

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
<b>Approval of the Agenda</b>	Approved
<b>Committee Reports</b>	
<b>Presentations</b>	
Proclamation: Honoring City Councilmember Rob Toyer	Presented
<b>Audience Participation</b>	
<b>Approval of Minutes</b>	
Approval of the November 4, 2019 City Council Work Session Minutes.	Approved
Approval of the November 12, 2019 City Council Meeting Minutes.	Approved
<b>Consent Agenda</b>	
Approval of the November 20, 2019 Payroll in the Amount of \$1,312,174.12, Paid by EFT Transactions and Check Numbers 32775 through 32792.	Approved
Approval of the November 20, 2019 Claims in the Amount of \$636,881.57, Paid by EFT Transactions and Check Numbers 136429 through 136546 with No Check Numbers Voided.	Approved
Approval of the November 27, 2019 Claims in the Amount of \$961,734.63, Paid by EFT Transactions and Check Numbers 136547 through 136666 with No Check Numbers Voided.	Approved
Consider Approving the Supplemental Agreement No. 2 to the City's Professional Services Agreement with WSP USA, to extend the Contract Term through June 30, 2020.	Approved
Consider Approving the Buy/Sell Agreement with Mitigation Banking Services, LLC for the Purchase of 0.08 Wetland Credits in the Amount of \$16,800.00.	Approved
Consider Approving the No-Cost Supplemental Agreement No. 5 to the City's Professional Agreement with KPG, Inc. to extend the Agreement End Date to June 15, 2020 for the Highway Safety Improvement Program.	Approved
Consider Approving the Purchase Order with Western Peterbilt, Inc. for Two (2) 2020 Autocar Commercial Front Loader Refuse Trucks in the Amount of \$776,146.95.	Approved
Consider Approving the Contract Amendment with Snohomish County Human Services for Senior Center Projects.	Approved
Consider Approving the Interlocal Cooperative Agreement with Whatcom County for Jail Prisoner Transports.	Approved
Approval of the December 4, 2019 Claims in the Amount of \$4,484,252.27, Paid by EFT Transactions and Check Numbers 136667 through 136773 with No Check Numbers Voided.	Approved
Approval of the December 5, 2019 Payroll in the Amount of \$1,856,013.01, Paid by EFT Transactions and Check Numbers 32793 through 32821.	Approved
Consider Approving the Hotel Motel Grant Review Committee's Recommendation on Award Funding for 2020.	Approved
<b>Review Bids</b>	

Consider Awarding the Alder Avenue Sidewalks Contract to Welwest Construction in the Amount of \$153,553.50, and Approve a Management Reserve of \$15,000.00 for a Total Allocation of \$168,553.50.	Approved
Consider Awarding the State Avenue (100th Street NE to 104th Street NE) Corridor Improvement Project to Strider Construction Company in the Amount of \$11,768,403.08 Including Washington State Sales Tax and Approve a Management Reserve of \$500,000.00 for a Total Allocation of \$12,268,403.08.	Approved
Consider Awarding the Marysville Civic Center Project to Lydig Construction, Inc. in the Amount of \$47,643,870.00 Including Washington State Sales Tax and Approve a Management Reserve of \$2,382,193.50, for a Total Allocation of \$50,026,063.50.	Approved
<b>Public Hearings</b>	
Consider Approving an Ordinance Amending Chapter 7.08 of the Marysville Municipal Code, adding an option and rate for a second recycling bin, adding an alternative for dumpsters that create unsafe conditions, and correcting inconsistencies in the code.	Approved Ordinance No. 3141
<b>New Business</b>	
Consider Approving the Memorandum of Understanding with the Port of Everett Related to Economic Development within the Cascade Industrial Center and the City.	Approved
Consider Approving the Interlocal Agreement with Snohomish County for Increased Embedded Social Worker Funding.	Approved
Consider Approving an Ordinance Amending the 2019-2020 Biennial Budget and Providing for the Increase in Certain Expenditure Items as Budgeted for in Ordinance No. 3108.	Approved Ordinance No. 3142
Consider Approving an Ordinance Amending Chapter 6.33 of the Municipal Code to Incorporate by Reference RCW 9A.86.010 and making it a criminal offense to wrongfully disclose intimate images.	Ordinance No. 3143
Consider Approving Per Capita Funding and an Interlocal Agreement with Snohomish Health District.	Approved
Consider Approving Amendment No. 1 to the Interlocal Agreement with Snohomish County Concerning Provision of Fire Investigation Services.	Approved
Consider Approving the M.C.C. Structural Testing, Special Inspection & Quality Assurance Consultant Professional Services Agreement with GeoTest, Inc. in the Amount of \$348,107.38 Including Washington State Sales Tax for a Total Allocation of \$348,107.38.	Approved
Consider Approving an Agreement with Alliant Insurance Services for Liability Insurance Services.	Approved
<b>Legal</b>	
<b>Mayor's Business</b>	
Legislative Priorities	Approved
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	

<b>Recess</b>	8:34 p.m.
<b>Executive Session</b>	8:45 p.m.
<b>Personnel – one item</b>	No Action
<b>Adjournment</b>	8:55 p.m.

**City Council**



**1049 State Avenue  
Marysville, WA 98270**

**Regular Meeting  
Minutes**

**December 9, 2019**

**Call to Order**

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

**Invocation**

Judy Johnston of Jake's house gave the invocation.

**Pledge of Allegiance**

Mayor Nehring led those present in the Pledge of Allegiance.

**Roll Call**

**Present:** Mayor Jon Nehring, Council President Kamille Norton, Councilmember Jeff Vaughan, Councilmember Mark James, Councilmember Michael Stevens, Councilmember Rob Toyer, Councilmember Steve Muller, Councilmember Tom King, Interim Police Chief Jeff Goldman, Finance Director Sandy Langdon, City Attorney Jon Walker, CAO Gloria Hirashima, Public Works Director Kevin Nielsen, Parks Director Tara Mizell, Fire Chief Martin McFalls, Public Relations Admin. Connie Mennie, Information Svc. Analyst Mike Davis, Brian Milligan, Civic Center Project Manager, Commander Mark Thomas, Deputy Chief Tom Maloney, Risk Manager Diana Rose, Community Development Director Jeffrey Thomas

**Approval of the Agenda**

**Motion to Approve** the Agenda moved by Councilmember Steve Muller seconded by Councilmember Rob Toyer.

**AYES: ALL**

**Committee Reports**

Councilmember King reported that the Community Development Block Grant Committee met and approved recommendations to send to Council. The Fire Board also met last week. The Chief presented service awards for 26 firefighters.

Councilmember Vaughan reported that the Finance Committee met tonight before this meeting. They had an update on the budget. Revenues are ahead of budget and expenditures are below budget. They also reviewed civic center funding and talked about some potential improvements to the public records request process for the City.

### **Presentations**

A. Proclamation: Honoring City Councilmember Rob Toyer

Mayor Nehring read a proclamation honoring the service of City Councilmember Rob Toyer.

### **Audience Participation**

Robert Pearce, 5417 80th Avenue NE, Marysville, WA 98270 had the following comments:

- He spoke in support of preserving the Comeford Park Water Tower and suggested that the Council discuss repair and maintenance of the tower.
- He spoke in favor of item 16 regarding the embedded social worker program.
- He also spoke in opposition to the item 25, per capita Health District funding, due to the inefficiency of the needle exchange program in solving other social problems.

Councilmember Vaughan explained why the Council was now considering resuming funding of the Health District. This is primarily due to a leadership change and improvements at the Health District.

Robert Cobb, 1250 Beach Avenue N, Marysville, WA 98270, commented regarding the speed limit on Beach Avenue. He expressed concern about safety and the high speed of vehicles on that road. Mayor Nehring indicated that this could be brought up at Traffic Safety Committee. Director Nielsen concurred. Interim Chief Goldman also indicated that the police would look into it.

### **Approval of Minutes**

1. Approval of the November 4, 2019 City Council Work Session Minutes.

**Motion to Approve** the November 4, 2019 City Council Work Session Minutes moved by Councilmember Tom King seconded by Councilmember Mark James.

**AYES: ALL**

22. Approval of the November 12, 2019 City Council Meeting Minutes.

**Motion to Approve** the November 12, 2019 City Council Meeting Minutes moved by Councilmember Michael Stevens seconded by Councilmember Tom King.

**AYES: ALL**

**Consent**

2. Approval of the November 20, 2019 Payroll in the Amount of \$1,312,174.12, Paid by EFT Transactions and Check Numbers 32775 through 32792.
3. Approval of the November 20, 2019 Claims in the Amount of \$636,881.57, Paid by EFT Transactions and Check Numbers 136429 through 136546 with No Check Numbers Voided.
4. Approval of the November 27, 2019 Claims in the Amount of \$961,734.63, Paid by EFT Transactions and Check Numbers 136547 through 136666 with No Check Numbers Voided.
9. Consider Approving the Supplemental Agreement No. 2 to the City's Professional Services Agreement with WSP USA, to extend the Contract Term through June 30, 2020.
10. Consider Approving the Buy/Sell Agreement with Mitigation Banking Services, LLC for the Purchase of 0.08 Wetland Credits in the Amount of \$16,800.00.
11. Consider Approving the No-Cost Supplemental Agreement No. 5 to the City's Professional Agreement with KPG, Inc. to extend the Agreement End Date to June 15, 2020 for the Highway Safety Improvement Program.
12. Consider Approving the Purchase Order with Western Peterbilt, Inc. for Two (2) 2020 Autocar Commercial Front Loader Refuse Trucks in the Amount of \$776,146.95.
13. Consider Approving the Contract Amendment with Snohomish County Human Services for Senior Center Projects.
14. Consider Approving the Interlocal Cooperative Agreement with Whatcom County for Jail Prisoner Transports.
17. Consider Approving the Hotel Motel Grant Review Committee's Recommendation on Award Funding for 2020.
23. Approval of the December 4, 2019 Claims in the Amount of \$4,484,252.27, Paid by EFT Transactions and Check Numbers 136667 through 136773 with No Check Numbers Voided.

24. Approval of the December 5, 2019 Payroll in the Amount of \$1,856,013.01, Paid by EFT Transactions and Check Numbers 32793 through 32821.

**Motion to Approve** items 2, 3, 4, 23, 24, 9, 10, 11, 12, 13, 14, and 17 moved by Council President Kamille Norton seconded by Councilmember Steve Muller.

**AYES: ALL**

#### **Review Bids**

5. Consider Awarding the Alder Avenue Sidewalks Contract to Welwest Construction in the Amount of \$153,553.50, and Approve a Management Reserve of \$15,000.00 for a Total Allocation of \$168,553.50.

Director Nielsen reviewed this item.

**Motion to Approve** the Alder Avenue Sidewalks Contract to Welwest Construction in the Amount of \$153,553.50, and Approve a Management Reserve of \$15,000.00 for a Total Allocation of \$168,553.50 moved by Councilmember Michael Stevens seconded by Council President Kamille Norton.

**AYES: ALL**

6. Consider Awarding the State Avenue (100th Street NE to 104th Street NE) Corridor Improvement Project to Strider Construction Company in the Amount of \$11,768,403.08 Including Washington State Sales Tax and Approve a Management Reserve of \$500,000.00 for a Total Allocation of \$12,268,403.08.

Director Nielsen reviewed this item. He acknowledged TIB as a funding partner for \$5 million and the design of this project.

**Motion to Approve** the bid for State Avenue (100th Street NE to 104th Street NE) Corridor Improvement Project to Strider Construction Company in the Amount of \$11,768,403.08 Including Washington State Sales Tax and Approve a Management Reserve of \$500,000.00 for a Total Allocation of \$12,268,403.08 moved by Councilmember Steve Muller seconded by Councilmember Rob Toyer.

**AYES: ALL**

7. Consider Awarding the Marysville Civic Center Project to Lydig Construction, Inc. in the Amount of \$47,643,870.00 Including Washington State Sales Tax and Approve a Management Reserve of \$2,382,193.50, for a Total Allocation of \$50,026,063.50.

CAO Hirashima introduced Brian Milligan, Civic Center Project Manager. Finance Director Langdon briefly reviewed the overall project budget for the Civic Center. CAO reviewed the recommendation to award the bid to Lydig Construction and answered general questions about the project.

**Motion to Approve** the bid for the Marysville Civic Center Project to Lydig Construction, Inc. in the Amount of \$47,643,870.00 Including Washington State Sales Tax and Approve a Management Reserve of \$2,382,193.50, for a Total Allocation of \$50,026,063.50 moved by Councilmember Mark James seconded by Councilmember Michael Stevens.

**AYES: ALL**

### **Public Hearings**

8. Consider Approving an Ordinance Amending Chapter 7.08 of the Marysville Municipal Code, adding an option and rate for a second recycling bin, adding an alternative for dumpsters that create unsafe conditions, and correcting inconsistencies in the code.

Director Langdon reviewed this item.

Councilmember Norton asked when this would go into effect. Director Langdon replied it could go into effect the first of the year, but it wouldn't actually go into effect until the City notifies customers and gives them a chance to respond.

The public hearing was opened at 7:33 p.m. Seeing no comments the hearing was closed at 7:33 p.m.

**Motion to Approve** Ordinance No. 3141 moved by Councilmember Tom King seconded by Councilmember Mark James.

**AYES: ALL**

### **New Business**

15. Consider Approving the Memorandum of Understanding with the Port of Everett Related to Economic Development within the Cascade Industrial Center and the City.

Director Thomas reviewed this item. He added that this MOU would be in effect until 8/31/2021.

**Motion to Approve** the Memorandum of Understanding with the Port of Everett Related to Economic Development within the Cascade Industrial Center and the City moved by Councilmember Steve Muller seconded by Council President Kamille Norton.

**AYES: ALL**

16. Consider Approving the Interlocal Agreement with Snohomish County for Increased Embedded Social Worker Funding.

Mayor Nehring commented on the success of this program and discussed some of the statistics related to it. He stressed that since the beginning of the program, housing has



been secured for 112 people; 103 people have gotten into inpatient drug treatment; and 54 people have successfully graduated from drug treatment. He also discussed the reason for this change in funding. He expressed appreciation to the County for the two years that the City only had to pay half of the costs. He noted that the admin cost was not included in the original agreement, but they would be included in this one. He spoke to the huge benefit of being in partnership with the County. He thanked the City Council for their support on this ILA two years ago as it has been extremely successful.

Councilmember Muller asked if Rochelle could come to make a presentation to Council in January. Mayor Nehring also thought this was a good idea.

Councilmember Vaughan spoke in support of this item.

**Motion to Approve** the Interlocal Agreement with Snohomish County for Increased Embedded Social Worker Funding moved by Councilmember Rob Toyer seconded by Councilmember Steve Muller.

**AYES: ALL**

19. Consider Approving an Ordinance Amending the 2019-2020 Biennial Budget and Providing for the Increase in Certain Expenditure Items as Budgeted for in Ordinance No. 3108.

Finance Director Langdon reviewed this item.

**Motion to Approve** Ordinance No. 3142 moved by Councilmember Jeff Vaughan seconded by Councilmember Tom King.

**AYES: ALL**

20. Consider Approving an Ordinance Amending Chapter 6.33 of the Municipal Code to Incorporate by Reference RCW 9A.86.010 and making it a criminal offense to wrongfully disclose intimate images.

City Attorney Walker reviewed this item.

**Motion to Approve** Ordinance No. 3143 moved by Council President Kamille Norton seconded by Councilmember Michael Stevens.

**AYES: ALL**

25. Consider Approving Per Capita Funding and an Interlocal Agreement with Snohomish Health District.

CAO Hirashima introduced this item which had been added to the agenda per Council request.

Councilmember Norton asked Councilmember Vaughan if the County is currently operating a needle exchange program. Councilmember Vaughan said they are not, and

he was not aware of any plans to operate one in the future. He noted that there is a non-profit organization that operates a needle exchange in north Everett and other areas in the County through a mobile van.

Councilmember James asked about safe injection sites. Councilmember Vaughan indicated there were no plans for that.

Councilmember Stevens noted that funding would be reviewed quarterly and that the Health District would provide reports. These are generally done on an annual basis. He pointed out a typo on 3b where it lists the City of Everett instead of the City of Marysville. Staff indicated that would be corrected.

**Motion to Approve** Per Capita Funding at the funding level of \$1 per capita and an Interlocal Agreement with Snohomish Health District moved by Councilmember Steve Muller seconded by Councilmember Rob Toyer.

**AYES: ALL**

26. Consider Approving Amendment No. 1 to the Interlocal Agreement with Snohomish County Concerning Provision of Fire Investigation Services.

Deputy Chief Maloney reviewed this item.

**Motion to Approve** authorizing the Mayor to sign the Amendment No. 1 to the Interlocal Agreement with Snohomish County Concerning Provision of Fire Investigation Services moved by Council President Kamille Norton seconded by Councilmember Tom King.

**AYES: ALL**

27. Consider Approving the M.C.C. Structural Testing, Special Inspection & Quality Assurance Consultant Professional Services Agreement with GeoTest, Inc. in the Amount of \$348,107.38 Including Washington State Sales Tax for a Total Allocation of \$348,107.38.

CAO Hirashima reviewed this item.

**Motion to Approve** authorizing the Mayor to sign and execute the M.C.C. Structural Testing, Special Inspection & Quality Assurance Consultant Professional Services Agreement with GeoTest, Inc. in the Amount of \$348,107.38 Including Washington State Sales Tax for a Total Allocation of \$348,107.38 moved by Councilmember Michael Stevens seconded by Councilmember Rob Toyer.

**AYES: ALL**

28. Consider Approving an Agreement with Alliant Insurance Services for Liability Insurance Services.

CAO Hirashima and Risk Manager Diana Rose reviewed this item.

**Motion to Approve** an Agreement with Alliant Insurance Services for Liability Insurance Services moved by Councilmember Tom King seconded by Councilmember Steve Muller.

**AYES: ALL**

## Legal

### Mayor's Business

#### 21. Legislative Priorities

Mayor Nehring reviewed this item.

**Motion to Approve** the proposed legislative priorities for 2020 moved by Councilmember Jeff Vaughan seconded by Councilmember Rob Toyer.

**AYES: ALL**

Additional Comments from Mayor Nehring:

- Thanks to Councilmember Norton for chairing the meeting last week.
- He attended a nice ribbon cutting a pet store at the old Starbucks building on 88th.
- Thanks to everyone who had a hand on Marysville for the Holidays on Saturday. It was a great event.
- He is putting together a Mayor's Task Force on Growth Management for 2020. He plans to invite some citizens as large to serve and three councilmembers. There will also be representatives from the Planning Commission and city staff.
- He discussed committees and the importance of defining agendas and meeting lengths.
- Thanks to the Council for the hard work in 2019. This has been a momentous year.
- Thanks to staff for all the support and hard work.
- He expressed appreciation to Rob Toyer for his service.

### Staff Business

Interim Chief Goldman:

- Thanks to the City Council for their support in 2019. Thanks to all the directors for making him feel welcome as he stepped in mid-year.
- He expressed appreciation to Rob Toyer for his service.
- He indicated that Rochelle would be bringing a list of benefits of the embedded social service worker.
- He wished everyone a peaceful and safe holiday season.

Finance Director Langdon:

- She expressed appreciation to Rob Toyer for his service, especially the Finance Committee.
- Thanks to all the Council for their work in 2019.
- She wished everyone Happy New Year and Merry Christmas.

Jon Walker:

- He expressed appreciation to Rob Toyer for his service.
- He stated the need for an Executive Session regarding the review of performance of a public employee expected to last 10 minutes with no action expected.

Jeffrey Thomas:

- He expressed appreciation to Rob Toyer for his service.
- He wished Happy Holidays to everyone.

Martin McFalls:

- He expressed appreciation to Rob Toyer for his service.
- He wished everyone Merry Christmas and Happy Holidays.

Tara Mizell thanked everyone for their support throughout 2019.

Director Nielsen:

- He expressed appreciation to Rob Toyer for his service.
- He recognized Maintenance Worker Justin Palitz in the audience.
- Merry Christmas and safe travels to everyone.

Gloria Hirashima:

- She expressed appreciation to Rob Toyer for his service.
- She thanked Council for all their work throughout 2019. It has been a spectacular year.

### **Call on Councilmembers**

Jeff Vaughan:

- He gave an update on the meeting with members of the Marysville ACS group.
- He expressed appreciation to Rob Toyer for his service.

Mark James:

- The Chamber Christmas Event was very successful.
- He attended the ribbon cutting at the Marysville Auto Center.
- The parade was outstanding.
- Thanks to staff for the support and hard work.
- He expressed appreciation to Rob Toyer for his service.

Mayor Nehring congratulated Tom King for the Volunteer of the year award he received at a recent ceremony with the Marysville Tulalip Chamber of Commerce.

Tom King:

- He agreed that there is a speeding issue on Beach Street.
- He expressed appreciation to Rob Toyer for his service.

Michael Stevens:

- Congratulations to everyone for the projects that were completed this year.
- He expressed appreciation to Rob Toyer for his service.

Rob Toyer:

- Thanks to everyone for a good eight years on the Council. Thanks especially to staff for making Council's job easier. He is proud of the way the Marysville city and staff work so well together. Thanks especially to the Mayor for his leadership and mentorship.
- Merry Christmas to everyone.

Steve Muller:

- This has been a really big year, and tonight was a big night. He is proud to be a part of it.
- He expressed appreciation to Rob Toyer for his service.

Kamille Norton:

- She agreed this has been a really big night. She also is proud of the way the Council works together. She is excited for the civic campus and the jail for the community.
- She expressed appreciation to Rob Toyer for his service.
- Merry Christmas to everyone.

### **Adjournment/Recess**

Council went into recess at 8:34 for eleven minutes then reconvened in Executive Session for ten minutes to address one item with no action expected.

### **Executive Session**

- A. Litigation
- B. Personnel – one item, RCW 42.30.110(1)(g)
- C. Real Estate

Executive Session ended at 8:55 p.m. with no action taken.

### **Reconvene**

Executive Session ended and public meeting reconvened at 8:55 p.m.

**Adjournment**

The meeting was adjourned at 8:55 p.m

Approved this 13<sup>th</sup> day of January, 2020.

  
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Mayor  
Jon Nehring