

City Council



**1049 State Avenue
Marysville, WA 98270**

**Regular Meeting
Minutes
March 22, 2021**

Call to Order

Mayor Nehring called the March 22, 2021 City Council Meeting to order via Zoom at 7:00 p.m.

Invocation

Pastor Dan Hazen of Allen Creek Community Church gave the invocation.

Pledge of Allegiance

Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Council President Kamille Norton, Councilmember Jeff Vaughan, Councilmember Tom King, Councilmember Mark James, Councilmember Kelly Richards, Councilmember Michael Stevens, Councilmember Steve Muller

Staff: Chief Administrative Officer (CAO) Gloria Hirashima, Finance Director Sandy Langdon, City Engineer Jeff Laycock, Police Chief Erik Scairpon, Assistant Public Works Director Kari Chennault, Deputy City Attorney Burton Eggertsen, Parks & Recreation Director Tara Mizell, Interim Community Development Director Allan Giffen, Fire Chief Martin McFalls, Human Resources Manager Teri Lester, Community Information Officer Connie Mennie, Information Services Manager Worth Norton, Systems Analyst Mike Davis

Approval of the Agenda

Motion to approve the agenda moved by Councilmember Richards seconded by Councilmember James.

AYES: ALL

Presentations

A. Waterfront Strategic Plan

CAO Hirashima made a presentation regarding the Waterfront Strategic Plan and solicited feedback on proposed catalyst projects. She stressed that the projects are not in priority order in the Plan.

- A: Downtown Master Plan Update - This is currently underway. The Plan was first adopted in 2004, was updated in 2009, and is undergoing a review right now with a scheduled completion of summer 2021.
- B: Civic Center - This is currently under construction with a scheduled completion of spring 2022.
- C: Cedar Avenue Low Impact Development – This project is underway with a grant that Public Works secured. Cedar Avenue from 1st Street to 4th Street will be rebuilt. Completion is scheduled for 2021.
- D: Second Street Low Impact Development - This project is underway with a grant that Public Works secured. It is scheduled to be completed in 2022 with a design similar to 3rd Street.
- E: Downtown Stormwater Treatment Facility - This is an important environmental project and will treat all of the downtown stormwater. Public Works secured a grant for this project to move this project forward. It is underway and scheduled to be completed in 2022.
- F: Opera House Programming - Since purchase of the building the City has had a good history with programming the facility. This project will help develop expanded offerings to target visitors both inside Marysville and outside of Marysville.
- G: Third Floor Opera House Use - Parks Department is currently working on this to make use of the third floor of the Opera House. The City is looking at potential uses as gallery space for local arts or workshop space.
- H: Delta Avenue Public Plaza - This is part of the Civic Center.
- I: Arts Policy and Public Art - Parks is working on an Arts Policy to look at integrating art into public buildings, parks, and the public realm. The Civic

Center itself will be the first effort on this with public art on the building and integrated in the facility itself.

- J: Gateways - This will focus on building attractive gateways into the downtown and waterfront districts. A new potential opportunity exists for a roundabout at SR 529 at the southern entrance. An agreement was recently signed with WSDOT to develop a gateway concept at that entryway. There is also discussion about improving the existing entryway at 4th Street from I-5 to State Avenue.
- K: The Ebey Waterfront Park Expansion - This looks at expansion of the park with additional docks, a new building, expanded lawn area, and other key features along the waterway. Currently Public Works is working on permitting for this site which is a long process with various agencies.
- L: Waterfront Restaurant - The City purchased a building at 1408 First Street with a plan to renovate it into a waterfront restaurant. This is unfunded.
- M: Attract Private Developer for East Side Waterfront (Interfor/PW Site) - Master plan and market the east side waterfront site for housing. Conduct planning to include a fit test and construction costing analysis of the site in order to market the site to developers. Funding would be a public-private partnership with city funds to be used for master plan fit test and costing.
- N: Reestablish Street Grid to Waterfront - This is something featured in past Downtown Plans and in the current update.
- O: Phase 4 of the Ebey Waterfront Trail - The City has a grant to purchase property needed to construct Phase 4 to connect the two segments of the trail.
- P: New Community Center - This would relocate the community center to a different site to allow for Comeford Park renovation.
- Q: Comeford Park Renovation - Redesign and renovation of Comeford Park.
- R: Family Outdoor Entertainment - Continue to expand offerings for family outdoor entertainment at both the waterfront and Comeford Park.
- S: Litter, Graffiti, and Beautification of Downtown Waterfront - Cleanup and low-cost beautification of the waterfront area and downtown neighborhood.
- T: Marketing/Branding Campaign - Continue to find opportunities to rebrand City identity theming around the natural environment and the waterfront.

- U: Signage and Wayfinding Plan and Installation - New signage and wayfinding will be introduced as part of the Civic Center project.
- V: Placemaking - Identify opportunity sites including vacant land, both public and private, that can be utilized either temporarily or permanently for placemaking improvements. This could involve creating amenities with landscaping, sitting areas, artwork or other additions that would provide street interest or a unique sense of place.
- W: Hawk Signal Fourth (SR528) & Delta - This would be similar to the one in place near Asbery Field for pedestrian crossing.
- X: Marysville Downtown Waterfront Partners - Create a task force of City elected officials, staff, downtown business and property owners, residents and other interests to champion the downtown waterfront initiatives. This could be an opportunity to engage people to support these initiatives.
- Y: Downtown Crime Reduction - Continue to monitor crime statistics within the Downtown SODA, address nuisance crime issues, and communicate regularly with business owners.
- Z: State Avenue Beautification Project - Reconstruct State Avenue to incorporate landscape islands and bulb-outs to improve the aesthetic along the corridor. This is currently unfunded.
- AA: Quiet Zone Phase 1 - This would implement a quiet zone from 1st 88th and would remove the train horn from each public railroad crossing. This is currently underway.
- BB: 8th Street Improvements - This is currently underway and will continue through 2022 with funding through the Transportation Benefit District. The project will include signal improvements at State Avenue, curb extensions and a four-way stop at Cedar Avenue, minor sidewalk improvements and roadway resurfacing.
- CC: Sidewalk Infill - This will fill in gaps in the sidewalk to improve the pedestrian environment downtown. This is currently unfunded.
- DD: Roadway Resurfacing - This will resurface and restore aging streets to bring new life, improve ride, and enhance safety.
- EE: Emissions Site - Identify long-term plan for emissions site.

Discussion:

Councilmember Muller asked about the retrofit and rebranding of the water tower. CAO Hirashima explained it could be added to the list. They are moving forward with the maintenance of the water tower this summer.

Councilmember King asked if they have been in discussions with the Town Center Mall about improvements there. Mayor Nehring replied that they have had many discussions in the past, but not in the last year. CAO Hirashima added that the owner of the Town Center Mall is not an active developer and not interested in doing future improvements.

Council President Norton asked for more information about plans for the third floor of the Opera House. Parks Director Mizell explained they are painting the walls white for displaying arts. They are thinking of having a gallery-type operation along the outside rooms and using the internal area for some sort of artist-in-residency program. They are also looking at installing track lighting.

Councilmember James asked if there has been any advertising to see who might be interested in the third floor of the Opera House or the waterfront restaurant. He also asked about the City's involvement in any construction of the restaurant. CAO Hirashima replied that some local restaurants have looked at the waterfront building, but the cost of tenant improvements is very high. The City has not actively marketed the site because they are waiting for the Waterfront Park to advance further. Staff is hopeful that once COVID regulations are relaxed there will be more interest. Staff is interested in feedback from the Council about how involved the City should be in tenant improvements. Councilmember James suggested waiting until there is a serious interest from someone before doing any improvements. CAO Hirashima thought it would be important to know in advance of marketing the site if and how much the City is willing to help potential tenants. Councilmember James agreed.

Councilmember Vaughan commented he has heard that there is no investment happening in the restaurant industry now or in the near future. He added that it would be important to have more traffic there in order to be viable. He thought there would be a time in the future that it would be an ideal site for someone to invest in, but it is certainly not in the next couple of years. He also spoke to Council's expectation that there would be some cost recovery at the Opera House with the third floor space. He suggested possibly using the space as a gallery but still allowing the space to be used for events. Even though he is a supporter of the arts, he expressed concern about the government's role in public art.

Councilmember James recommending prioritizing projects Z (State Avenue Beautification) and AA (Quiet Zone). CAO Hirashima commented that State Avenue Beautification is not currently funded, but knowing Council's priorities will help staff know how to try to move projects forward.

Audience Participation

There were no comments.

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

1. Approval of the March 1, 2021 City Council Work Session Minutes

Motion to approve the March 1, 2021 City Council Work Session Minutes moved by Council President Norton seconded by Councilmember James.

AYES: ALL

Consent

2. Approval of the March 3, 2021 Claims in the Amount of \$1,606,034.87 Paid by EFT Transactions and Check Numbers 146784 through 146928
3. Approval of the March 10, 2021 Claims in the Amount of \$603,796.48 Paid by EFT Transactions and Check Numbers 146929 through 147067 with Check Number 145705 Voided
4. Approval of the March 10, 2021 Payroll in the Amount of \$1,487,986.04 Paid by EFT Transactions and Check Numbers 33385 through 33400

Motion to approve Consent Agenda items 2, 3, and 4 moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

Review Bids

5. Consider Awarding the Citywide Intersection Improvements, State Avenue – 3rd St. to 80th St. Project to Colacurcio Brothers Construction Company in the Amount of \$1,073,115.00 and Approve a \$100,000.00 Management Reserve, for a Total Allocation of \$1,173,115.00

City Engineer Laycock reviewed this item. There was a bid opening for this item with four bids. The low bidder was Colacurcio Brothers who came in under the engineers estimate.

Councilmember King asked about right-of-way. City Engineer Laycock replied they have secured all the right-of-way they need for the project.

Motion to approve the bid for the Citywide Intersection Improvements, State Avenue – 3rd St. to 80th St. Project to Colacurcio Brothers Construction Company in the Amount of \$1,073,115.00 and approve a \$100,000.00 Management Reserve, for a Total Allocation of \$1,173,115.00 moved by Councilmember Muller seconded by Councilmember Richards.

AYES: ALL

Public Hearings

New Business

6. Consider Approving the Interlocal Agreement with Marysville School District 25 for School Resource Officer Services

Chief Scairpon reviewed this item related to the return to school for two School Resource Officers. They will be funded by the school district at the 75% rate.

Councilmember James asked about data showing the success of School Resource Officer programs in general. Chief Scairpon replied that the primary purpose of the School Resource Officer program is rapport building, and they have definitely seen the results of this.

Councilmember Richards asked legal counsel if he should abstain from the vote since he works for the school district. Deputy City Attorney Eggertsen indicated that would be a good idea.

Motion to authorize the Mayor to sign the Interlocal Agreement with Marysville School District 25 for School Resource Officer Services moved by Councilmember James seconded by Councilmember Stevens.

VOTE: Motion carried 6 - 0

AYES: Council President Norton, Councilmember Vaughan, Councilmember King, Councilmember James, Councilmember Stevens, Councilmember Muller

ABSTAIN: Councilmember Richards

7. Consider Approving the Agreement with Snohomish County Human Services for the First Responder Flex Funds, Ending Homelessness Program

Chief Scairpon reviewed this item related to pass-through funds for Snohomish County. The flex fund provides county funds to assist people suffering from homelessness and opioid abuse in the community in ways such as providing clothing, food, shelter, or other care that is needed to get the person back on track.

Motion to approve the Agreement with Snohomish County Human Services for the First Responder Flex Funds, Ending Homelessness Program moved by Councilmember Richards seconded by Councilmember James.

AYES: ALL

8. Consider Approving the Agreement with Snohomish County Human Services for the Senior Center Program

Director Mizell explained this is a recurring grant with Snohomish County to focus on senior programming at the community center.

Motion to authorize the Mayor to sign the Agreement with Snohomish County Human Services for the Senior Center Program moved by Council President Norton seconded by Councilmember Muller.

AYES: ALL

9. Consider Approving the HVAC Maintenance and Repair Services Supplemental Agreement No. 3 with D.K. Systems for a New Total Contract Price of \$182,000.00

Assistant Director Chennault explained this is a request for a second one-year extension for the HVAC services contract with D.K. Systems for \$17,000.

Motion to authorize the Mayor to sign and execute the HVAC Maintenance and Repair Services Supplemental Agreement No. 3 with D.K. Systems for a New Total Contract Price of \$182,000.00 moved by Council President Norton seconded by Councilmember Richards.

AYES: ALL

10. Consider Approving the Administrative Service Contract with Premera Blue Cross

Human Resources Manager Lester reviewed this renewal of Administrative Services Contract with Premera Blue Cross who is providing third-party administrator services for the City's self-insured medical plan.

Councilmember Muller asked how claims rates in 2020 compared since people were working from home. Human Resources Manager Lester explained that last year was the first year for this contract, but she thought that people may not have been going to the doctor as much as usual.

Motion to authorize the Mayor to sign and execute the Administrative Service Contract with Premera Blue Cross moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

Legal

Mayor's Business

- He testified last Monday evening in the Senate for House Bill 1386, the tax measure. It passed out of Ways and Means on Thursday.
- He and Councilmember King attended a ribbon cutting at Jay's Flooring last Friday. There is another one scheduled for tomorrow at Crumbl Cookies.

Staff Business

Community Information Officer Mennie had no comments.

Chief Scairpon had the following comments:

- He explained there have been a lot of media inquiries in regards to the drug ordinance that the Council passed earlier this month. They have also been addressing some hate incidents that have occurred in the high schools over past several months. There is a community forum on Wednesday from 6-8 regarding racism which will be hosted by the school district. There also was a community forum last week hosted by the greater community which he and the Mayor both attended.
- He acknowledged that the 4th Street overpass by I-5 is a complete mess right now. Officers have been doing enforcement and made several arrests last week. The City is working closely with the State Patrol who started a team similar to the NITE team to address these types of issues. They will also be bringing in the DOT to fix the chain link fence, do cleanup, and get signage in place.

Director Giffen had no comments.

Chief McFalls had no comments.

Director Mizell noted she sent the Council information about the first game at Cedar Fields on April 1.

City Engineer Laycock had no comments.

Assistant Director Chennault had no comments.

Director Langdon had no comments.

Human Resources Manager Lester had no comments.

Deputy City Attorney Eggertsen stated the need for an Executive Session to go over three items: the potential purchase of property, the potential sale of property, and potential litigation expected to last 15 minutes with no action expected.

CAO Hirashima announced the hire of new Community Development Director Haylie Miller who will be starting on March 29. She thanked Interim Director Giffen for the great work he has done over the past several months in the Community Development Department. She expressed appreciation to him for agreeing to stay on for some project work going forward.

Call on Councilmembers and Committee Reports

Councilmember King:

- He thanked Interim Director Giffen for his service and for staying on board. It was nice to be at last Friday's ribbon cutting at Jay's Flooring. Jessica Sickles was there on behalf of the Chamber and announced she will be taking a job with Anacortes' Chamber of Commerce.

- He asked City Engineer Laycock what plans are for pedestrian crossing at the Grove Street crossing over the tracks. City Engineer Laycock replied it would be closed to pedestrians and bikes at grade, and there will be a pathway via the overcrossing.

Councilmember Vaughan had no comments.

Councilmember Richards:

- He thanked Interim Director Giffen for his service. He thanked Chief Scairpon for providing information he had requested.
- He suggested looking into upgrading Council's electronics if they are planning on continuing with Zoom meetings.
- He reported on the Parks Board Meeting where they had a presentation from a Sunnyside student regarding a pump track. He wondered if it would be possible to put one along the side of one of their new trails. Steve Smith from Sunnyside Nursery wanted approval to put a bench in which was granted.

Councilmember James:

- He asked Chief Scairpon about information about Wednesday's community forum. Chief Scairpon indicated he would get that information to Council.
- He thanked Interim Director Giffen for his service.
- He gave an update on the food bank and reported that the backpack numbers are on the rise. They also got a donation of about \$3,000 from a fundraiser conducted by Dutch Brothers. Hams will be available next week for Easter.

Councilmember Stevens thanked Interim Director Giffen for his great work and for sticking around.

Councilmember Muller:

- He commented he would not be able to attend the game on April 1, but he is looking forward to Cedar Burgers.
- He thanked Interim Director Giffen for his help and for sticking around to help with projects.
- He commented on a place on Sunnyside where they are putting Conex containers in their front yard and another location behind the 76 station where garbage is being piled.

Council President Norton:

- She also thanked Interim Director Giffen for his service.
- She thanked Chief Scairpon for the update on 4th Street, especially in light of the downtown plans and gateway work.
- She asked about the feasibility of the Council returning to in-person meetings. Mayor Nehring indicated staff has discussed it internally, but no cities are currently planning on returning to in-person meetings. If they go over the 50% capacity of the meeting room the meeting has to be cancelled and restarted on another date or later that evening after the room is cleared unless they provide

an overflow room somewhere. Finance Director Langdon added that with social distancing requirements they would only be able to have 5-7 members of the public. Councilmember Richards asked about holding the meetings in the Opera House since it is a larger space. Information Services Manager Worth Norton replied that they are in the process of putting fiber into the Opera House, but right now there is not a network connection there. Councilmember James suggested utilizing one of the school district buildings for overflow. Finance Director Langdon thought that the overflow needed to be close enough that they could physically come in before the Council. Council President Norton acknowledged there are challenges, but voiced her support to move forward with in-person meetings when it is possible.

Adjournment/Recess

Council recessed for five minutes at 8:25 p.m. before reconvening in Executive Session to discuss three items: the potential purchase of property, the potential sale of property, and potential litigation expected to last 15 minutes with no action expected.

Executive Session

Executive Session began at 8:30 p.m. and was extended 15 minutes. No action taken.

- A. Litigation – one item; RCW 42.30.110(1)(i)
- B. Personnel
- C. Real Estate – two items; RCW 42.30.110(1)(b) and RCW 42.30.110(1)(c)

Reconvene

Council reconvened at 9:00 p.m.

Adjournment

Motion to adjourn moved by Councilmember Richards seconded by Councilmember Muller.

AYES: ALL

The meeting was adjourned at 9:02 p.m.

Approved this 13th day of April, 2021.

Mayor
Jon Nehring