

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
<b>Committee Reports</b>	
<b>Presentations</b>	
Volunteer of the Month - April 2013 - Elaine Hanson	Presented
Proclamation: Declaring May 19-25, 2013 as Emergency Medical Services (EMS) Week	Read
Proclamation: National Police Week, May 12-18, 2013	Read
<b>Adjournment</b>	7:16
<b>Executive Session</b>	7:16
Pending Litigation - one item	
<b>Reconvene</b>	7:36
<b>Approval of Minutes</b>	
Approval of the April 8, 2013, City Council Meeting Minutes.	Approved
Approval of the April 22, 2013, City Council Meeting Minutes.	Approved
<b>Consent Agenda</b>	
Approval of the April 17, 2013, Claims in the Amount of \$366,885.04; Paid by Check Number's 83937 through 84086 with Check Number 81966 Voided.	Approved
Approval of the April 24, 2013, Claims in the Amount of \$488,137.87; Paid by Check Number's 84087 through 84255 with Check Number 83806 Voided.	Approved
Approval of the April 19, 2013, Payroll in the Amount of \$816,390.72; Paid by Check Number's 26481 through 26514.	Approved
American Red Cross Authorized Provider Agreement.	Approved
Independent Contractor and Lease Agreement with Kim Reynolds, Mike Reynolds, and Brandon Wilson for the Caretaker Position at Strawberry Fields Park.	Approved
Quotation from Tyler Technologies for the Munis Work Orders, Fleet, and Facilities Module Purchase.	Approved
Local Agency Federal Aid Project Prospectus and Local Agency Funding Agreement with WSDOT thereby Securing Funding for the 53rd Ave. NE and SR528 Intersection Improvements Project.	Approved
Approval of the May 3, 2013 Payroll in the Amount of \$1,429,726.42; Paid by Check Number's 26515 through 26568.	Approved
Approval of the May 1, 2013 Claims in the Amount of \$341,644.27; Paid by Check Number's 84256 through 84419 with Check Number's 83665 and 84039 Voided.	Approved
<b>Review Bids</b>	
Authorize the Mayor to award the bid for the 51 <sup>st</sup> Avenue NE contract to Fidalgo Paving and Construction, Inc. in the amount of \$273,180 including Washington State Sales Tax and approve a management reserve of \$20,000 for a total allocation of \$293,180.	Approved
<b>Public Hearing</b>	
<b>New Business</b>	

Planning Commission Recommendation the Rezoning of the Following Parks to the R-MHP Zone: Glenwood Mobile Estates, 5900 64th St NE Which is Currently Zoned R-18; Emerald Hills Estates, 14727 43rd Ave NE Which is Currently Zoned R-18; Crystal Tree Village, 16600 25th Ave NE Which is Currently Zoned R-12; and La Tierra MHP, 4401 80th St NE Which is Currently Zoned R-18; and Authorize the Mayor to Sign the Ordinance Amending the Official Zoning Map of the City.	Approved
An <b>Ordinance</b> of the City of Marysville, Washington, Affirming the Recommendation of the Planning Commission, Providing for the Area-Wide Rezone of Four (4) Existing Manufactured Homes Parks from Specified Residential Zones to the Residential-Manufactured Home Park (R-MHP) Zone to Conform to the City of Marysville Comprehensive Plan; Amending the Official Zoning Map of the City and Providing for Severability.	Approved Ord. No. 2926
Waterfront Panel Final Report and Recommendations.	Approved
Roy Robinson Subaru Utility Request - Direct Staff to draft a Special Utility Service Agreement.	Approved
A <b>Resolution</b> of the City of Marysville for the Acceptance of a \$100 Wal-Mart Gift Card Subject to Conditions.	Approved Res. No. 2343
An <b>Ordinance</b> of the City of Marysville amending Section 14.05.030 of the Marysville Municipal Code Addressing Liens and Extending the Effectiveness of a Sewerage Lien to One Year Without the Necessity of Any Recording.	Approved Res. No. 2924
An <b>Ordinance</b> Of The City Of Marysville, Washington, Amending Chapter 6.28 To The Marysville Municipal Code Entitled "Stay Out Of Drug Areas (Soda) Orders" To Amend 6.28.030 To Add Penalties; Providing For Severability; And Effective Date.	Approved Res. No. 2925
<b>Legal</b>	
<b>Mayor's Business</b>	
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Recessed</b>	8:52 p.m.
<b>Executive Session</b>	9:00 p.m.
<b>Litigation – three items</b>	
<b>Reconvened into regular session</b>	9:15 p.m.
<b>Adjournment</b>	9:15 p.m.

**Regular Meeting**  
May 13, 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, Commander Robb Lamoureux, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Senior Planner Cheryl Dungan, Parks and Recreation Director Jim Ballew, and Recording Secretary Laurie Hugdahl.

**Committee Reports**

Councilmember Norton reported on the Parks Advisory Board Meeting on May 1. The Board voted on a name recommendation for the new tree farm park and will be bringing the recommendation to the Council by the May 28 meeting. The Board talked briefly about the status of the spray park plan. They went on a tour to six different parks and got to see a lot of beautiful properties that the City owns. Councilmember Norton reported that the tour was very informative, inspirational, and will be helpful for future planning efforts by the Board.

## Presentations

### A. Volunteer of the Month

Elaine Hanson was recognized as Volunteer of the Month for April 2013 for outstanding community service through her involvement in Soroptimist International of Marysville, her leadership role in Soroptimist's goal to raise community awareness about the human sex trafficking issue, and her volunteer service with Providence General Children's Association.

### B. Proclamation: Declaring May 19-25, 2013 as Emergency Medical Services (EMS) Week

Mayor Nehring read the Proclamation recognizing the Week of May 10-25, 2013 as *Emergency Services Week* in the City of Marysville, with the theme, "EMS: One Mission. One Team" and encouraging community members to observe this occasion by sharing their support of EMS providers in the Marysville Fire District, taking steps to improve their personal safety and preparedness, and honoring these frontline medical responders who have dedicated their lives to ensure the safety of everyone around them.

### C. Proclamation: National Police Week

Mayor Nehring read the Proclamation recognizing the week of May 12-18 , 2013 as *Police Week* in the City of Marysville and further observing Wednesday, May 15, as *Peace Officers' Memorial Day* in honor of those law enforcement officers who through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled

Mayor Nehring added that on Wednesday at 9 a.m. there will be a peace officer memorial at the library.

Grant weed requested that Council consider adjourning into Executive Session for a time not to exceed 15 minutes to discuss one item concerning potential litigation.

**Motion** made by Councilmember Muller, seconded by Councilmember Toyer, to recess into Executive Session for 15 minutes to discuss one item concerning potential litigation. **Motion** passed unanimously (7-0).

Council recessed at 7:16 into Executive Session for 15 minutes to discuss one item concerning potential litigation. Council extended the Executive Session 5 minutes and reconvened the regular session at 7:36 p.m.

## Approval of Minutes

1. Approval of the April 8, 2013, City Council Meeting Minutes.

**Motion** made by Councilmember Stevens, seconded by Councilmember Muller, to approve the April 8, 2013, City Council Meeting Minutes as presented. **Motion** passed unanimously (7-0).

2. Approval of the April 22, 2013, City Council Meeting Minutes.

**Motion** made by Councilmember Muller, seconded by Councilmember Stevens, to approve April 22, 2013, City Council Meeting Minutes as presented. **Motion** passed unanimously (7-0).

## Consent

3. Approval of the April 17, 2013, Claims in the Amount of \$366,885.04; Paid by Check Number's 83937 through 84086 with Check Number 81966 Voided.
4. Approval of the April 24, 2013, Claims in the Amount of \$488,137.87; Paid by Check Number's 84087 through 84255 with Check Number 83806 Voided.
5. Approval of the April 19, 2013, Payroll in the Amount of \$816,390.72; Paid by Check Number's 26481 through 26514.
7. American Red Cross Authorized Provider Agreement.
8. Independent Contractor and Lease Agreement with Kim Reynolds, Mike Reynolds, and Brandon Wilson for the Caretaker Position at Strawberry Fields Park.
9. Quotation from Tyler Technologies for the Munis Work Orders, Fleet, and Facilities Module Purchase.
10. Local Agency Federal Aid Project Prospectus and Local Agency Funding Agreement with WSDOT thereby Securing Funding for the 53<sup>rd</sup> Ave. NE and SR528 Intersection Improvements Project.
17. Approval of the May 3, 2013 Payroll in the Amount of \$1,429,726.42; Paid by Check Number's 26515 through 26568.
18. Approval of the May 1, 2013 Claims in the Amount of \$341,644.27; Paid by Check Number's 84256 through 84419 with Check Number's 83665 and 84039 Voided.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to approve Consent Agenda items 3, 4, 5, 7, 8, 9, 10, 17, and 18. **Motion** passed unanimously (7-0).

### **Review Bids**

6. Award the Bid for the 51<sup>st</sup> Avenue NE Overlay (Grove Street to 80<sup>th</sup> St. NE) Project.

Public Works Director Nielsen said they are excited to get started on this section of road.

**Motion** made by Councilmember Stevens, seconded by Councilmember Norton, to authorize the Mayor to award the bid for the 51<sup>st</sup> Avenue NE contract to Fidalgo Paving and Construction, Inc. in the amount of \$273,180 including Washington State Sales Tax and approve a management reserve of \$20,000 for a total allocation of \$293,180.

**Motion** passed unanimously (7-0).

### **Public Hearings**

#### **New Business**

14. Planning Commission Recommends the Rezoning of the Following Parks to the R-MHP Zone: Glenwood Mobile Estates, 5900 64th St NE Which is Currently Zoned R-18; Emerald Hills Estates, 14727 43rd Ave NE Which is Currently Zoned R-18; Crystal Tree Village, 16600 25th Ave NE Which is Currently Zoned R-12; and La Tierra MHP, 4401 80th St NE Which is Currently Zoned R-18; and Authorize the Mayor to Sign the Ordinance Amending the Official Zoning Map of the City.

An **Ordinance** of the City of Marysville, Washington, Affirming the Recommendation of the Planning Commission, Providing for the Area-Wide Rezone of Four (4) Existing Manufactured Homes Parks from Specified Residential Zones to the Residential-Manufactured Home Park (R-MHP) Zone to Conform to the City of Marysville Comprehensive Plan; Amending the Official Zoning Map of the City and Providing for Severability.

Senior Planner Cheryl Dungan explained that this is a consideration of the Planning Commission recommendation for rezoning four Manufactured Home Parks (MHPs) in Residential zones to the Residential Manufactured Home Park (R-MHP) zone which was created in 2010. There are currently 13 MHPs in Marysville with 1120 spaces. The four parks recommended for rezone contain 703 spaces. There is a total of 747 spaces in the residentially zoned parks. The parks considered for rezone are the Glenwood Mobile Estates, Emerald Hills Estates, La Tierra MHP, and Crystal Tree Village.

Public Comment:

Ishbel Dickens, 3306 E. John, Seattle, WA 98112, spoke in support of this item, but recommended that all 13 Manufactured Home communities be included in the R-MHP zone to provide a certain degree of security for over 1100 households. As recommended, the MHP zone will not protect those most in need of protection, the 400+ households living in the seven MHP communities within the City's limits that are not currently zoned Residential. Preserving all of the MHP's through the local zoning ordinance would help Marysville meet its Growth Management Act goals of protecting existing neighborhoods, providing a density of housing, adding to the number of choices of housing available to its citizens, and providing housing affordable to all economic sectors of society. Lacking the security of the MHP zone, the 400+ homeowners in the seven commercially zoned MHPs will have more difficulty selling their homes and they will have less incentive to upgrade their homes; they are also the most likely to be the citizens most in need of protection from a MHP zone. Ms. Dickens informed the Council that the 9th District US Court of Appeals ruled last October in the Tumwater case that enacting MHP zones does not violate either the federal or the state constitution. She recommended that if the City does not do it tonight, that they at least keep the door open for including the other MHP communities at some future date.

Councilmember Stevens asked Senior Planner Dungan to explain how Kellogg Village is already protected. Senior Planner Dungan explained that it was originally approved in Snohomish County as a Planned Residential Development and a demonstration project, which included a manufactured home component. The way the decision was written it has to remain a MHP. Therefore, staff felt it was already protected under the Snohomish County approval. There is no sunset on that protection written into the decision.

**Motion** made by Councilmember Muller, seconded by Councilmember Seibert, to approve the Planning Commission recommendation. **Motion** passed (6-1) with Councilmember Stevens voting against the motion.

**Motion** made by Councilmember Muller, seconded by Councilmember Wright, to adopt Ordinance 2926. **Motion** passed (6-1) with Councilmember Stevens voting against the motion.

11. Waterfront Panel Final Report and Recommendations.

CAO Hirashima reviewed this item. She solicited feedback from the Council.

Councilmember Muller asked if the Council could say they wanted to continue to research certain portions. CAO Hirashima replied that this was a possibility.

Councilmember Seibert asked if they could elect to move forward with all of them, but have each one come back separately. CAO Hirashima stated that was a possibility.

**Motion** made by Councilmember Muller to adopt the recommended waterfront plan with the caveat that they work through the Economic Development committee to develop phasing. The motion died for lack of a second.

**Motion** made by Councilmember Seibert, seconded by Councilmember Stevens, to adopt the recommendations, look at bringing all of them forward, but have each area divided out as a separate project to decide which one they want to bring forward first or if they want to bring them all forward at the same time.

Councilmember Vaughan asked why they felt the need to separate these out. Councilmember Stevens commented that in lieu of sending an RFP out for the entire package, which may limit the developers that may be interested, parceling it out into sections would allow each section to be developed separately. Councilmember Muller stated that because the east side would be a large commercial project with a lot of variables, it may not be one person that comes in to do the whole thing. The west side is pretty straight forward with mixed use development. Councilmember Seibert added that there may be difficulties in some areas with environmental or other issues, and he wouldn't want to hold up the project because of that. This would allow sections to proceed independently. Councilmember Vaughan asked CAO Hirashima her opinion. She spoke in support of the recommendation.

**Motion** passed unanimously (7-0).

## 12. Roy Robinson Subaru Utility Request.

CAO Hirashima reviewed this item as discussed previously at the last workshop. City Attorney Weed commented that it is important to understand that this piece of the City's utility system is in transition. Discussions have been ongoing with the Tribes about sale of the utility system to them. A draft agreement to make that happen has been written and provided to them, and meetings are scheduled to try to further that effort. The sale of a utility system is quite complicated, but ultimately, if the sale is consummated, it's important for Roy Robinson Chevrolet to understand that once the Tribes are in ownership of that system, they are entirely subject to the Tribe setting the fees, rates, terms and conditions of service. Any approval by the City of Marysville at this point should be viewed as being temporary and subject to the Tribes being the utility purveyor in the end. It is also important to understand that there is language in the GMA that prohibits service outside of the UGA. There is also language in the City's code that prohibits service outside of the city limits and outside of the Utility Service Area. However, there is potential exception within the MMC in section 14.32.035 that would allow for service within another jurisdiction subject to reaching an agreement. One step to reaching that agreement with the Tribes is entering into an MOU intended to lead to the sale of the system.

Bill Foster, 5116 Harbor Lane, Everett, WA 98203, counsel for Roy Robinson Chevrolet, commented on the valuable asset that Roy Robinson Chevrolet is to the community. He summarized that Roy Robinson Chevrolet needs to move as the current location does not fit the needs of either Roy Robinson or the companies that it represents, Chevrolet



and Subaru. Roy Robinson wants to build a brand new dealership on the "Sam" property that is west of I-5 and south of Marine View Drive in the subject area. He has been involved with this property for almost 20 years for other clients. The new dealership would be a beautiful structure and a great addition to the community even though it would be on reservation land. Roy Robinson fully supports the concept of providing sewer service to this property through an MOU.

Mr. Foster stated that he believes authorizing the extension of sewer service outside of both the city limits and the UGA is authorized by section 14.32 of the MMC. His interpretation of that section is that the City has the ability to extend that service under agreement. He believes there is currently an agreement in place right now between Lake Stevens and the City of Marysville to provide sewer service in either the Soper Hill or Sunnyside areas. He thinks that the City has authority to extend sewer service beyond its boundaries and beyond the UGA if it is contemporaneous with an agreement to do so. Mr. Foster went on to say that at the work session a question was raised about if the provision of sewer service outside the UGA would violate the provisions of GMA. The case of *Thurston County v. Cooper Point* is the most recent case, which would seem to prohibit the extension of utilities outside the UGA. However, he feels this is a different situation. GMA mandates that urban services are to be provided to urban areas and not to rural areas. What is being proposed is providing urban service sewers to a "different country". Additionally, under the Tribes' Comprehensive Plan, that property is designated as being urban/commercial. Therefore, providing sewer service to this property does not run afoul of GMA because the City would not be providing urban services to a rural area as was seen in the *Thurston County v. Cooper Point* case. The City of Marysville would be providing sewer service to an area that the entity controlling it has designated as being commercial which would be consistent with the GMA. Mr. Foster spoke in support of the City's efforts with the MOU, and expressed hope that it moves forward.

#### Council Comments and Questions:

Councilmember Vaughan asked who owns the property. Mr. Foster said that the Sam family, which is a group of tribal members, owns the property, but the land is essentially controlled by the BIA. The Sam family entered into a long-term lease of the property to an individual and that individual leased it to an entity controlled by Roy Robinson people. It is a very long-term lease. Since it is Indian land nothing can be done on it without BIA approval.

Councilmember Muller asked if the MOU was an agreement with the owner of the land or with the Tribes. Mr. Foster thought that the MOU related solely to the intention to purchase the sewer system by the Tribe. He stated that Roy Robinson Chevrolet is well aware of the fact that if the purchase goes forward, the sewer service will be provided by Tribes and that the rates, connection charges, and all aspects of the sewer system will be controlled by the Tribes.

City Attorney Weed stated that the MOU would be a stepping stone to the City's ultimate goal of entering into a Purchase and Sale Agreement with the Tribes to purchase the

utilities referred to as Marysville West. He thought that what Councilmember Muller was asking about was if there is a need for an agreement between the City and the controlling owner of the property to define the terms of the utility service between Roy Robinson or the underlying property owner. Mr. Foster stated that if an agreement is necessary, the Robinson family will definitely cooperate with the efforts of the City of Marysville to affect the ultimate agreement contemplated by the MOU. Councilmember Muller again asked which property the City would work with, the owner of the land or Roy Robinson. Mr. Foster stated that Roy Robinson Chevrolet is the lessee of the property, and they have control over what they do with the property. He asserted that providing sewer service to this property enhances everybody's value in the property. He believes that no one would object to providing sewer service or making whatever commitments are necessary to get that accomplished.

City Attorney Grant Weed stated that the City would like to look for an agreement, such as a Special Utility Service Agreement, that meets the needs specifically of Roy Robinson Chevrolet, but doesn't give an open-ended commitment to whatever else might go there in the event that this particular project doesn't happen. Mr. Foster confirmed that Roy Robinson Chevrolet would be more than willing to participate in that type of agreement to form a binding commitment between Roy Robinson and the City of Marysville as to the type of development and type of service they would like to have provided to their project. City Attorney Weed stated that this would also be an ideal vehicle to also make sure there is a clear understanding about the fact that there is a transition in process for the sale of the utility in the name of full disclosure. Mr. Foster concurred and expressed full support for this type of agreement.

Councilmember Vaughan asked if crafting an agreement that is specific to one business would create any sort of risk for the City with regard to GMA. City Attorney Grant Weed stated that referencing the MOU relating to the City's intent to sell the utility to the Tribes in any site-specific agreement would show that the agreement was only to provide utilities to span the gap between the City's ownership and the Tribes' ultimate ownership. This would help to alleviate concerns about GMA issues.

Councilmember Vaughan asked if the City Attorney had any concerns about the ownership of the property being a family as opposed to a jurisdiction. City Attorney Weed commented that it would probably be best to have the agreement with Roy Robinson as well as the underlying Sam family. However, if there is sufficient amount of control of the property through the lease, then it may not be necessary. If the Sam family is agreeable and willing to participate, he thinks it would be best for both parties to be parties to the agreement. Mr. Foster interjected that in his twenty years of dealings with this property he has learned that some of the members of the Sam family are hard to find, but BIA has a rule that if a tribal member needs to sign a document, and they haven't been seen for seven years, they can be presumed dead. He explained that they actually have that situation with one of the Sam people right now.

Councilmember Toyer asked why Roy Robinson Chevrolet isn't building on City of Marysville property. Mr. Foster did not have that information, but noted that the Sam property is a fairly large site with very good freeway access. Councilmember Toyer

commented that the project ultimately benefits the Tribes, so he was wondering why the City Attorney would be doing all the work for this. CAO Hirashima commented that it is because the City is the owner of the water and sewer at this point. This is why the City drafted the MOU to identify a process where this could move forward.

Councilmember Vaughan said he was also wondering what the benefit of this would be to the City and to its citizens. Director Nielsen commented that the City would get the capital connection charges. Additionally, the City will still be treating the flows from that area in the future for a maximum of ten years, so there is still interest by the City as far as operation goes on the discharge, the NPDES and other permits, as it relates to the effluent of what is coming off the specific projects over there. The City will still be highly engaged in the sewer system over there after the Tribes take ownership of it. Councilmember Norton added that the new dealership will mean new jobs for the area so it will have a positive economic impact on the area.

**Motion** made by Councilmember Seibert, seconded by Councilmember Muller, to direct staff to draft a Special Utility Service Agreement to bring back to City Council at the next meeting. **Motion** passed unanimously (7-0).

13. A **Resolution** of the City of Marysville for the Acceptance of a \$100 Wal-Mart Gift Card Subject to Conditions.

**Motion** made by Councilmember Wright, seconded by Councilmember Muller, to approve Resolution No. 2343. **Motion** passed unanimously (7-0).

15. An **Ordinance** of the City of Marysville amending Section 14.05.030 of the Marysville Municipal Code Addressing Liens and Extending the Effectiveness of a Sewerage Lien to One Year Without the Necessity of Any Recording.

**Motion** made by Councilmember Muller, seconded by Councilmember Stevens, to approve Ordinance No. 2924. **Motion** passed unanimously (7-0).

16. An **Ordinance** Of The City Of Marysville, Washington, Amending Chapter 6.28 To The Marysville Municipal Code Entitled "Stay Out Of Drug Areas (Soda) Orders" To Amend 6.28.030 To Add Penalties; Providing For Severability; And Effective Date.

**Motion** made by Councilmember Seibert, seconded by Councilmember Stevens, to approve Ordinance No. 2925. **Motion** passed unanimously (7-0).

## Legal

## Mayor's Business

Mayor Nehring:

- Governor Inslee visited the Future of Flight Museum last Thursday, and Mayor Nehring had the opportunity to attend. Governor Inslee laid out his plan for

keeping the 777X in Everett, which is very important for Marysville since we have thousands of Boeing workers in the community and it affects every business in the City.

- Everett Community College had a great event regarding education and economic development.
- Peace Officers' Memorial will be held at 9 a.m. at the library on Wednesday.
- The City's bill 5105 which passed unanimously in both houses will be signed on Thursday at 1:30.

### **Staff Business**

Jim Ballew stated that the Challenge Day event is coming up on June 1. This year they have had a very strong partnership with Girl Scouts of Western Washington putting on this event.

Robb Lamoureux had no further comments.

Kevin Nielsen stated that construction of the 10<sup>th</sup> Street sidewalk has begun.

Sandy Langdon commented that the state auditors arrived today and will be scheduling the entrance interview soon.

Grant Weed stated the need for an Executive Session to discuss two matters concerning pending litigation and one additional matter concerning potential litigation expected to last 15 minutes with no action required.

Gloria Hirashima had no comments.

### **Call on Councilmembers**

Kamille Norton said she attended the Marysville City Band concert last week. It was a very nice event, and they are an asset to the City.

Steve Muller discussed Coos Bay Oregon and noticed a SODA area sign.

Rob Toyer went to fire ops 101 with Councilmember Stevens last week and gained a whole new respect for the job that firefighters do. He also asked Commander Lamoureux about the reason for the closure on 83rd yesterday. Commander Lamoureux stated that there was a collision in the 4400 block that knocked power out for a while.

Michael Stevens reported that the fire ops training was fun, but very hot, especially in the suits. He would like to see the City continue to participate in this event in the future

Jeff Seibert:

- He requested an update on the final lift on the bridge. Director Nielsen replied that it is scheduled for this week, but is weather dependent.
- He said thought that the City prohibits new auto sales in the downtown area, but he noticed one that opened on Cedar Street. CAO Hirashima said she would look into it.

Donna Wright said she attended an event called the Health of Snohomish County. There is a report out which identifies priorities in the county. The top three that they will focus on are youth physical abuse, youth and adult obesity, and suicide of both adults and children. They are looking for people that will work on the Community Health Improvement Plan and asking for a commitment for a year. Jim Ballew stated that the Council has the opportunity to see the entire presentation, which he recommends. He offered to set that up for an upcoming meeting.

Jeff Vaughan had no further comments.

Council recessed at 8:52 until 9:00 at which time they reconvened in Executive Session to discuss two matters concerning pending litigation and one additional matter concerning potential litigation expected to last 15 minutes with no action required.

#### **Executive Session**

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

Council reconvened into regular session at 9:15 p.m.

#### **Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 9:15 p.m.

Approved this 10<sup>th</sup> day of June, 2013.

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Mayor  
Jon Nehring

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

