

# COUNCIL



# MINUTES

**Council Meeting**  
September 27, 2010

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

Mayor Nehring called the meeting to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Dennis Niva, Ninety-Second St. Church of Christ. Mayor Nehring 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:** Jon Nehring

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

**Absent:** None.

**Also Present:** Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, City Attorney Grant Weed, Police Chief Rick Smith, Parks and Recreation Director Jim Ballew, Public Information Officer Doug Buell, Assistant Administrative Services Director Tracy Jeffries and Recording Secretary Laurie Hugdahl.

## **Committee Reports**

Councilmember Soriano reported that the **LEOFF 1 Board** met on September 22 and reviewed and approved three claims.

## **Presentations**

A. Employee Service Awards.

The following employees were recognized for their service to the City of Marysville:

- Jon Elton, Police Officer, Police (September) – 5-Year Service Award
- Kevin Ward, Maintenance Worker I, Surface Water (September) – 5-Year Service Award
- Chris Holland, Senior Planner, Comm. Dev. (August) – 10-Year Service Award (not present at meeting)
- Erick Chrisman, Lead Worker II, Parks (August) – 20-Year Service Award (not present at meeting)

#### B. Volunteers of the Month.

Mayor Nehring discussed the importance of volunteers in the community and his plan to regularly recognize those who give their time selflessly to make the community a better place. Representatives of the following groups were recognized for their recent work on the service project at Jennings Nature Park:

- Church of Jesus Christ of Latter Day Saints (Marysville) - Ken and Carol Gubler
- Marysville Noon Rotary Club - Gayl Spilman and Lori Butner
- Marysville Free Methodist Church - Pastor Victor Rodriguez

#### **Audience Participation - None**

#### **Council Vacancy Selection for Position Number 4**

City Attorney Grant Weed reviewed the rules and procedure for the council vacancy selection process. He explained that the new council member would serve until November 2011 at which time the council position would be open for election. Each of the following candidates gave a three-minute introduction and then responded to six questions (one posed by each councilmember).

- Matthew Chapman
- Steven Hellyer
- Quinn King
- Steve Muller
- John Myers
- Nathan Shelby
- Kay Smith
- Michael Stevens

*Council recessed from 8:45 to 8:49 p.m.*

- Marveta Toler
- Robert Toyer
- Robert Wicks

1<sup>st</sup> Round of Balloting:

Mayor Nehring opened the floor for nominations. Councilmember Soriano nominated Steve Muller. Councilmember Rasmussen nominated Michael Stevens. Councilmember Wright nominated John Myers. Councilmember Seibert nominated Kay Smith. Councilmember Vaughan nominated Robert Toyer.

Results:

Vaughan – Robert Toyer  
Phillips – Michael Stevens  
Soriano – Steve Muller  
Wright – John Myers  
Seibert – Kay Smith  
Rasmussen – Michael Stevens

2<sup>nd</sup> Round of Balloting:

Councilmember Rasmussen nominated Michael Stevens. Councilmember Soriano nominated Steve Muller. Councilmember Seibert nominated Kay Smith

Results:

Seibert – Michael Stevens  
Phillips – Michael Stevens  
Rasmussen – Michael Stevens  
Soriano – Steve Muller  
Vaughan – Michael Stevens  
Wright – Michael Stevens

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Phillips, to nominate the appointment of Michael Stevens to the City of Marysville Council Position No. 4. **Motion** passed unanimously (6-0).

Councilmember Seibert commented on the high quality of all the candidates. Councilmember Phillips concurred. He commended all of them for their willingness to go through this difficult process. Councilmember Rasmussen echoed that it was an outstanding group of candidates. She reminded them of other commission and board openings and encouraged them to continue to serve. Councilmember Soriano commented on how capable and diverse this group was. Councilmember Vaughan agreed that this was a very difficult decision. He encouraged all of them to not give up but to persevere if they are interested in serving on the Council.

Mayor Nehring swore in Michael Stevens to the City of Marysville Council Position No. 4. Councilmember Stevens took his seat with the rest of the Council to finish the meeting. Councilmember Stevens commented that he felt very privileged to be part of this group of candidates. He is looking forward to working with the rest of the Council.

### **Approval of Minutes**

1. Approval of September 7, 2010 City Council Work Session Minutes.

**Motion** made by Councilmember Seibert, seconded by Councilmember Soriano, to approve the September 7, 2010 City Council Work Session Meeting minutes as presented. **Motion** passed (4-0) with Councilmembers Carmen Rasmussen, Donna Wright, and Michael Stevens abstaining as they were not present at this meeting.

### **Consent**

2. Approval of September 15, 2010 Claims in the Amount of \$156,240.79; Paid by Check Number's 65439 through 65507 with Check Number's 52308, 65299, 65392 and 65432 Voided.

3. Approval of September 20, 2010 Payroll in the Amount of \$958,772.17; Paid by Check Number's 23226 through 23277. Check Number's 23165 and 21426 were voided and Reissued with Check Number's 23224 and 23225.

9. Acceptance of the State Avenue Phase III Corridor Improvement Project, Starting the 45-Day Lien Filing Period for Project Closeout.

10. Authorize the Mayor to Sign the Renewal of the Annual Support Agreement and License Agreement for Munis Software with Tyler Technologies, Inc. in the Amount of \$49,040.88.

11. Authorize the Mayor to Sign the Nonexclusive Communication Site Sublease between the City of Marysville and Island County Emergency Services Communications Center (I-COM).

**Motion** made by Councilmember Soriano, seconded by Councilmember Wright, to approve Consent Agenda items 2, 3, 9, 10 and 11. **Motion** passed unanimously (7-0).

### **Review Bids**

4. Award the Bid for the 2010 Water Valve Renewal and Replacement Project to D & G Backhoe in the Amount of \$106,156.50 Including Washington State Sales Tax and Approve a Management Reserve of \$10,000 for a Total Allocation of \$116,156.50.

**Motion** made by Councilmember Wright, seconded by Councilmember Seibert, to authorize the Mayor to Award the Bid for the 2010 Water Valve Renewal and Replacement Project to D & G Backhoe in the Amount of \$106,156.50 Including Washington State Sales Tax and Approve a Management Reserve of \$10,000 for a Total Allocation of \$116,156.50. **Motion** passed unanimously (7-0).

5. Award the 2010 Sewer Renewal and Replacement Project to Road Construction Northwest in the Amount of \$144,002.24 Including Washington State Sales Tax and Approve a Management Reserve of \$20,000 for a Total Allocation of \$164,002.24.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Soriano, to authorize the Mayor to Award the 2010 Sewer Renewal and Replacement Project to Road Construction Northwest in the Amount of \$144,002.24 Including Washington State Sales Tax and Approve a Management Reserve of \$20,000 for a Total Allocation of \$164,002.24. **Motion** passed unanimously (7-0).

### **New Business**

12. An **Ordinance** of the City of Marysville, Washington, Authorizing the Condemnation, Appropriation, Taking and Damaging of Land and Other Property for Purposes of Construction Sidewalks along 67th Avenue NE.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to approve Ordinance #2828. **Motion** passed unanimously (7-0).

13. An **Ordinance** of the City of Marysville, Washington, Relating to Parks and Recreation and the City's Penal Code; Adopting and Adding a New Chapter 6.82 (Park Code) to Title 6 of the Marysville Municipal Code.

City Attorney Grant Weed responded to Councilmember Seibert's question at the work session about how firearms would be impacted by this code.

Councilmember Vaughan asked about the leash length clause. Director Ballew thought this was consistent with the other city codes. Councilmember Vaughan then asked if there was a discrepancy in the code regarding restrictions on where bicycles can be ridden. Director Ballew explained that there was not a discrepancy because they consider gravel to be a paved surface.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Seibert, to approve Ordinance #2829. **Motion** passed unanimously (7-0).

14. A **Resolution** for the Adoption of the 2010 Snohomish County Natural Hazards Mitigation Plan Update.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to approve Resolution #2294. **Motion** passed unanimously (7-0).

15. A **Resolution** of the City of Marysville for the Acceptance of a \$1,000 Gift Subject to Conditions.

Director Ballew noted that a card of thanks had been passed around for all councilmembers to sign.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Wright, to approve Resolution #2295. **Motion** passed unanimously (7-0).

16. Professional Services Agreement between City of Marysville and Strategies 360 Inc. for Consultant Services.

CAO Hirashima reviewed the background on this Agreement and the Scope of Services.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to authorize the Mayor to approve the Professional Services Agreement between City of Marysville and Strategies 360 Inc. for Consultant Services. **Motion** passed unanimously (7-0).

17. Interlocal Agreement between the City of Marysville and Cities of Arlington, Lake Stevens, Snohomish for SR9 Consultant Services.

CAO Hirashima commented that she has received signed copies back from all three cities.

**Motion** made by Councilmember Soriano, seconded by Councilmember Seibert, to authorize the Mayor to approve the Interlocal Agreement between the City of Marysville and Cities of Arlington, Lake Stevens, Snohomish for SR9 Consultant Services. **Motion** passed unanimously (7-0).

### **Mayor's Business**

Mayor Nehring:

- He congratulated and welcomed Councilmember Stevens to the Council.
- He congratulated the Police Department for the great work they do. He was very impressed with the awards banquet and those who received awards.
- There is a meeting this Friday to meet with the Governor's office to discuss zoning issues in the north end. He asked for up to three councilmembers who might be interested in attending. Councilmembers Seibert, Stevens, and Phillips or Vaughan volunteered to attend.

- He stated that he has committed to getting back to Mr. Tosti about options for different zoning. There was consensus from the Council that if he desires a change in zoning he should take it to the Planning Commission.
- He announced that he would be holding a coffee klatsch at the YMCA at 9:30 a.m. on Wednesday.

### **Staff Business**

#### **Chief Smith:**

- He congratulated Councilmember Stevens. He also was very impressed with the quality and depth of all the candidates.
- He discussed the Police Awards Ceremony where many awards were given.
- A new member of the police force, Chris Jones, will be sworn in soon. There are a couple conditional offers out there now as well which would fill three vacancies.
- There will be a Public Safety meeting on Wednesday at 4:30.
- The police department is waiting on a COPS grant and should hear back on Friday.

Larry Larson gave an update on the repairs to the Public Works building.

Jim Ballew welcomed Councilmember Stevens.

#### **Sandy Langdon:**

- Welcomed Councilmember Stevens.
- Budget Workshops were scheduled for the evenings of October 12 and 13 at approximately 5:30 p.m.
- There will be a special meeting on Wednesday October 6, at 5:30 regarding selling bonds for the purchase of the court building.
- There will be a Finance Committee meeting this Wednesday at 4:30 p.m. Lee Phillips, Jeff Seibert and Jeff Vaughan indicated they could attend.

Grant Weed stated the need for an Executive Session to discuss five items: three items concerning real estate, one potential litigation, and one collective bargaining item with no action being requested and expected to last 20 minutes.

#### **Gloria Hirashima:**

- She congratulated Councilmember Stevens and all the Council for conducting a fair and equitable meeting.
- She solicited Council availability to attend a Joint County Council / City Council Meeting. There was discussion regarding availability.
- The City will be postponing the economic summit with the Tulalip Tribes until the spring.
- Cedar Grove has submitted to the City of Everett. The City has received a copy of the application and will be submitting comments.

- The City will be applying for a Brownfield Grant for the marina.
- The City is preparing a Comp Plan Amendment to the Planning Commission for a manufacturing center designation for the Smokey Point area to promote that area for job creation.
- There will be an open house for the Qwuloolt project on September 30 from 6:30 to 8 p.m. at Sunnyside Elementary School gym. The Trustees have put in their application to do the dike breach.
- The City is proposing some court fee increases for 2011. This would affect agreements with Lake Stevens and Arlington, but the City will still remain competitive with Snohomish County's court fees. They have also had meetings with the City of Snohomish to see if there is potential to bring them into our court and jail system.

### **Call on Councilmembers**

Councilmember Rasmussen welcomed Councilmember Stevens. She expressed appreciation to the Jubies for continuing to support youth in the community.

Councilmember Phillips welcomed Councilmember Stevens. He stated that he appreciated the police awards ceremony.

Councilmember Soriano:

- He also enjoyed the awards ceremony.
- Snohomish County Sports Hall of Fame Banquet was great.
- He asked about the timeline on the Qwuloolt project. CAO Hirashima discussed the enormous scope of this project and how it has been in process for many years.
- He welcomed Councilmember Stevens.

Councilmember Stevens thanked everyone for the warm welcome. He is looking forward to working with the Council and staff.

Councilmember Vaughan welcomed Councilmember Stevens.

Councilmember Wright:

- She welcomed Councilmember Stevens.
- She requested an excused absence for next Monday.
- She is selling tickets for the Soroptomist Auction on October 23.
- She reported the passing of Jack Blackwell, former City Councilmember from Lake Stevens, and recalled his contributions to his community.

Councilmember Seibert:

- He asked about the public works meeting. Larry Larson reported that this week's meeting has been cancelled and there will not be one for October at all.



- He asked Mayor Nehring to distribute a copy of committee assignments to all councilmembers.
- He remarked that the appointment process tonight was possibly more difficult than getting elected.
- He welcomed Councilmember Stevens.

Council recessed at 10:18 p.m. for a brief recess before reconvening into Executive Session to discuss five items: three items concerning real estate, one potential litigation, and one collective bargaining item with no action being requested and expected to last 20 minutes.

**Executive Session** – started at 10:25 p.m.

**A. Litigation** – one item, pursuant to RCW 42.30.110(1)(i)

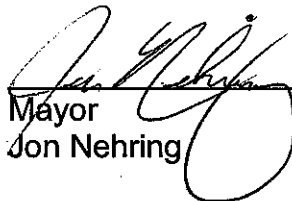
**B. Collective Bargaining** - one item, pursuant to RCW 42.30.140(4)(a)

**C. Real Estate** - Three items, pursuant to RCW 42.30.110(1)(b)

**Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 10:50 p.m.

Approved this 25<sup>th</sup> day of October, 2010.

  
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 Mayor  
 Jon Nehring

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 Asst. Admin. Svcs. Director  
 Tracy Jeffries *Deputy City Clerk*  
*Aziz O'Brien*