **Executive Session**

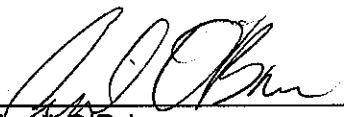
- A. Litigation – one potential litigation item pursuant to RCW 42.30.110 (1)(i)
- B. Personnel
- C. Real Estate

### **Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 8:15 p.m.

Approved this 9<sup>th</sup> day of May, 2011.

  
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Mayor  
Jon Nehring

  
\_\_\_\_\_  
April O'Brien  
Deputy City Clerk