

City Council



**501 Delta Ave
Marysville, WA 98270**

**Work Session
February 6, 2023**

Call to Order

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

Pledge of Allegiance

Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

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

Staff: Chief Administrative Officer (CAO) Gloria Hirashima (via Zoom), Parks Director Tara Mizell, Community Development Director Haylie Miller, Police Chief Erik Scairpon, City Clerk/Finance Planning Manager John Nield, Public Works Director Jeff Laycock, IT Director Stephen Doherty, Parks & Recreation Director Tara Mizell, Human Resources Director Megan Hodgson, Planning Manager Chris Holland, Police Chief Erik Scairpon (via Zoom), Asst. Police Chief Jim Lawless (via Zoom), Community Information Officer (CIO) Connie Mennie, Information Systems Administrator Chris Brown, Principal Planner Angela Gemmer, IT Services Supervisor Jeremiah Nyman (via Zoom), Deputy City Attorney Burton Eggertsen

Approval of the Agenda

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

AYES: ALL

Presentations

- A. Proclamation: Declaring February 2023 Black History Month in Marysville

Mayor Nehring read the proclamation into the record.

PROCLAMATION Black History Month 2023.pdf

Approval of Minutes

1. January 23, 2023 Council Meeting Minutes

01.23.2023 Meeting Minutes

Discussion Items

Consent

2. December 31, 2022 (B) Claims in the Amount of \$2,289,887.06 Paid by EFT Transactions and Check Numbers 160100 through 160233

123122B.rtf

3. December 31, 2022 (C) Claims in the Amount of \$3,679,835.75 Paid by EFT Transactions and Check Numbers 160331 through 160499

123122C.rtf

4. January 10, 2023 Payroll in the Amount of \$1,879,723.02 Paid by EFT Transactions and Check Numbers 34249 through 34179

5. January 11, 2023 Claims in the Amount of \$212,156.76 Paid by EFT Transactions and Check Numbers 160234 through 160284

011123.rtf

6. January 18, 2023 Claims in the Amount of \$265,630.48 Paid by EFT Transactions and Check Numbers 160285 through 160330 with Check Number 157840 Voided

011823.rtf

7. January 25, 2023 Payroll in the Amount of \$1,650,155.93 Paid by EFT Transactions and Check Numbers 34262 through 34274

8. January 25, 2023 Claims in the Amount of \$263,427.57 Paid by EFT Transactions and Check Numbers 160574, 160575, 160576, 160618 through 160658

012523.rtf

9. February 1, 2023 Claims in the Amount of \$1,736,716.25 Paid by EFT Transactions and Check Numbers 160659 through 160794 with Check Numbers 160144, 160423, 160577 through 160617 Voided

020123.rtf

Review Bids

Public Hearings

New Business

10. Sather Farms Phase 1 Subdivision Temporary Turn Around/Emergency Access Easement Agreement (PA20060)

Temporary Turn Around Easement-Sather Farms Phase 1-PA20060.pdf

Sather Farms Phase 1 Plat Map-PA20060.pdf

Planning Manager Holland reviewed this item to authorize the Mayor to sign the Sather Farms Phase 1 Subdivision Temporary Turn Around/Emergency Access Easement Agreement.

Councilmember Muller asked if all the roads are done. Planning Manager Holland replied that they are.

11. Professional Services Agreement with Snohomish County for Marysville Visitor Analytics

2023 Professional Services Agreement - Visitor Analytics.pdf

Communications Information Officer Mennie reviewed this agreement with Snohomish County to get visitor analytics through the County's subcontractor for 2023.

Council President Norton asked how they get the data. CIO Mennie replied that initially it was exclusively cell phone data. Now, because of new privacy laws, they are looking into adding license plate data or other sources.

12. Local Agency Federal Aid Project Prospectus and Local Agency Agreement (LAA) Supplement with WSDOT for the 88th ST NE Corridor Improvement Project – Phase 1

LAA_SUPP 1_PHASE 1_88th ROW_12-05-22.pdf

PROSPECTUS_PHASE 1_11-15-22.pdf

Director Laycock explained this would amend the contract with WSDOT to split the project into phases.

Councilmember James asked about right of way acquisitions. Director Laycock explained that they haven't started that process yet, but the consultants will be helping.

13. Supplemental Agreement No. 2 to the Professional Services Agreement with Gray and Osborne, Inc. for Design of the Armar Road Retrofit Project

Gray and Osborne Supplement No 2_Armar Rd.pdf

Director Laycock reviewed this item related to design improvements and stormwater retrofits for Armar Road.

Councilmember Condyles asked about stormwater retrofits. Director Laycock explained they would be below grade/buried facilities such as infiltration pipes.

14. Supplemental Agreement No. 4 to the Professional Services Agreement with HDR Engineering, Inc. for the 88th ST NE Corridor Project

HDR Supp4_88th_ROW support_02-23-23.pdf

Director Laycock explained this is for the 8th Street Corridor Project. The supplement includes any right-of-way activity work.

15. An Ordinance amending the Public Notice Requirements for Land Use Applications

Memo, Ordinance & Exhibits - Public Notice Amendments

Principal Planner Gemmer reviewed the proposed amendments for public notice for land use applications. Staff is recommending eliminating the requirement to put individual notices at public locations and instead using a QR code which goes directly to the City's webpage. There will also be a web address and phone number listed on the signs for those that don't have smart phones. Additional amendments include streamlining of the code and minor edits to improve understanding.

Councilmember King asked if other cities are using QR codes. Principal Planner Gemmer thought that they were.

Councilmember Richards asked how people who don't use technology would be able to access the information. Ms. Gemmer replied that they could call and talk with someone or come in to speak with someone.

Councilmember Muller asked if there is a way for people to add themselves to future communications and updates regarding specific projects/topics. Ms. Gemmer replied they would look into that.

16. An Ordinance adding definitions for Open Space Active and Open Space Passive and amending the Open Space requirements for Planned Residential Developments and Residential Density Incentives provisions

Memo, Ordinance and Exhibits - RDI and PRD Open Space Amendments

Principal Planner Gemmer reviewed the proposed amendments. There were no questions or comments.

17. An Ordinance to adopt Planning Commission's recommendation related to code amendments proposed for MMC Chapter 22C.160, Signs, and MMC Chapter 22A.020, Definitions

1 Ordinance final.docx.pdf

2 PC DRAFT Minutes-012423.docx.pdf

3 PC Recommendation-Temporary Signs-CA22001.pdf

Planning Manager Holland reviewed proposed sign code amendments, mostly related to the temporary sign code. Clarification questions followed.

Mayor Nehring noted that City Attorney Walker had suggested requiring the person posting the sign to forward an email showing that they had been granted permission by the abutting property owner to the City. That way if the City doesn't have verified permission, they can assume there has been none granted.

Councilmember James recommended also getting the word out to real estate agents who regularly put their signs out year-round.

Council President Norton asked how well this type of code has worked for other cities. Planning Manager Holland was not sure but thought City Attorney Walker would know.

Council President Norton spoke in support of the Mayor's recommendation about requiring applicants to show proof of approval from abutting property owner in order not to be burdensome for staff. She likes the idea of this code but is concerned about the amount of time it could take for staff in lieu of other important activities.

Councilmember James raised concerns about signs on telephone poles. Planning Manager Holland replied they are not allowed. If it is brought to staff's attention, they can remove them.

Staff will bring back information about how they could implement the Mayor's suggestion next week along with information about how this has worked in other cities.

Councilmember Richards asked where the two acres language came from. Planning Manager Holland wasn't sure but said he could check.

Councilmember James asked if state political campaign signs would be allowed up the entire 9 to 12 months. Deputy City Attorney Eggertsen said he would look into it.

Mayor Nehring asked about the legality of the City outlawing all signs in the public right of way in general. Deputy Director Eggertsen stated he would look into that but did not think it would be allowed. Council President Norton concurred based on research she had done on that. Councilmember James noted there may be a loophole there where nothing is permitted in a right of way without a permit. He thought there was a way to do it. Deputy Director Eggertsen said he would follow up.

Mayor's Business

Mayor Nehring reported that he and councilmembers went to Olympia lobbying for specific projects. He appreciates everyone's dedication on this.

Staff Business

Director Mizell stated there would be an informal open house for the pump track at Jennings Park on Thursday night.

Director Laycock stated there would be a groundbreaking ceremony for the 529 interchange project sometime in March.

Deputy City Attorney Eggertsen stated the need for an Executive Session to address one potential litigation item for 10 minutes with action expected.

Call on Councilmembers and Committee Reports

Councilmember Condyles:

- Olympia meetings were very interesting and productive.
- The Coffee klatch at the community center was well-attended and interesting.
- The State of the City Address last week was a good one.

Councilmember James said he appreciated the legislative day they had in Olympia.

Councilmember King:

- The Council was well prepared and well received.
- He reported on the Government Affairs meeting with the school district last Thursday where they got an update on the upcoming levy and the SRO program.
- He reported on the LEOFF 1 Board meeting last week. They approved some minor language and regulations.
- He reported on the Fire Board Meeting last week. They approved the contract for a new fire chief.
- He also reported on the Public Works Committee meeting last Friday. They received an update on the Rubicon route management program for garbage trucks. They also discussed proposed cabinet wraps for traffic signal controllers. They received an update on 2023 CIP projects coming up.

Councilmember Stevens:

- He also attended the Fire Board meeting. He added that the new Fire Chief starts next Monday.
- He reported on the Economic Development Committee meeting where they discussed proposed changes to the Community Business zone.

Councilmember Richards:

- The State of the City was well attended and informative.
- The shopping cart retrieval program is now online.
- The Public Works Committee presentation regarding Rubicon was interesting.
- He suggested revisiting the city code regarding a 6-chicken limit due to the high price of eggs.
- He urged everyone to vote by the 14th.

Councilmember Muller said he appreciated the legislative day in Olympia. Thanks to Strategies 360 for all the work they did.

Council President Norton:

- She appreciated the opportunity to go to Olympia and for the legislators who took the time to meet with them. She is hopeful there will be some positive changes as a result of their lobbying.
- Great job to Mayor Nehring on the State of the City address.

Adjournment/Recess

The meeting recessed from 8:01 until 8:03 and then moved into Executive Session.

Executive Session

Executive Session was held from 8:03 to 8:13 to address one pending litigation item with action expected.

Reconvene

The regular meeting reconvened at 8:13 p.m.

Motion to authorize the Mayor to sign and execute the possession and use agreement and associated temporary easement with Gregory Payne in the amount of \$651,500 and to authorize payment of the partial conveyance fee in the amount of \$2500 moved by Councilmember Muller seconded by Council President Norton.

AYES: ALL

Adjournment

The meeting was adjourned at 8:15 p.m.

Approved this 7th day of November, 2023.

Mayor
Jon Nehring

