

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
Excuse Councilmember Soriano from tonight's meeting due to traffic and weather.	Approved
Excuse Councilmember Stevens from tonight's meeting due to traffic and weather.	Approved
<b>Presentations</b>	
Dana Lambert, 30-Year Service Award	Presented
<b>Approval of Minutes</b>	
Approval of October 25, 2010 City Council Meeting Minutes.	Approved
Approval of November 1, 2010 City Council Work Session Minutes.	Approved
<b>Consent Agenda</b>	
Approval of November 3, 2010 Claims in the Amount of \$1,252,543.12; Paid by Check Number's 66392 through 66500.	Approved
Approval of November 10, 2010 Claims in the Amount of \$256,781.62; Paid by Check Number's 66501 through 66652 with Check Number's 65356 and 66378 Voided.	Approved
Approval of November 5, 2010 Payroll in the Amount of \$1,540,544.32; Paid by Check Number's 23659 through 23712.	Approved
Authorize the Mayor to Sign the Acknowledgement that the City of Marysville Received Grant Funding from the Justice Assistance Grant (aka BYRNE Grant) in the Amount of \$13,176.00.	Approved
Authorize the Mayor to Sign the Amendment Number 2 with Snohomish County to the Interlocal Agreement for Furnishing Equipment Maintenance/Repair Services for the Period of January 1, 2011 through December 31, 2011.	Approved
Authorize the Approval of the Application for City Cab to Operate a For-Hire Business in Marysville.	Approved
Authorize the Mayor to Sign the Supplement Number 2 to the Professional Services Agreement with Lane and Associates, Increasing the Maximum Amount Payable Under the Agreement by \$10,000.00, for a Total Amount of \$51,999.00.	Approved
Authorize the Mayor to Sign the Tolling Agreement between the City of Marysville and Clear Channel Outdoor, Inc.	Approved
Authorize the Mayor to Sign the Professional Services Agreement with FCS GROUP for the Public Utility District (PUD) Sunnyside Water System Appraisal Project.	Approved
<b>Review Bids</b>	
<b>Public Hearing</b>	
<b>New Business</b>	
Adopt an Ordinance of the City of Marysville, Washington Relating to the City's Comprehensive Plan; and Amending Appendix C Fire Hydrant Utilization, of Appendix 8-2 Cross-Connection Control Program of the City of Marysville Water Comprehensive Plan, a Subelement of the Public Facilities and Services Element of the Marysville Growth Management Comprehensive Plan, Pursuant to the City's Annual Comprehensive Plan	Approved Ord. No. 2842

Amendment and update Process.	
Adopt an Ordinance of the Marysville, Washington Relating to the City's Comprehensive Plan; Amending the Comprehensive Plan by the Adoption of the Marysville, Lakewood and Lake Stevens School Districts' 2010 - 2015 Capital Facilities Plan as a Subelement of the City's Comprehensive Plan and Establishing the Adoption of Said Plan and the Collection and Imposition of School Impact Fees, Pursuant to the City's Annual Comprehensive Plan Amendment and Update Process.	Approved Ord. No. 2843
Adopt an Ordinance of the City of Marysville, Washington Relating to the City's Growth Management Act Comprehensive Plan; and Amending the Comprehensive Plan by Adopting Amendments to Chapter 4 - Land Use Element, Planning Area 10: Smokey Point Neighborhood, Designating the Planning Area as a "Potential Candidate as a Regional Manufacturing Industrial Center" and Including Relevant Policies and Standard Adopted in the Smokey Point Master Plan, Pursuant to the City's Annual Comprehensive Plan Amendment and Update Process.	Approved Ord. No. 2844
Adopt an Ordinance of the City of Marysville, Washington Relating to the Marysville Growth Management Comprehensive Plan, the City's Official Zoning Map, Ordinances No. 2131 and 2569, as Previously Amended, and the City's Zoning Code (MMC Title 19); and Approving the 2010 Citizen Initiated Comprehensive Plan Amendment Request (27 <sup>th</sup> Avenue Corridor), which Amends the Comprehensive Plan's Land Use Map Designation for Property Located North of Gissberg Twin Lake Park, South of 169th Place NE, Between 25th Avenue NE and 27th Avenue NE, and Rezones Said Property from Low Density, Multi-Family (R-12) to Medium Density, Multi-Family (R-18) and Two Small Pockets of Mixed Use and General Commercial, Pursuant to the City's Annual Comprehensive Plan Amendment and Update Process.	Approved Ord. No. 2845
Adopt an Ordinance of the City of Marysville, Making Technical Amendments and Corrections to Ordinance Number 2834 and Therefore Further Amending MMC Subsections 5.92.010 (11) and MMC 5.92.090 (1) (c).	Approved Ord. No. 2846
Adopt an Ordinance of the City of Marysville, Washington Amending the 2010 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2798 as Amended by Ordinance No. 2814, 2822, and 2831.	Approved Ord. No. 2847
Adopt a Resolution Amending Resolution 2272 of the City of Marysville Authorizing an Interfund Loan Not to Exceed \$1,500,000 from the Waterworks Utility Fund 401 to the Golf Fund 420, and Providing a Formula for Payment of Interest.	Approved Res. No. 2296
Adopt an Ordinance of the City of Marysville, Washington Stating an Intent to Annex to and Join Snohomish County Fire Protection District No. 12 and Making a Finding that the Public Interest will be Served thereby, Authorizing the Filing of a Notice of Intention with the Snohomish County Boundary Review Board, Requesting that a Special Election be Called and Held on the Annexation on April 26, 2011 or as Soon thereafter as	Approved Ord. No. 2848

Possible, Providing for Severability and Establishing an Effective Date.	
Legal	
Mayor's Business	
Staff Business	
Call on Councilmembers	
Adjournment	8:04 p.m.

# COUNCIL



# MINUTES

## **City Council Meeting** *November 22, 2010*

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

Mayor Nehring called the meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance.

### **Roll Call**

Chief Administrative Officer Hirashima gave the roll call. The following staff and councilmembers were in attendance. John Mason from Mountain View Presbyterian Church gave the invocation.

**Mayor:** Jon Nehring

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

**Absent:** Councilmember Stevens and Councilmember Soriano

**Also Present:** Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, City Attorney Grant Weed, Senior Planner Chris Holland, Public Works Supt. Larry Larsen

CAO Hirashima noted that Councilmember Stevens and Councilmember Soriano were stuck in traffic.

**Motion** made by Councilmember Seibert, seconded by Councilmember Phillips, to excuse Councilmember Soriano from tonight's meeting due to traffic and weather.

**Motion** passed unanimously (5-0).

**Motion** made by Councilmember Phillips, seconded by Councilmember Seibert, to excuse Councilmember Stevens from tonight's meeting due to traffic and weather.

**Motion** passed unanimously (5-0).

### **Committee Report**

**Councilmember Rasmussen reported on the Marysville Parks and Recreation Advisory Board meeting on November 10.**

- At the meeting there was a presentation by the Marysville Kiwanis Club. They want to change the name of Kiwanis Park to Kiwanis Memorial Park as they have several memory plaques and trees that are planted in the park. This will be considered by the Board. They also want to master plan the park in order to make improvements in a cohesive manner. They intend to work with the parks department to master plan what the park might look like in the future. They are also looking at becoming a full 501(c)3.
- The daughter of Dorothy and Ray Stanton was at the meeting requesting to add her mother's name to the park bench that has Ray Stanton's name on it at the waterfront park. That action will be taken.
- Jim Ballew went over the 2011 budget and the impact that it will have on the parks department.
- Merryville for the Holidays is on track. Maryke has worked hard at developing partnerships with the business community. The event will be held on December 4 and will start with a parade at 6:30 followed by the water tower lighting at 7 p.m. The holiday craft show will start at 2:00 at the community center.
- Parks and Recreation fees for 2011 are still under review because the school district has not finalized what changes they will make to charges for school rentals.

## **Presentations**

### **A. Employee Service Awards**

- Dana Lambert, Public Works, Maintenance Worker II - 30 Years of Service

### **Audience Participation - None**

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Seibert, to take comment under item 14 at the time that item is discussed. **Motion** passed unanimously (5-0).

### **Approval of Minutes**

1. Approval of October 25, 2010 City Council Meeting Minutes.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Wright, to approve the October 25, 2010 City Council Meeting Minutes as presented. **Motion** passed unanimously (5-0).

2. Approval of November 1, 2010 City Council Work Session Minutes.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to approve the November 1, 2010 City Council Work Session Minutes as presented. **Motion** passed unanimously (5-0).

## Consent

3. Approval of November 3, 2010 Claims in the Amount of \$1,252,543.12; Paid by Check Number's 66392 through 66500.
4. Approval of November 10, 2010 Claims in the Amount of \$256,781.62; Paid by Check Number's 66501 through 66652 with Check Number's 65356 and 66378 Voided.
5. Approval of November 5, 2010 Payroll in the Amount of \$1,540,544.32; Paid by Check Number's 23659 through 23712.
7. Authorize the Mayor to Sign the Acknowledgement that the City of Marysville Received Grant Funding from the Justice Assistance Grant (aka BYRNE Grant) in the Amount of \$13,176.00.
8. Authorize the Mayor to Sign the Amendment Number 2 with Snohomish County to the Interlocal Agreement for Furnishing Equipment Maintenance/Repair Services for the Period of January 1, 2011 through December 31, 2011.
9. Authorize the Approval of the Application for City Cab to Operate a For-Hire Business in Marysville.
10. Authorize the Mayor to Sign the Supplement Number 2 to the Professional Services Agreement with Lane and Associates, Increasing the Maximum Amount Payable Under the Agreement by \$10,000.00, for a Total Amount of \$51,999.00.
18. Authorize the Mayor to Sign the Tolling Agreement between the City of Marysville and Clear Channel Outdoor, Inc.

Councilmember Rasmussen requested that item 6 be removed from the Consent Agenda.

**Motion** made by Councilmember Wright, seconded by Councilmember Rasmussen, to approve Consent Agenda items 3, 4, 5, 7, 8, 9, 10, and 18. **Motion** passed unanimously (5-0).

6. Authorize the Mayor to Sign the Professional Services Agreement with FCS GROUP for the Public Utility District (PUD) Sunnyside Water System Appraisal Project.

Councilmember Rasmussen pointed out that throughout the document the Snohomish County PUD is referred to as the *Snohomish PUD*. City Attorney Grant Weed suggested that Council could approve this subject to getting the reference corrected.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Seibert, to authorize the Mayor to Sign the Professional Services Agreement with FCS GROUP for

the Public Utility District (PUD) Sunnyside Water System Appraisal Project with the understanding that all places where *Snohomish PUD* is referenced will be amended to the correct legal name. **Motion** passed unanimously (5-0).

**Review Bids - None**

**Public Hearings - None**

### **New Business**

11. An Ordinance of the City of Marysville, Washington Relating to the City's Comprehensive Plan; and Amending Appendix C Fire Hydrant Utilization, of Appendix 8-2 Cross-Connection Control Program of the City of Marysville Water Comprehensive Plan, a Subelement of the Public Facilities and Services Element of the Marysville Growth Management Comprehensive Plan, Pursuant to the City's Annual Comprehensive Plan Amendment and update Process.

Senior Planner Holland explained that there are four comprehensive plan amendments on the agenda tonight. Item 11 is a non-project action amendment to amend the fire hydrant utilization portion of the Water Comprehensive Plan. The intent of the amendment is to prevent cross-connections to the City's water supply, to implement a new vehicle fill station application, a new hydrant meter application and also amend the fee structure in order to cover the administrative permit processing and permit review notification. The Planning Commission has held a public hearing on the item and is recommending that the Council adopt this as presented tonight.

**Motion** made by Councilmember Wright, seconded by Councilmember Seibert, to adopt Ordinance No. 2842. **Motion** passed unanimously (5-0).

12. An Ordinance of the Marysville, Washington Relating to the City's Comprehensive Plan; Amending the Comprehensive Plan by the Adoption of the Marysville, Lakewood and Lake Stevens School Districts' 2010 - 2015 Capital Facilities Plan as a Subelement of the City's Comprehensive Plan and Establishing the Adoption of Said Plan and the Collection and Imposition of School Impact Fees, Pursuant to the City's Annual Comprehensive Plan Amendment and Update Process.

Senior Planner Holland explained that this is another non-project action proposing adoption of the Marysville, Lakewood and Lake Stevens school districts capital facilities plans. He noted that the current rate for the Marysville School District would be reduced by approximately \$1500 for single family and approximately \$1000 for multi-family. In addition, the Lakewood School District single family rate would be reduced by \$126 and the multi-family rate by approximately \$750. The Lake Stevens impact fee would increase slightly by \$118 for single family, \$350 for duplex and town homes, and an additional \$315 for multi-family. The Planning Commission has held public hearings on these items and is recommending approval as presented.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Vaughan, to adopt Ordinance No. 2843. **Motion** passed unanimously (5-0).

13. An Ordinance of the City of Marysville, Washington Relating to the City's Growth Management Act Comprehensive Plan; and Amending the Comprehensive Plan by Adopting Amendments to Chapter 4 - Land Use Element, Planning Area 10: Smokey Point Neighborhood, Designating the Planning Area as a "Potential Candidate as a Regional Manufacturing Industrial Center" and Including Relevant Policies and Standard Adopted in the Smokey Point Master Plan, Pursuant to the City's Annual Comprehensive Plan Amendment and Update Process.

Senior Planner Holland reviewed this item. This is an amendment to Planning Area 10, which is the Smokey Point Neighborhood of the Marysville Comprehensive Plan. Staff is proposing to identify this planning area as a potential candidate for a Regional Manufacturing Industrial Center. This is the first step in a process to open up the area to some economic development funding that might not otherwise be available to the city. In addition, the city is hoping to work with Arlington as well as Snohomish County in the future to designate a larger area. The Planning Commission held a public hearing on this item and is recommending approval as presented.

**Motion** made by Councilmember Seibert, seconded by Councilmember Wright, to adopt Ordinance No. 2844. **Motion** passed unanimously (5-0).

14. An Ordinance of the City of Marysville, Washington Relating to the Marysville Growth Management Comprehensive Plan, the City's Official Zoning Map, Ordinances No. 2131 and 2569, as Previously Amended, and the City's Zoning Code (MMC Title 19); and Approving the 2010 Citizen Initiated Comprehensive Plan Amendment Request (27<sup>th</sup> Avenue Corridor), which Amends the Comprehensive Plan's Land Use Map Designation for Property Located North of Gissberg Twin Lake Park, South of 169th Place NE, Between 25th Avenue NE and 27th Avenue NE, and Rezones Said Property from Low Density, Multi-Family (R-12) to Medium Density, Multi-Family (R-18) and Two Small Pockets of Mixed Use and General Commercial, Pursuant to the City's Annual Comprehensive Plan Amendment and Update Process.

Senior Planner Holland reviewed this application for rezone which would change the land use designation from R-12 to R-18. They are also proposing two small pockets: one of mixed use commercial designation and one of general commercial designation. This is due to where the future road alignments would be. Through the planning review process staff has received more than 200 letters of opposition regarding this from the property owners to the north and the property owners to the west. He stated that they recently received a preliminary application for a multi-family development at that location. The Planning Commission held a public hearing on this application and they have recommended that Council adopt the proposal subject to the conditions outlined in the Staff Recommendation.

Public Comment:

Gerald Osterman, 2605 169<sup>th</sup> Street NE, Marysville, 98271, President of Lakewood Meadow Association, stated that the residents of Crystal Tree were not able to make tonight's meeting due to the weather. He reviewed the history of this property and objected to the change in zoning west of 27<sup>th</sup> from R-12 to R-18. He expressed support for preserving the existing R-12 zoning.

#### Council Discussion:

Councilmember Seibert asked if the conceptual site plan meets the staff recommendations for buffers, height limitations, and setbacks. Senior Planner Holland indicated that it did. Councilmember Seibert expressed concern about the parking which was shown adjacent to the existing single-family housing. He then expressed concerns about the roads as shown on the conceptual site plan.

Councilmember Rasmussen commented that under the current zoning the city could not impose the additional protections such as setbacks, landscaping, etc. to the property. The proposed conditions are actually making the property more desirable than going under the R-12 without those restrictions. Senior Planner Holland concurred that the current code would not allow staff to apply any additional restrictions for setbacks or height limitations. The upzone with the requirements that the city is putting on it actually adds an aesthetic protection.

Councilmember Wright stated that the Planning Commission and the staff have taken a great deal of time and thought on this matter, particularly with the comments from staff that it will increase the opportunity to have more control.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to adopt Ordinance No. 2845. **Motion** passed (4-1) with Councilmember Seibert voting against the motion.

15. An Ordinance of the City of Marysville, Making Technical Amendments and Corrections to Ordinance Number 2834 and Therefore Further Amending MMC Subsections 5.92.010 (11) and MMC 5.92.090 (1) (c).

CAO Hirashima explained that this is just a clean-up ordinance on the tattoo parlor ordinance.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Vaughan, to adopt Ordinance No. 2846. **Motion** passed unanimously (5-0).

16. An Ordinance of the City of Marysville, Washington Amending the 2010 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2798 as Amended by Ordinance No. 2814, 2822, and 2831.

Finance Director Langdon noted that the update regarding the purchase of the tractor for the golf course had been made in this version.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert, to adopt Ordinance No. 2847. **Motion** passed unanimously (5-0).

17. A Resolution Amending Resolution 2272 of the City of Marysville Authorizing an Interfund Loan Not to Exceed \$1,500,000 from the Waterworks Utility Fund 401 to the Golf Fund 420, and Providing a Formula for Payment of Interest.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Wright, to adopt Resolution No. 2296. **Motion** passed unanimously (5-0).

19. An Ordinance of the City of Marysville, Washington Stating an Intent to Annex to and Join Snohomish County Fire Protection District No. 12 and Making a Finding that the Public Interest will be Served thereby, Authorizing the Filing of a Notice of Intention with the Snohomish County Boundary Review Board, Requesting that a Special Election be Called and Held on the Annexation on April 26, 2011 or as Soon thereafter as Possible, Providing for Severability and Establishing an Effective Date.

**Motion** made by Councilmember Rasmussen, seconded by Councilmember Wright, to adopt Ordinance No. 2848. **Motion** passed unanimously (5-0).

**Legal** - None

### **Mayor's Business**

Mayor Nehring reported that:

- About 14 people attended the Coffee Klatsch last Wednesday. They had some great ideas and thoughts to share. The common theme seems to be code enforcement, especially in the annexation area. He stated that he is getting 3 to 4 code enforcement requests a week. Code Enforcement Officer Paul Rochon is doing a fantastic job, but there is only one of him.
- He gave an update on the EDC Legislative reception was last Tuesday.
- He stated that they have at least four confirmed legislators coming to the North-end Mayors meeting that they are hosting once a month.
- Snohomish County Tomorrow finished the countywide planning policies. In January they will go over the affordable housing piece.
- He attended an Everett Chamber of Commerce event last week. They are predicting a fairly flat economy. The job recovery is far different this time from other recessions, primarily because we've possibly permanently lost jobs in certain sectors that won't bounce back to the levels they were at. Those people are going to be unemployed until they can obtain the type of skills that they can employ in another industry. He stressed the importance of keeping recovery predictions conservative.
- The SR-9 Coalition continues to meet. They will be going down to Olympia to lobby for this issue.

- He wished everyone a Happy Thanksgiving.

### **Staff Business**

Larry Larsen:

- He gave an update on the ongoing weather situation.
- Waste Management has activated their winter plan. They were 99% successful today as a result of parking their trucks in Marysville.
- He stated that there was not much on the agenda for the December Public Works Committee meeting. There was consensus to postpone the meeting to January.

Mayor Nehing commended Larry Larsen and the Public Works crews on the work they are doing with the roads.

Chris Holland had no comments.

Sandy Langdon reminded the Council that the Finance Committee meeting scheduled for December will be postponed to January.

Grant Weed stated that there was no need for an Executive Session tonight. He wished everyone a Happy Thanksgiving.

Gloria Hirashima informed the Council that:

- There is a formal notice out for golf course restaurant RFPs. They have had contact from several restaurateurs who are interested in renting the property.
- Staff is continuing to plan the economic summit with the Tulalip Tribes and the City of Arlington. The date reserved for that is May 25, 2011.
- The City received notice that it is likely that there won't be an appropriation for the Qwuloolt project due to the federal financial situation.
- She commended the street crews for the work they are doing in this snow event. This is a great example of how dependent we are on the Public Works department, especially the Streets department. She applauded their tremendous planning for this type of event. She discussed the need to find a regular source of funding identified for the street operations.

Mayor Nehring commented that Doug Buell added an emergency alert button to the website to inform citizens of updates.

### **Call on Councilmembers**

Carmen Rasmussen stated that she appreciated CAO Hirashima's comments. She agreed that streets are a necessary part of what we do. She also expressed appreciation for the work that the streets crew, fire, police and other staff do who are committed to making the city safe and drivable for citizens.

Lee Phillips also expressed appreciation for the work that the streets crew and the public safety employees are doing.

Jeff Vaughan stated that he was happy to hear CAO Hirashima's remarks about streets. He agrees that this is one of the most important and vital things that they do as a city. It is also one of the top things that citizens rank as being important. He agreed with the importance of finding a stable source of funding. He wondered about treating streets more like a utility or enterprise fund. He also expressed appreciation for all the hard work going on out on the streets right now.

Donna Wright:

- She agreed with finding a dedicated funding source for streets. She reminded the Council and staff that the legislature did give them the authorization that they could impose the \$20. She said she was not suggesting that they impose it, but that they consider taking it to the voters.
- She stated that she received two code enforcement requests regarding the same property in the newly annexed area.
- She wished everyone a Happy Thanksgiving.

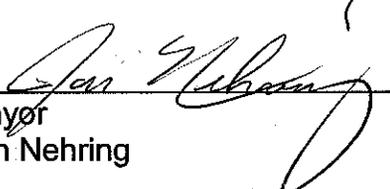
Jeff Seibert:

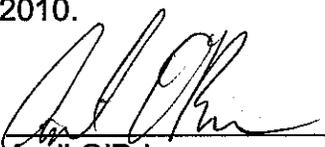
- He suggested that they consider canceling meetings when the weather is inclement. There was discussion about posting a notice on the website and setting up a phone message. Mayor Nehring stated that he would look into this.

### Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 8:04 p.m.

Approved this 13<sup>th</sup> day of December, 2010.

  
\_\_\_\_\_  
Mayor  
Jon Nehring

  
\_\_\_\_\_  
April O'Brien  
Deputy City Clerk