



**Regular Meeting**  
*April 8, 2013*

**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.

**Roll Call**

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

**Mayor:** Jon Nehring

**Council:** Steve Muller, Kamille Norton, Jeff Seibert, Michael Stevens, Rob Toyer, Jeff Vaughan, and Donna Wright

**Absent:** None

**Also Present:** Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Police Chief Smith, City Attorney Thom Graafstra, Public Works Superintendent Doug Byde, Planning Manager Chris Holland, Parks and Recreation Director Jim Ballew, and Recording Secretary Laurie Hugdahl.

**Committee Reports**

**Presentations**

A. Volunteer of the Month

Jodi Hiatt and Carol Kapua were recognized as Co-Volunteers of the Month for March 2013 for their outstanding community service through many years of leadership and involvement with Maryfest, the Marysville Strawberry Festival and Twilight Grand Parade and their substantial role as community ambassadors when visiting other host cities and festivals on the annual parade circuit as well as other volunteer contributions.

B. Proclamation: Declaring April 9, 2013 Mayor's Day of Recognition for National Service

Mayor Nehring read the Proclamation recognizing April 9, 2013 as National Day of Service in the City of Marysville and encouraging residents to recognize the positive impact of national service in our city and thanking those who serve and find ways to give back to their communities. Paulette from Catholic Community Services and several of her volunteers were present for the reading of the Proclamation.

C. Proclamation: Declaring April 10, 2013 as Arbor Day in the City of Marysville

Mayor Nehring read the Proclamation designating April 10, 2013 as Arbor Day in the City of Marysville, Washington and urging all citizens to celebrate Arbor Day and to support efforts to protect trees and woodlands and urging all citizens to plant trees to gladden the heart and promote the well-being of this and future generations. The Proclamation will be forwarded to the National Arbor Day Foundation and Tree City USA program as the City has been recognized and awarded funding and support as a Tree City USA community for four consecutive years.

### **Audience Participation**

Jeffrey Anderson, 1515 – 1<sup>st</sup> Street, Marysville, WA 98270, discussed issues related to crime and drug houses on 1<sup>st</sup> Street. He owns two buildings on 1<sup>st</sup> Street and is considering two others in the near future. He discussed damage to his buildings, break-ins, unwanted foot traffic, trespassing, and the overall unsafe "vibe" that certain people give to the area. He has had difficulty renting houses because of the environment on that street. His plan was to hold the buildings for ten years until the downtown master plan takes effect and to purchase more contiguous properties to further develop this area. He will be unable to do this unless this problem is resolved. He believes law enforcement is doing as much as they can, but at this point he feels it is the City's responsibility to do more. He referred to the SODA ordinance, but doesn't think that is enough to clear up the area. He thinks the two homes on the street need to be dealt with to resolve the problem.

Mayor Nehring thanked Mr. Anderson for coming. Chief Smith stated that the police are very active down there. In the last few months they have increased patrol and investigations in the area. They recognize that this is a problematic area and will continue to work on this issue. CAO Hirashima reiterated that the City is very aware of this issue. The downtown has been a growing concern because some of these problems are growing, which is why the Council passed the SODA ordinance about a year ago. They are looking at police reports as well as code enforcement to see what further actions can be done. She acknowledged that this problem has gotten worse in the last year. The City is also looking at the area in general, to see what positive things can be done to improve it. The City has recently completed a waterfront study which looks at how to encourage activities, events, buildings/structures, and land uses to bring in more positive uses in the area. The Council has a desire to pursue an aggressive five-year plan to make some of those positive things happen. As part of Marysville

University there will be a workshop this Wednesday to specifically talk about promoting a more positive environment in the downtown area.

Linda Russell, 3707 122<sup>nd</sup> Street NE, Marysville, expressed frustration that she is paying double stormwater charges on her home property. When she called the City she was told that her property was listed as two separate pieces of property so she has to pay double. She explained that seven years ago she wanted to build another house on the property, but the City wouldn't do a boundary line adjustment and allow her to do that; they wanted her to pay to have a subdivision done. She is upset that she is paying a double stormwater bill when she was not allowed to build there. Mayor Nehring stated that staff would look into this issue and get back to her.

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

1. Approval of the March 18, 2013 City Council Meeting Minutes.

Councilmember Vaughan and Councilmember Stevens abstained as they were not present at the meeting.

**Motion** made by Councilmember Muller, seconded by Councilmember Norton, to approve the March 18, 2013 City Council Meeting Minutes. **Motion** passed unanimously (5-0) with Councilmembers Vaughan and Stevens abstaining.

**Consent**

2. Approval of the March 20, 2013 Claims in the Amount of \$495,477.49; Paid by Check Numbers 83334 through 83552 with Check Numbers 75462 and 82120 Voided.
3. Approval of the March 27, 2013 Claims in the Amount of \$235,000.79; Paid by Check Numbers 83553 through 83667 with No Check Numbers Voided.
4. Approve Total Health Events to Conduct a Special Event on Sunday, April 28, 2013, Including the Street Closure of Southbound Alder Avenue, South of 2nd Street, and Northbound SR529 South of 2nd Street, as Requested by the Applicant.
5. Authorize the Mayor to Sign the Two Quit Claim Deeds Accepting Ownership of the Stormwater Facility Tracks within the Rakestraw Subdivision.
6. Authorize the Mayor to Sign the Professional Services Agreement between the City of Marysville and Murray, Smith and Associates, Inc.
7. Authorize the Mayor to Sign the Interlocal Agreement between the City of Granite Falls, and the City of Marysville for Outdoor Video Services.



**Motion** made by Councilmember Wright, seconded by Councilmember Stevens, to approve Consent Agenda items 2, 3, 4, 5, 6, and 7. **Motion** passed unanimously (7-0).

## Review Bids

## Public Hearings

8. Community Development Block Grant Program – Consideration of the Citizen Advisory Committee Recommendation on Program Year 2013 Annual Action Plan.

Planning Manager Chris Holland stated that this involves approximately \$218, 000 in funds that are proposed to be spent on projects in the Program Year 2013. Staff has not received any public testimony or comments regarding this item. Mayor Nehring thanked Chris Holland for his hard work on this program.

The hearing was opened at 7:26 and public comments were solicited. Seeing no public comments, the hearing was closed at 7:26 p.m.

**Motion** made by Councilmember Stevens, seconded by Councilmember Toyer, to approve the PY2013 AAP as recommended by the Citizen Advisory Committee on March 5, 2013, provide a summary of, and response to any comments received during the public hearing into the PY2013 AAP, and direct staff to forward the PY2013 AAP to the U.S. Department of Housing and Urban Development. **Motion** passed unanimously (7-0).

## New Business

9. An **Ordinance** of the City of Marysville, Washington, Amending the City's Municipal Code and Development Regulations By Amending MMC Chapter 22C.060, Smokey Point Master Plan Area – Design Requirements, By Amending Chapter 9, Design Guidelines, of the Smokey Point Master Plan; and Amending Section 22A.010.160 of MMC Chapter 22A.010, General Administration, Related to Tracking Amendments to the City's Uniform Development Code.

Planning Manager Holland summarized that the Planning Commission has recommended amendments to the Smokey Point Master Plan in order to strengthen the architectural design standards. This will make it more cohesive and ensure high quality development in the Smokey Point area.

Councilmember Seibert asked what the changes were to this document. Planning Manager Holland stated that it was just a minor spelling correction.

**Motion** made by Councilmember Stevens, seconded by Councilmember Muller, to adopt Ordinance No. 2922. **Motion** passed unanimously (7-0).

10. An **Ordinance** of the City of Marysville, Washington, Amending the City's Land Use Standards Repealing the Current Temporary Use Provisions Outlined in MMC Chapter 22C.110, Adopting a New MMC Chapter 22C.110, Temporary Uses, Amending the General Fee Structure in MMC 22G.030.020, and Amending Section 22A.010.160 of MMC Chapter 22A.010, General Administration, Related to Tracking Amendments to the City's Uniform Development Code.

Planning Manager Holland explained that in 2010 the Washington State legislature authorized religious organizations to host temporary encampments for homeless persons on property owned and controlled by religious organizations. It also prohibited local governments from enacting any regulations that would impose conditions other than that which would support the public health and safety of the community. The recommendation from the Planning Commission is to do a general reorganization of the temporary use codes as well as introduce a new section of the temporary use code for transitory accommodations. This would set in place a permit process and performance criteria for homeless housing encampments. The proposal also covers not only religious organizations, but all properties within the City of Marysville.

Councilmember Seibert asked about any changes in this document from last week. Planning Manager stated that there was a minor spelling change in this document.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to adopt Ordinance No. 2923. **Motion** passed unanimously (7-0).

## Legal

### Mayor's Business

Mayor Nehring:

- He attended the Domestic Violence Service of Snohomish County for their new groundbreaking for the new building. It is great to see this new facility and all the countywide support for this issue.
- On April 18 Captain Curry will be giving his final State of the Station address from 11:30 to 1 before the change of command at the Naval Station Everett. He encouraged any Councilmembers who are available to attend the event.
- Marysville University will be held on Wednesday night. The Economic Development Committee has worked hard on a lot of things with regard to that so it will be great to hear what the community has to say.

### Staff Business

Jim Ballew:

- He announced that the Rudy Wright mural dedication will occur on Saturday at noon on Cedar Street at Rudy Wright field. Everyone is invited.
- There will be a craft show at the Ken Baxter Community Center on Saturday.

- On Arbor Day staff will be planting a tree in honor of those who were honored tonight for their volunteerism. A Red Hogan Cedar will be planted down by the new pond at Jennings Park.

Chief Smith reiterated that the police are well aware of the issues on 1<sup>st</sup> Street and will continue to be a presence in that area. Citizen volunteers also are going to the businesses in that area frequently. The police are taking a very comprehensive approach to look at safety in this area and in the city overall.

Doug Byde reminded everyone that there is a PW Committee this Friday at 2 p.m. with a very full agenda.

Worth Norton stated he was present to answer any questions regarding their new tablets following the meeting.

Sandy had no comments.

Chris Holland had no comments.

Thom Graafstra had no comments.

Gloria Hirashima stated the need for an Executive Session to address two items – one on personnel and one on potential litigation with no action and expected to last twenty minutes. She also mentioned that she distributed a potential agenda bill for CrossFit in case anyone wants to address it.

### **Call on Councilmembers**

Kamille Norton thanked Jim Ballew and his department for a great Easter Egg Hunt which her family thoroughly enjoyed. It was great event and well attended. Thanks and congratulations to the volunteers of the month and the other volunteers in the city. She thanked them for the great service they give to the community.

Steve Muller also thanked the volunteers for their contributions to the community.

Rob Toyer said he had a citizen contact him about a clogged storm drain at the intersection on 71<sup>st</sup> Avenue and 52<sup>nd</sup> Street. Public Works Manger Byde indicated staff would look at that in the morning.

Michael Stevens echoed Councilmember Norton's comments of appreciation for the volunteers in the community. He gave an update on the City's bills in Olympia and encouraged people to contact the Rules Committee to express support for Senate Bill 5105 regarding the concentration of released registered sex offender housing within city limits.



**Motion** made by Councilmember Seibert, seconded by Councilmember Wright, to add the street closure application from CrossFit Marysville to the agenda tonight. **Motion** passed unanimously (7-0).

Councilmember Seibert requested more information from staff regarding this item. CAO Hirashima explained that the event was approved administratively, but there was an oversight regarding the road closure. Responses were received from the critical departments that they had no problem with the proposed road closure. The event was moved to Sunday this year to address complaints that were received last year.

**Motion** made by Councilmember Seibert, seconded by Councilmember Toyer, to approve the application for CrossFit Marysville LLC to conduct a special event on Sunday, April 14, 2013, including the street closure of Columbia Avenue, as requested by the applicant. **Motion** passed unanimously (7-0).

Donna Wright also thanked the volunteers for all their time and commitment.

Jeff Vaughan thanked Mr. Anderson for coming in with his comments tonight. He encouraged Mr. Anderson to continue to be involved in this issue and encouraged staff to involve Mr. Anderson in their work on this area as a valuable resource.

Council recessed at 7:46 p.m. for five minutes before reconvening into Executive Session at 7:51 for twenty minutes to address two items - one on personnel and one on potential litigation with no action expected.

### **Executive Session**

- A. Litigation – Per RCW 42.30.110(1)(i)
- B. Personnel – Per RCW 42.30.110(1)(g)
- C. Real Estate


**Motion** made by Councilmember Muller, seconded by Councilmember Wright to extend Executive Session to 8:42 p.m. Motion passed (7-0).

### **Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 8:42 p.m.

Approved this 13<sup>th</sup> day of May, 2013.

  
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Mayor  
Jon Nehring

  
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April O'Brien  
Deputy City Clerk