

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
Excuse the absence of Councilmember Wright	Approved
<b>Presentations</b>	
Adopt <b>Resolution</b> Congratulating and Honoring the Marysville School District Board of Directors for Being Named Board of the Year in 2011 by the Washington State School Directors Association.	Approved Res. No. 2336
Mountain Loop Tourism Bureau	Presented
Special Recognition of Lt. Darin Rasmussen	Presented
<b>Approval of Minutes</b>	
Approval of the November 13, 2012, City Council Meeting Minutes.	Approved
Approval of the November 26, 2012, City Council Meeting Minutes.	Approved
<b>Consent Agenda</b>	
Approval of the November 21, 2012, Claims in the Amount of \$730,665.19; Paid by Check Number's 81002 through 81138 with Check Numbers 80672 and 80942 Voided.	Approved
Approval of the November 20, 2012, Payroll in the Amount of \$807,141.65; Paid by Check Numbers 26085 through 26117.	Approved
Authorize the Mayor to Sign the Ninth Amendment to the Interlocal Agreement for Jail Services with the City of Lake Stevens.	Approved
Authorize the Mayor to Sign the Local Agency Federal Aid Project Prospectus and Local Agency Funding Agreement with WSDOT thereby Securing Funding for the 2012 City Safety Program.	Approved
Affirm the Citizen Advisory Committee 2013 Funding Allocation and Program Year 2012 Amendments, and Direct Staff to Notify Program Year 2013 Subrecipients of the Funding Recommendations, Prepare a Program Year 2013 Annual Action Plan, and Amend the 2012 Annual Action Plan in Accordance with the Citizen Participation Plan.	Approved
Authorize the Mayor to Sign the City Attorney Retainer Agreement between the City of Marysville and Weed, Graafstra, and Benson Inc., P.S.	Approved
Authorize the Mayor to Sign the Professional Services Agreement between the City of Marysville and Strategies 360 for Consultant Services.	Approved
Approval of the Snohomish County Cities Legislative Priorities.	Approved
Authorize the Mayor to Sign the Renewal of Facility Use Agreement with the United States Bankruptcy Court.	Approved
Authorize the Mayor to Sign the Interlocal Agreement between City of Marysville and SR9 Coalition.	Approved
Authorize the Mayor to Sign the Professional Services Agreement between the City of Marysville and Summit Law Group.	Approved
Approval of the December 5, 2012, Payroll in the Amount of \$1,406,047.37; Paid by Check Numbers 26118 through 26159.	Approved
Approval of the November 28, 2012, Claims in the Amount of \$477,860.46; Paid by Check Numbers 81139 through 81255 with No Check Numbers Voided.	Approved

Approval of the December 5, 2012, Claims in the Amount of \$1,250,501.67; Paid by Check Numbers 81256 through 81369 with Check Number 81003 Voided.	Approved
<b>Review Bids</b>	
<b>Public Hearing</b>	
<b>New Business</b>	
Visitor and Community Information Center Services Agreement between the Greater Marysville Tulalip Chamber of Commerce and City of Marysville.	Approved
A <b>Resolution</b> Amending Resolution 2296 of the City of Marysville Authorizing an Interfund Loan Not To Exceed \$841,000 from the Waterworks Utility Fund 401 to the Golf Fund 420, and Providing a Formula for Payment of Interest.	Approved Res. No. 2337
An <b>Ordinance</b> of the City of Marysville Amending the 2012 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2881.	Approved Ord. No. 2915
An <b>Ordinance</b> of the City of Marysville, Washington Increasing Water, Sewer, and Surface Water Utility Rates and Amending Sections 14.07.060, 14.07.070, and 14.19.050 of the Marysville Municipal Code as Allowed Under Section 14.07.075.	Approved Ord. No. 2916
A <b>Resolution</b> of the City Council of the City of Marysville, Washington Declaring an Emergency and Waiving the Requirement for Public Bidding for Roof Repairs to the City Owned Building at 1326 – 1st Street, Marysville, Washington.	Approved Res. No. 2338
<b>Legal</b>	
Authorize the Mayor to Sign the Amendment to Agreement through June 30 to the Professional Services Agreement with Feldman & Lee, P.S. to Provide Indigent Defense Services.	Approved
<b>Mayor's Business</b>	
Confirm the reappointment Donna Wright to the LEOFF I Disability Board.	Approved
Confirm the reappointment Jeff Vaughan to the LEOFF I Disability Board.	Approved
Appoint Donna Wright to the Snohomish County Board of Health.	Approved
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Recess</b>	8:33 p.m.
<b>Executive Session</b>	8:40 p.m.
<b>Litigation – two items</b>	
<b>Adjournment</b>	9:55 p.m.

# COUNCIL



# MINUTES

**Regular Meeting**  
December 10, 2012

## **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 Kurt Onken of Messiah Lutheran Church.

## **Roll Call**

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

**Mayor:** Jon Nehring

**Council:** Steve Muller, Carmen Rasmussen, Jeff Seibert, Michael Stevens, Rob Toyer, Jeff Vaughan

**Absent:** Donna Wright

**Also Present:** Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Chief Smith, Commander Krusey, Commander Robb Lamoureux, Lt. Rasmussen, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Court Administrator Suzanne Elsner, Recording Secretary Laurie Hugdahl.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert, to excuse the absence of Donna Wright. **Motion** passed unanimously (6-0).

## **Committee Reports**

Jeff Seibert reported on the December 7 Public Works Committee meeting where the following items were discussed:

- Downtown truck routes will be coming forward to Council in the next couple cycles.
- NPDES Phase 2 Permit
- Low Impact Development /Stormwater fee reduction
- Private stormwater facilities

- School District property transfer
- Regional climate change
- Clean mitigation plan

Councilmember Seibert then discussed the Public Safety Meeting on November 28 where the following items were discussed:

- Sargent testing is complete. Lieutenant testing is coming up soon.
- There was an update on what the City is doing in light of Initiative 502
- Waste Watch program
- Lt. Rasmussen will be leaving us to become the Assistant Chief at WWU. Lt. Wade will be taking over most of his work.

### **Presentations**

- A. A **Resolution** Congratulating and Honoring the Marysville School District Board of Directors for being named Board of the Year in 2011 by the Washington State School Directors Association.

Mayor Nehring announced that the Marysville School District Board of Directors was named School Board of the Year for 2011 by the Washington State School Directors Association. He congratulated them for that important award and read the Resolution into the record.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Toyer, to adopt Resolution No. 2336 congratulating and honoring the Marysville School District Board of Directors. **Motion** passed unanimously (6-0).

- B. Mountain Loop Tourism Bureau

Edith Farrell, President Mountain Loup Tourism Bureau and Chair of Granite Falls Parks and Recreation Board, and Randy Farrell, Secretary of Mountain Loup Tourism Bureau and Granite Falls Planning Commissioner, presented information about the Mountain Loup Tourism Bureau. Ms. Farrell discussed the Tourism Promotion Area (TPA) which offers monthly tourism grants. She is trying to create one voice throughout the mountain loop by working with all the city councils and chambers in the area. They want to make the mountain loop a destination point for visitors in the area and work together to start accessing the TPA funds. She discussed activities their group is involved with to promote tourism in the area. There will be a stakeholders meeting for the mountain loop in mid-January. She invited anyone interested in participating to attend. One of the items on the agenda will be the Camp Silverton/Waldheim Retreat which was used by Everett School District for over 20 years. Because of budget cuts the school district will no longer be doing the mountain school. The Mountain Loop Tourism Bureau is working with the Mt. Baker National Forest to keep the site open to use for other purposes.

C. Special Recognition of Lt. Darin Rasmussen

Chief Smith reviewed Lt. Darin Rasmussen's impressive work history over the last 20 years. He commended the tremendous work Lt. Rasmussen has done in getting the department professional and solid in a variety of capacities. Chief Smith thanked Lt. Rasmussen for serving the City very, very well and wished him well in his future endeavor as Asst. Chief at WWU. Commander Ralph Krusey recounted experiences he has had with Lt. Rasmussen and congratulated him on his new position. Commander Robb Lamoureux then thanked Darin Rasmussen for his friendship and the experiences they have shared over the years. Chief Smith presented Lt. Rasmussen with a Chief's Special Recognition Award for 22 Years of loyal dedication and service to the Police department and the City of Marysville. Lt. Rasmussen thanked everyone for coming and for their kind words. Mayor Nehring thanked him for his service and announced that there would be a brief recess and refreshments in honor of Lt. Rasmussen.

*Council recessed from 7:54 to 8:00 p.m.*

**Audience Participation**

**Approval of Minutes**

1. Approval of the November 13, 2012, City Council Meeting Minutes.

Councilmember Rasmussen referred to page 4 of 9, under the *2013 Proposed Budget* and noted that "gold" loan should be corrected to "golf" loan.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Muller, to approve the November 13, 2012, City Council Meeting Minutes as amended. **Motion** passed unanimously (5-0) with Councilmember Toyer abstaining.

2. Approval of the November 26, 2012, City Council Meeting Minutes.

Councilmember Seibert indicated that he would be abstaining as he was not at the November 13 meeting.

**Motion** made by Councilmember Stevens, seconded by Councilmember Rasmussen, to approve the November 26, 2012, City Council Meeting Minutes as presented. **Motion** passed unanimously (5-0) with Councilmember Seibert abstaining.

**Consent**

3. Approval of the November 21, 2012, Claims in the Amount of \$730,665.19; Paid by Check Number's 81002 through 81138 with Check Numbers 80672 and 80942 Voided.
4. Approval of the November 20, 2012, Payroll in the Amount of \$807,141.65; Paid by Check Numbers 26085 through 26117.

5. Authorize the Mayor to Sign the Ninth Amendment to the Interlocal Agreement for Jail Services with the City of Lake Stevens.
6. Authorize the Mayor to Sign the Local Agency Federal Aid Project Prospectus and Local Agency Funding Agreement with WSDOT thereby Securing Funding for the 2012 City Safety Program.
8. Affirm the Citizen Advisory Committee 2013 Funding Allocation and Program Year 2012 Amendments, and Direct Staff to Notify Program Year 2013 Subrecipients of the Funding Recommendations, Prepare a Program Year 2013 Annual Action Plan, and Amend the 2012 Annual Action Plan in Accordance with the Citizen Participation Plan.
9. Authorize the Mayor to Sign the City Attorney Retainer Agreement between the City of Marysville and Weed, Graafstra, and Benson Inc., P.S.
10. Authorize the Mayor to Sign the Professional Services Agreement between the City of Marysville and Strategies 360 for Consultant Services.
11. Approval of the Snohomish County Cities Legislative Priorities.
12. Authorize the Mayor to Sign the Renewal of Facility Use Agreement with the United States Bankruptcy Court.
16. Authorize the Mayor to Sign the Interlocal Agreement between City of Marysville and SR9 Coalition.
20. Authorize the Mayor to Sign the Professional Services Agreement between the City of Marysville and Summit Law Group.
22. Approval of the December 5, 2012, Payroll in the Amount of \$1,406,047.37; Paid by Check Numbers 26118 through 26159.
23. Approval of the November 28, 2012, Claims in the Amount of \$477,860.46; Paid by Check Numbers 81139 through 81255 with No Check Numbers Voided.
24. Approval of the December 5, 2012, Claims in the Amount of \$1,250,501.67; Paid by Check Numbers 81256 through 81369 with Check Number 81003 Voided.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Muller, to approve Consent Agenda items 3, 4, 5, 6, 8, 9, 10, 11, 12, 16, 20, 22, 23, and 24.

**Motion** passed unanimously (6-0).

#### **Review Bids**

#### **Public Hearings**

## **New Business**

7. Visitor and Community Information Center Services Agreement between the Greater Marysville Tulalip Chamber of Commerce and City of Marysville.

**Motion** made by Councilmember Muller, seconded by Councilmember Stevens, to authorize the Mayor to sign the Visitor and Community Information Center Services Agreement between the Greater Marysville Tulalip Chamber of Commerce and City of Marysville. **Motion** passed unanimously (6-0).

13. A **Resolution** Amending Resolution 2296 of the City of Marysville Authorizing an Interfund Loan Not To Exceed \$841,000 from the Waterworks Utility Fund 401 to the Golf Fund 420, and Providing a Formula for Payment of Interest.

Finance Director Langdon noted that the loan date was changed from 2013 to 2014.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve Resolution No. 2337. **Motion** passed unanimously (6-0).

14. An **Ordinance** of the City of Marysville Amending the 2012 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2881.

Finance Director Langdon reviewed a change to the 2012 Budget. In reviewing the final budget staff realized that the Street Construction Fund 305 needed an amendment in the amount of \$384,000 for right-of-way purchase regarding 156th. The funds are available, but staff wanted to make sure they had the necessary budget authority prior to the year end.

**Motion** made by Councilmember Stevens, seconded by Councilmember Toyer, to approve Ordinance No. 2915. **Motion** passed unanimously (6-0).

15. An **Ordinance** of the City of Marysville, Washington Increasing Water, Sewer, and Surface Water Utility Rates and Amending Sections 14.07.060, 14.07.070, and 14.19.050 of the Marysville Municipal Code as Allowed Under Section 14.07.075.

**Motion** made by Councilmember Muller, seconded by Councilmember Vaughan, to approve Ordinance No. 2916. **Motion** passed unanimously (6-0).

25. A **Resolution** of the City Council of the City of Marysville, Washington Declaring an Emergency and Waiving the Requirement for Public Bidding for Roof Repairs to the City Owned Building at 1326 – 1st Street, Marysville, Washington.

City Attorney Weed explained that recently during the heavy rain events there was some serious roof leakage, damage, and potential damage to the contents of a city-

owned building at the marina. Staff wants to get the roof repaired before there is further damage. This resolution authorizes the emergency work, foregoing the normal process as provided by state law. Director Nielsen added that this will be covered by insurance.

**Motion** made by Councilmember Stevens, seconded by Councilmember Vaughan, to approve Resolution No. 2338. **Motion** passed unanimously (6-0).

### **Legal**

17. Authorize the Mayor to Sign the Amendment to Agreement through June 30 to the Professional Services Agreement with Feldman & Lee, P.S. to Provide Indigent Defense Services.

City Attorney Weed explained that this extends the agreement through June to allow time to identify what additional changes the City might wish to have in its public defender agreement in light of the new Supreme Court rule.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Stevens, to authorize the Mayor to Sign the Amendment to Agreement through June 30 to the Professional Services Agreement with Feldman & Lee, P.S. to Provide Indigent Defense Services. **Motion** passed unanimously (6-0).

### **Mayor's Business**

18. LEOFF I Disability Board Reappointments: Donna Wright & Jeff Vaughan.

**Motion** made by Councilmember Stevens, seconded by Councilmember Seibert, to confirm the reappointment Donna Wright to the LEOFF I Disability Board. **Motion** passed unanimously (6-0).

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Toyer, to confirm the reappointment Jeff Vaughan to the LEOFF I Disability Board. **Motion** passed unanimously (6-0).

21. Appointment of Board of Health Representative: Donna Wright.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Stevens, to appoint Donna Wright to the Snohomish County Board of Health. **Motion** passed unanimously (6-0).

#### **Additional Mayor's Business:**

- Community Transit passed their budget at the board meeting this past Thursday.
- There will be a great Chamber holiday event on Thursday.



- The school has proposed having a joint school board / staff / Council meeting on the first Monday in February from 5:30 to 6:30 p.m. at the school district headquarters.
- He wished everyone a Merry Christmas and a Happy New Year.
- It's been a pleasure to have Lt. Rasmussen in the police department for all these years; he will be missed.

## **Staff Business**

Jim Ballew:

- Tour of Lights started this last weekend. There were over 500 visits over the weekend. He thanked parks and golf staff for the work they did getting ready for the holidays, especially considering the challenging weather. Marysville Noon Rotary Club has also been essential with this work.
- The Toy Drive is in high gear. There is a huge demand this year. Every department in the City is doing a fabulous job with this effort.
- Thanks to MaryFest for their help this last weekend with equipment that is being utilized up at the golf course.
- The Hotel Motel funds have gone to great use.

Chief Smith:

- He wished everyone a Merry Christmas and Happy New Year.
- It is an honor to recognize Darin Rasmussen for the work he has done for the City and the Police department. He is a tremendous person and will be an outstanding Assistant Chief for WWU.
- Tire slashing has been a problem of late. Thanks to SRO's and other personnel, there is an insight into multiple persons of interest. Police are moving forward with their investigation.
- At the chamber breakfast this Friday he and Lt. Wade will be presenting an introduction to the business watch they will be doing.

Kevin Nielsen:

- Public Works Committee will be on January 4.
- Directional signs up for 156th Street overcrossing will be going up this weekend.
- SR 9, State Route 2, and Snohomish County Committee for Improved Transportation (SCCIT) meeting will be held in Council Chambers tomorrow at 9 a.m. State representatives are expected.
- Happy Holidays to everyone.

Sandy Langdon wished everyone Happy Holidays.

- The Finance Committee meeting has been pushed to January.
- The Finance department was notified last week by the Governmental Finance Officers Association that they won the Certificate of Achievement for Excellence in Financial Reporting (CAFR) award for the 4th straight year in a row.

- The holiday employee appreciation luncheon will be held tomorrow from 11:30 to 1 at the Ken Baxter Center.

Grant Weed:

- Thanks to Council for extending his law firm's agreement with the City of Marysville. He appreciates their confidence in allowing them to serve the City.
- There has been a tremendous amount of activity by and among city attorneys around the issue of I-502. There are many questions that are still unanswered concerning the bill. This is an issue that they will continue to study and follow locally and nationally.
- He stated the need for an Executive Session for 60 minutes to discuss two items - one concerning potential litigation and one concerning pending litigation with no action expected.
- Happy Holidays to everyone.

Gloria Hirashima

- She commended the Parks department and Jim Ballew on an excellent job on all the holiday activities including the parade and the lights at the golf course.
- She informed the Council that the waterfront panel will be rescheduled for January.

### **Call on Councilmembers**

Carmen Rasmussen wished everyone a Merry Christmas and a glorious new year.

Steve Muller:

- He enjoyed working at the golf course last week, even in the rain. Thanks to Jim Ballew and his crew for all their hard work.
- Darin Rasmussen will be missed. This is a testament to the awesome staff that this city has.
- He wished everyone a Merry Christmas.

Rob Toyer had no comments.

Michael Stevens congratulated Darin Rasmussen on his new position and wished everyone a Merry Christmas.

Jeff Seibert:

- Thanks for the excused absence two weeks ago.
- He thanked staff for the signage regarding the 156th overpass.
- Thanks to Darin Rasmussen for his service here and good luck on his new position.
- He wished everyone a safe and happy holiday and a Happy New Year.

Jeff Vaughan wished everyone a Merry Christmas, Happy Holidays, and a Happy New Year.

Council recessed at 8:35 for five minutes after which time they reconvened into Executive Session. It was announced that the Executive Session would last 60 minutes to cover two items - one item concerning pending litigation and one item concerning potential litigation with no action expected.

**Executive Session**

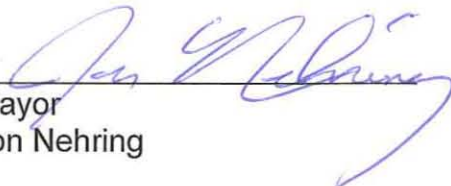
- A. Litigation - two items, per RCW 42.30.110(1)(h)
- B. Personnel
- C. Real Estate


**Motion** made by Councilmember Muller, seconded by Councilmember Wright to extend Executive Session to 9:55 p.m. Motion passed (6-0) with Councilmember Vaughan and Councilmember Seibert voting against the motion.

**Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 9:55 p.m.

Approved this 14<sup>th</sup> day of JANUARY, 2012<sup>3</sup>.

  
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Mayor  
Jon Nehring

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

