

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
<b>Presentations</b>	
Swearing in of the following Police and Custody Officers: Jeremy Mooring, Police Officer; Bryant Gerfin, Custody Officer; Michael Barnett, Custody Officer; Aaron Stewart, Custody Officer; Michael Burtis, Custody Officer	Sworn In
<b>Approval of Minutes</b>	
Approval of May 17, 2010 City Council Work Session Minutes.	Approved
Approval of May 24, 2010 City Council Meeting Minutes.	Approved
<b>Consent Agenda</b>	
Approval of May 26, 2010 Claims in the Amount of \$674,040.02; Paid by Check No.'s 63183 through 63341 with Check No. 62184 Voided.	Approved
Approval of June 2, 2010 Claims in the Amount of \$4,939,080.89; Paid by Check Number's 63342 through 63475 with Check Number's 45730, 62668, and 63315 Voided.	Approved
Approval of June 4, 2010 Payroll in the Amount of \$1,390,292.08; Paid by Check Number's 22742 through 22820 with Check Number's 22617 Voided and Reissued with Check Number 22821.	Approved
Approval of the Application for <i>GA Maxwell's</i> to conduct a Special Event from June 18, 2010 through June 20, 2010.	Approved
Approval of the Application for Patricia and Eric Schoonmaker, Owners of <i>Trusty Threads</i> , to Conduct a Craft Fair on June 26, 2010, July 31, 2010 and August 28, 2010.	Approved
Authorize the Mayor to Sign the Amendment No. 1 to Interlocal Agreement between Snohomish County and the City of Marysville Concerning the Coordination of Improvements to 88 <sup>th</sup> Street NE.	Approved
<b>New Business</b>	
Authorize the Mayor to send a letter to the Fire District requesting that a committee be formed to study the annexation alternate and timing with the recommended board members from the Fire Board as the members of that committee.	Approved
Authorize the Mayor to approve the First Amendment to the Agreement for Joint Operation of Fire and Emergency Medical Protection Facilities with the Marysville Fire District Agreement.	Approved
Adopt an <b>Ordinance</b> of the City of Marysville, Washington Amending MMC 18B.14.035 by Adding a New Subsection (4)(e) Relating to Traffic Impact Fee Exemption Refunds.	Approved Ord. No. 2824
Adopt an <b>Ordinance</b> of the City of Marysville Amending Section 2.50.090 of the Marysville Municipal Code Relating to City Issued Credit Cards.	Approved Ord. No. 2825
<b>Legal</b>	
Adopt a <b>Resolution</b> of the City of Marysville Declaring an Emergency to Exist Due to Urban Flooding; Authorizing Emergency Works Contracts and Purchases for the Emergency Repair and Restoration of Utilities, Buildings and Contents, Parks and Golf Course, Roads, Bridges, Right of Way and Property; and Designating Representatives for Obtaining	Approved Res. No. 2288

Emergency Assistance Funds and Preparing and Executing Necessary Legal Documents.	
<b>Mayor's Business</b>	
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Recess</b>	9:07 p.m.
<b>Executive Session</b>	9:20 p.m.
Litigation – two items pursuant to RCW 42.30.110(1)(i)	
Real Estate - two items pursuant to RCW 42.30.110(1)(b)	
<b>Adjournment</b>	9:50 p.m.

# COUNCIL



# MINUTES

## **Council Meeting** *June 14, 2010*

### **Call to Order / Invocation / Pledge of Allegiance**

Mayor Kendall called the June 14, 2010 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Sam Ford from Damascus Road Church. Mayor Kendall led those present in the Pledge of Allegiance.

### **Roll Call**

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

**Mayor:** Dennis Kendall

**Council:** Councilmember Jon Nehring, Councilmember Jeff Seibert, Councilmember Carmen Rasmussen, Councilmember John Soriano, Councilmember Jeff Vaughan, Councilmember Lee Phillips and Councilmember Donna Wright

**Also Present:** Chief Administrative Officer Gloria Hirashima, City Attorney Grant Weed, Finance Director Sandy Langdon, Police Chief Rick Smith, Public Works Director Kevin Nielsen, Parks Director Jim Ballew, Fire Chief Greg Corn and Assistant Administrative Services Director Tracy Jeffries.

### **Committee Reports**

Councilmember Nehring reported on the **SERS Board** meeting on June 11 where the following topics were discussed:

- The 2009 Annual Report
- Approved the Frequency Reconfiguration Agreement with Sprint Nextel
- Approved the Interlocal Agreement with Next Generation Radio Switch with SERS, King, Pierce and Port of Seattle
- Approved a Budget Resolution

Councilmember Seibert reported on the June 4 **Public Works Committee** meeting where the main topic for discussion was asset management. They also discussed the Waste Management contract and reviewed a change in water operations.

## **Presentations**

Mayor Kendall swore in the following Police and Custody Officers:

- Jeremy Mooring, Police Officer
- Bryant Gerfin, Custody Officer
- Michael Barnett, Custody Officer
- Aaron Stewart, Custody Officer
- Michael Burtis, Custody Officer

## **Audience Participation - none**

### **Approval of Minutes**

1. Approval of May 17, 2010 City Council Work Session Minutes.

Councilmember Seibert referred to page 7 of 7, under the Recess section, which should read **Mayor Kendall** not *Mayor Kendall Seibert*.

Councilmember Phillips stated he would not be voting as he was not present at the May 17 meeting.

**Motion** made by Councilmember Seibert, seconded by Councilmember Rasmussen, to approve the May 17, 2010 City Council Work Session Meeting minutes as amended.

**Motion** passed (6-0) with Councilmember Phillips abstaining.

2. Approval of May 24, 2010 City Council Meeting Minutes.

Councilmember Nehring referred to page 8 of 8, under Jon Nehring's comments and noted that the minutes should indicate that he was contacted by some citizens who complained about the smell and that he also smelled it.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to approve the May 24, 2010 City Council Work Session Meeting minutes as amended.

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

### **Consent**

3. Approval of May 26, 2010 Claims in the Amount of \$674,040.02; Paid by Check No.'s 63183 through 63341 with Check No. 62184 Voided.
4. Approval of June 2, 2010 Claims in the Amount of \$4,939,080.89; Paid by Check Number's 63342 through 63475 with Check Number's 45730, 62668, and 63315 Voided.

5. Approval of June 4, 2010 Payroll in the Amount of \$1,390,292.08; Paid by Check Number's 22742 through 22820 with Check Number's 22617 Voided and Reissued with Check Number 22821.
6. Approval of the Application for *GA Maxwell's* to conduct a Special Event from June 18, 2010 through June 20, 2010.
7. Approval of the Application for Patricia and Eric Schoonmaker, Owners of *Trusty Threads*, to Conduct a Craft Fair on June 26, 2010, July 31, 2010 and August 28, 2010.
8. Authorize the Mayor to Sign the Amendment No. 1 to Interlocal Agreement between Snohomish County and the City of Marysville Concerning the Coordination of Improvements to 88<sup>th</sup> Street NE.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Soriano, to approve Consent Agenda items 3, 4, 5, 6, 7 and 8. **Motion** passed unanimously (7-0).

### **New Business**

9. Marysville Fire District Regional Fire Authority/Annexation.

CAO Gloria Hirashima gave an overview of this situation. Staff recommended studying this further through a planning committee which would allow them to investigate the numbers further and look at the process to ensure that we understand the legal boundaries. This would also allow Council time to ask questions and have ample time for staff to get answers.

Chief Corn then asked if the planning committee is it to study annexation or to study a Regional Fire Authority. He said that they have found that there are some additional benefits to an annexation versus creation of a Regional Fire Authority.

Finance Director Langdon referred to the WAC 458.19.080 that was provided in Council's packet which indicates the taxing limits that are effective after a city annexes into a library district or a fire district. The WAC indicates that the cap is raised after an annexation. If they annex into the fire district they need to take into consideration the library, the fire district and the city's levy rates. Those three things can't exceed \$3.60 per \$1,000 assessed value. There was discussion about these rates and other issues that would need to be addressed if annexation is preferred.

CAO Hirashima suggested using the Fire Board members including the councilmembers that are on that board, but noted that they could adjust the makeup of the committee if desired by the Council.

Councilmember Rasmussen suggested an alternate name such as an evaluation committee so that we don't send out the message that we are starting the ten planning

meetings which are allowed regarding RFAs before we need to take it to a vote. She also recommended not explicitly addressing the RFA in the meetings so that we don't get close to the suggestion that we've already started planning for an RFA. She volunteered to serve as part of the committee.

Councilmember Seibert expressed confidence and respect for the fire department and explained that he had requested further study in order to justify the position that the Council takes. Chief Corn indicated that he understood and agreed that further study is a prudent thing for the Council to do.

City Attorney Grant Weed suggested that the City follow up with a letter responding to the fire district. Mayor Kendall indicated they would do that.

**Motion** made by Councilmember Seibert, seconded by Councilmember Soriano, to authorize the Mayor to send a letter to the Marysville Fire District requesting that a committee be formed to study the annexation alternative and timing.

Councilmember Nehring moved a friendly amendment that the three representatives on the Fire Board be the representatives on that committee. Councilmember Soriano seconded the motion which was approved unanimously (7-0).

**Motion** passed unanimously (7-0) to send a letter to the Fire District requesting that a committee be formed to study the annexation alternative and timing with the recommendation of the current Fire Board members as the members of that committee.

#### 10. Marysville Fire District Interlocal Agreement Amendment.

Gloria Hirashima explained that with the Central Marysville annexation the city would be financially impacted if we do not do a contract amendment as the existing language would have some unforeseen consequences. She commended Sandy and Chelsea for the work they did to sort through this complex issue. Chief Corn concurred. He explained that the Fire District was amenable to protecting the City from negative impacts, but noted that they also needed to protect their existing levy rate and future levy rates. Finance Director Langdon explained how they had come up with the formula to lessen the range of impact on the city. There were questions and answers related to the formula.

**Motion** made by Councilmember Nehring, seconded by Councilmember Seibert, to authorize the Mayor to approve the First Amendment to the Agreement for Joint Operation of Fire and Emergency Medical Protection Facilities with the Marysville Fire District Agreement. **Motion** passed unanimously (7-0).

#### 11. An **Ordinance** of the City of Marysville, Washington Amending MMC 18B.14.035 by Adding a New Subsection (4)(e) Relating to Traffic Impact Fee Exemption Refunds.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to approve **Ordinance #2824**. **Motion** passed unanimously (7-0).

12. An **Ordinance** of the City of Marysville Amending Section 2.50.090 of the Marysville Municipal Code Relating to City Issued Credit Cards.

**Motion** made by Councilmember Nehring, seconded by Councilmember Soriano, to approve **Ordinance #2825**. **Motion** passed unanimously (7-0).

### **Legal**

City Attorney Grant Weed informed Council that the Mayor signed a Proclamation on June 9, 2010 declaring an Emergency/Disaster by the City of Marysville, WA.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Seibert, to approve **Resolution #2288**; A **Resolution** of the City of Marysville Declaring an Emergency to Exist Due to Urban Flooding; Authorizing Emergency Works Contracts and Purchases for the Emergency Repair and Restoration of Utilities, Buildings and Contents, Parks and Golf Course, Roads, Bridges, Right of Way and Property; and Designating Representatives for Obtaining Emergency Assistance Funds and Preparing and Executing Necessary Legal Documents. **Motion** passed unanimously (7-0).

Grant Weed clarified that the Proclamation that the Mayor signed was not attached, but it will be made part of the Resolution.

### **Mayor's Business**

Mayor Kendall:

- He attended the Relay for Life on Saturday.
- Asian 1 Restaurant is having their Grand Opening/Ribbon Cutting on Wednesday at 11:30.
- Saturday evening is the Strawberry Festival Parade.
- He asked Kevin Nielsen and Gloria Hirashima for reports on the storm events of last week.

Director Kevin Nielsen discussed last Wednesday's bizarre storm event. The combination of high intensity rains, high tide, and closed storm gates caused all the water to run downhill. The Public Works building ended up with 4 to 9 inches of water. He discussed emergency management procedures they implemented and other areas that were affected by flooding or localized heavy water conditions. He commended the people on the street who responded to this emergency.

CAO Gloria Hirashima discussed property damage, which primarily impacted the City. She commended the employees' impressive response to this emergency situation. She reviewed additional damage to the golf course, parks, Public Safety Building and library. It looks like the City will not be eligible for outside reimbursement so we will have to

come up with the deductible for flood damage, but we should be able to repair the Public Works building in a few months.

Councilmember Vaughan asked how this event might change their perspective on the breaching of the dikes. Public Works Director thought that this was a very good question. He stated that they are currently working through some questions such as that with the Tribes. He discussed factors they are considering.

### **Staff Business**

Jim Ballew:

- The facilities at Jennings Park should be open on Tuesday.
- Strawberry Festival is this weekend.
- He thanked everyone who came to the Shasta Ridge Park dedication. Staff is working on reconveyance of that park to the City.
- He announced that he is the parent of a Marysville Pilchuck High School Class of 2010 student tomorrow night.

Rick Smith:

- He was glad to be back in town.
- He discussed an assault that happened at Comeford Park. Police are putting the NITE team out there to address issues there.
- There are three vacant officer positions.
- Torch Run went well.
- He gave an update on the Shirley Sweeten homicide from last year. He commended the lead detective Cori Shackleton as well as all of the detectives, the NITE team, and Crime Analyst Don Castanares.
- They are getting ready for the Strawberry Festival this weekend.
- Police have completed all of the ICS forms for the storm.

Sandy Langdon concurred with CAO Hirashima and Director Nielsen that the City of Marysville employees pulled together quickly to work as a team during the flooding incident. She stated that there was no need for a Finance Committee meeting this week. The meeting was cancelled.

Grant Weed stated that the need for an executive session to address four items, two real estate acquisition items, and two potential litigation items, expected to last 20 to 30 minutes with no action requested.

Gloria Hirashima:

- Thanked staff for all their efforts this past week.
- She congratulated Grant Weed who made it on the Super Lawyers list again.



## **Call on Councilmembers**

Carmen Rasmussen:

- She commended the staff for handling that extraordinary event.
- The event at Shasta Ridge was very nice.

Lee Phillips:

- He was glad to hear everything went well during the emergency situation.
- He went to the Relay for Life also.

John Soriano:

- He congratulated staff on the great job they did.
- He noted that most of the Public Safety Committee would be in Vancouver next week. Chief Smith recommended rescheduling for July.

Jon Nehring:

- He echoed comments about the fantastic work done by staff.
- He was amazed at the great condition of Strawberry Fields over the weekend.
- He referred to a letter from Kim Howard regarding Comeford Park. CAO Hirashima indicated they would get a formal response to her so she knows we are working on it.
- Shasta Ridge Park is a fantastic addition to the City.

Jeff Vaughan discussed a very interesting trip he took with Kevin Nielsen and Gloria Hirashima to the Cedar Grove Composting Facility on Smith Island where they met with a chief officer and consultant to learn what they do there and what their plans are for the future.

Donna Wright:

- She thanked staff for their excellent handling of the incident and discussed her experience with it.
- Shasta Park is a great addition to the City.

Jeff Seibert echoed the positive comments about staff's response to the emergency situation.

## **Recess**

Mayor Kendall recessed the meeting at 9:07 p.m. for a short break before reconvening into Executive Session expected to last approximately 30 minutes to discuss four items, two concerning real estate and two concerning litigation with no action.

**Executive Session** - started at 9:20 p.m.

A. Litigation – two items pursuant to RCW 42.30.110(1)(i)

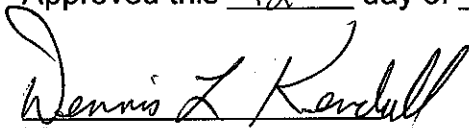
B. Personnel

C. Real Estate - two items pursuant to RCW 42.30.110(1)(b)

**Adjournment**

Seeing no further business Mayor Kendall adjourned the meeting at 9:50 p.m.

Approved this 12<sup>th</sup> day of July, 2010.



Mayor  
Dennis Kendall



Asst. Admin. Svcs. Director  
Tracy Jeffries