

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Excuse absences of Councilmembers Vaughan, Wright and Soriano.	Approved
Presentations	
Proclamation – Louise Toni Nolf’s 100 Year Birthday	Presented
Dare to Soar Award – Police Department	Presented
Employee Service Awards: 5 Years - Allena Steele, Financial Analyst, Public Works; 10 Years - Kevin Nielsen, Public Works Director; Bronwyn Kieland, Police Officer; Michael Buell, Police Officer; Wallace Forslof, Police Officer; Sandy Langdon, Finance Director; 15 years - Stephen Moore, Building Inspector, Community Development	Presented
Volunteers of the Month– Doug and Leslie Buell	Presented
Cherry Point Coal Train Presentation	Presented
Approval of Minutes	
Approval of July 5, 2011 City Council Meeting Minutes.	Continued
Consent Agenda	
Approval of the July 13, 2011 Claims in the Amount of \$343,053.29; Paid by Check Number's 71338 through 71444.	Approved
Approval of the July 20, 2011 Claims in the Amount of \$317,430.17; Paid by Check Number's 71445 through 71576 with Check Number 71430 Voided.	Approved
Approval of the July 20, 2011 Payroll in the Amount of \$810,823.24; Paid by Check Number's 24502 through 24552.	Approved
New Business	
Application for Marysville Downtown Merchants Associated to Conduct a Special Event on August 12th and August 13th, 2011, Including the Street Closure of 3rd Street between State Avenue and Alder Avenue, as well as the Alley between 3rd Street and 4th Street, as Requested by the Applicant.	Approved
Authorize the Mayor to sign the Interlocal Agreement for Administering Commute Trip Reduction (CTR) Plans and Programs.	Approved
Approve the Memorandum of Understanding to Continue Participation in the Housing Task Force	Approved
Adopt an Ordinance Relating to Contracting Indebtedness; Authorizing the Issuance of Limited Tax General Obligation Bonds to Provide the Funds Necessary to Pay a Portion of the Costs of Constructing an Interstate 5 Overpass at 156th Street NE; Authorizing the Issuance of Interim Financing Pending the Issuance of those Bonds; Authorizing the City Finance Director to Contract for Interim Finance to Pay the Cost of Constructing an Interstate 5 Overpass at 156th Street NE Pending the Issuance of Local Improvement District Bonds Authorized by Ordinance No. 2827 and Issuance of the Bonds Authorized by this Ordinance.	Approved Ord. No. 2868
Approve an Application for Marysville Boys' and Girls' Club to Conduct a Special Event on August 20, 2011, as Requested by Applicant	Approved
Legal	
Mayor’s Business	

Approve the re-appointment of Marvetta Toler to the Planning Commission	Approved
Staff Business	
Call on Councilmembers	
Adjournment	9:00 p.m.
Reconvene	9:08 p.m.
Executive Session	9:08 p.m.
Personnel – one item	Held
Real Estate – one item	Held
Adjournment	9:21

COUNCIL



MINUTES

Regular Meeting July 25, 2011

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.

- Mayor:** Jon Nehring
- Council:** Lee Phillips, Carmen Rasmussen, Jeff Seibert, Michael Stevens
- Absent:** Jeff Vaughan, and Donna Wright, John Soriano,
- Also Present:** Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, City Attorney Cheryl Beyer, Assistant City Engineer John Cowling, Parks and Recreation Director Jim Ballew, Chief Smith, Doug Buell, and Recording Secretary Laurie Hugdahl.

CAO Hirashima stated that Councilmembers Vaughan, Wright and Soriano had all asked for excused absences.

Motion made by Councilmember Seibert, seconded by Councilmember Phillips, to excuse Councilmember Vaughan from the meeting. **Motion** passed unanimously (4-0).

Motion made by Councilmember Rasmussen, seconded by Councilmember Seibert, to excuse councilmember Wright from the meeting. **Motion** passed unanimously (4-0).

Motion made by Councilmember Phillips, seconded by Councilmember Stevens, to excuse Councilmember Soriano from the meeting. **Motion** passed unanimously (4-0).

Committee Reports - None

Presentations

A. Proclamation - Louise Toni Nolf's 100 Year Birthday

Mayor Nehring read the proclamation recognizing Ms. Nolf as a Marysville centenarian and proclaiming July 25, 2011 as Louise (Toni) Nolf Day in the City of Marysville.

B. Dare to Soar Award

Mayor Nehring recognized all police officers for exceptional employee performance and innovative ways of conducting the public's business that yields cost savings in the city budget, improves service delivery, increases productivity and is overall beneficial to the citizens. He explained how the EVOC Coordinator Sgt. Brad Akau and the Training Coordinator Officer Tiki Stiles arranged to conduct the EVOC (Emergency Vehicle Operation Course) Training on city property during officers' regular work schedule saving significant overtime and facility fees. Mayor Nehring commended all of the police employees for their efforts to reduce costs without reducing services. He presented Chief Smith with the Dare to Soar Award, Special Recognition Awards to Sergeants Brad Akau and Doug Lee, and Officers Tiki Stiles, Ray Riches, Jon Elton and Danielle Rusch; and awards to sergeants on behalf of their entire shifts: Sgt. Mark Thomas, Sgt. Larry Buell, Sgt. Joby Johnson, Sgt. Jeff Franzen, and Officer Vascone.

C. Employee Services Awards

The following employees received Employee Service Awards:

5 Years:

- Allena Steele, Financial Analyst, Public Works (John Cowling accepted)

10 Years:

- Kevin Nielsen, Public Works Director, Public Works (John Cowling accepted)
- Bronwyn Kieland, Police Officer, Police (not in attendance)
- Michael Buell, Police Officer, Police
- Wallace Forslof, Police Officer, Police (not in attendance)
- Sandy Langdon, Finance Director

15 years:

- Stephen Moore, Building Inspector, Community Development (not in attendance)

Volunteers of the Month:

Leslie and Doug Buell were recognized as the Mayor's Volunteers of the Month for their volunteer work in the City. They have been largely responsible for the continued success of the City's Strawberry Fields Forever Off-Leash Dog Park, MDOG (Marysville Dog Owners Group), Poochapalooza, and other activities related to responsible and healthy dog ownership.

D. Presentation Cherry Point Coal Train

CAO Hirashima introduced Tom Ehrlichman and Barbara Dykes from Salish Land Policy Solutions and Edward Koltonowski from Gibson Traffic Consultants, Inc. Mr. Ehrlichman and Ms. Dykes gave an overview of the Cherry Point Coal Train proposal that is currently before Bellingham, Washington.

Mr. Ehrlichman explained that they believe this is one of the most important shifts in land use in the northwest. SSA Marine Terminals has proposed a new deep water coal export facility serving new coal-fired plants in China exporting up to 48 million tons of Powder River Basin Coal per year. This will be one of the largest coal export facilities on the continent and the only US facility in the west. New train traffic will include 9 additional trains per day (18 roundtrip) with each coal train being 1.3-1.5 miles long. Depending on speed of train, delay at each intersection could cause 1.5 to 3.6 hours per day of delay at each intersection.

SSA Marine Terminals is applying for the project under the names of Pacific International Terminals. Salish Land Policy Solutions is a Bellingham public interest consulting firm staffed by Tom Ehrlichman and Barbara Dykes, both with 30 years experience as land use attorneys. They are providing policy research and analysis for government and private sectors. They have been hired by a group of Bellingham business and property owners to evaluate the process and facts and their goal is to bring more transparency to the process.

The status of the project:

- New Cherry Point Coal Export Facility, north of Bellingham and west of Ferndale. Develop a 360 acre site with deep water pier
- 170 acres of wetland fill for an upland coal storage pile
- Applications to Whatcom County not yet complete, but they have submitted a JARPA Application

Gibson Traffic did a preliminary assessment of how the Marysville traffic grid will work once the pier is at full capacity. The public intersections that will be affected in Marysville include: 1st Street, 4th Street, 8th, Grove, 80th, 88th, 104th, 116th, 122nd, 136th, 172nd, Smokey Point Blvd., 128th, 136th, 152nd, 51st. Several private intersections will also be impacted.

Ms. Dykes discussed how the City can address impacts during EIS scoping. They suggest that Marysville should look at delays of the trains coming through town as well as safety issues. There should also be a study of economic impacts to businesses isolated by train traffic. They are working with other jurisdictions to put together an economic analysis. Other concerns include health effects from diesel emissions, coal dust, noise and general quality of life issues. She gave an overview of the federal, state and local permitting process.

- Federal: Section 10 River and Harbors Act Permit, Section 404 Wetland Fill Permits, NEPA Review, NPDES Permit; 401 Water Quality Certification, CAMA Approval, Endangered Species Act Consultation,
- Whatcom County: Shoreline SSDP and Major Development Permit
- State: Aquatic Lands Lease (DNR), Hydraulic Project Approval, and SEPA Review

Salish Land Policy Solutions projects that the permitting will be a three-year process. She discussed jurisdiction over BNSF operations.

Edward Koltonowski from Gibson Traffic Consultants discussed the impact of the increased train crossings to traffic in Marysville. Mr. Ehrlichman explained that they have been retained by a group of businesses in the Bellingham area who are deeply concerned about the impacts of this project. There are many questions surrounding this matter that need to be investigated.

Councilmember Seibert thanked the group for coming. He asked about the timing of the trains since this is paramount for traffic control. Mr. Koltonowski said they are looking to ensure that the trains are not arriving and departing the Bellingham area in the peak commute times; however, by the time they are in the Marysville area they may be arriving at the peak commute times. There has not been an analysis of when the trains would be coming through Marysville.

Councilmember Seibert asked if the cars are covered. Mr. Ehrlichman stated that the cars are not covered, but there have been discussions about spraying a latex coating to address fugitive coal dust. He expressed concern about the magnitude of this project and the lack of studies that have been done surrounding it.

Councilmember Seibert asked if the Columbia River area had been considered for this project. Ms. Dykes stated that there is a proposal in Longview for Millennium Coal and a proposal in a couple Columbia River communities. She reiterated that there is a coal plant opening every week in China so the demand is potentially unlimited. Any export facility will be economically viable for them. Mr. Ehrlichman commented that he and the other consultants think there should be a full analysis of all alternative sites.

Mayor Nehring thanked the group for coming. He stated that residents and businesses are already very concerned about the traffic issues in Marysville. This would result in increased traffic, issues for small businesses and possible safety ramifications as well.

Audience Participation

Preston Dvoskin, 11120 46th Avenue NE, Marysville, WA 98271, spoke against allowing any fireworks in the City of Marysville.

Jack Blackwell, Jr., 5900 64th Street NE #1162, Marysville, WA, also spoke against allowing fireworks. He commented that the city's noise ordinance intended to avoid physical and psychological damage is being woefully under-enforced.

Approval of Minutes

1. Approval of the July 5, 2011 City Council Meeting Minutes.

Councilmember Phillips stated that he would be abstaining since he was not at the meeting.

Councilmember Seibert referred to the top of page 4 of 5:

- "Director Nielsen said *they* . . ." should be amended to read: "Director Nielsen said **the State** . . ."

Since Councilmember Phillips was abstaining there was not a quorum to vote so the approval of the minutes was continued to the next meeting.

Consent

2. Approval of the July 13, 2011 Claims in the Amount of \$343,053.29; Paid by Check Number's 71338 through 71444.
9. Approval of the July 20, 2011 Claims in the Amount of \$317,430.17; Paid by Check Number's 71445 through 71576 with Check Number 71430 Voided.
10. Approval of the July 20, 2011 Payroll in the Amount of \$810,823.24; Paid by Check Number's 24502 through 24552.

Motion made by Councilmember Seibert, seconded by Councilmember Rasmussen, to approve the consent agenda items 2, 9, and 10. **Motion** passed unanimously (4-0).

Review Bids

Public Hearings

New Business

3. Application for Marysville Downtown Merchants Associated to Conduct a Special Event on August 12th and August 13th, 2011, Including the Street Closure of 3rd Street between State Avenue and Alder Avenue, as well as the Alley between 3rd Street and 4th Street, as Requested by the Applicant.

CAO Hirashima reviewed this item. There were no comments or questions from Council.

Motion made by Councilmember Rasmussen, seconded by Councilmember Seibert, to approve the Application for Marysville Downtown Merchants Associated to Conduct a Special Event on August 12th and August 13th, 2011, Including the Street Closure of 3rd Street between State Avenue and Alder Avenue, as well as the Alley between 3rd

Street and 4th Street, as Requested by the Applicant. **Motion** passed unanimously (4-0).

4. Interlocal Agreement for Administering Commute Trip Reduction (CTR) Plans and Programs.

CAO Hirashima reviewed this item. There were no comments or questions from Council.

Motion made by Councilmember Seibert, seconded by Councilmember Stevens, to authorize the Mayor to sign the Interlocal Agreement for Administering Commute Trip Reduction (CTR) Plans and Programs. **Motion** passed unanimously (4-0).

5. Memorandum of Understanding to Continue Participation in the Housing Task Force.

CAO Hirashima reviewed this item. Councilmember Rasmussen asked who has been attending the task force meetings. CAO Hirashima stated that she has been following them and Chris Holland has been attending occasionally. Councilmember Rasmussen expressed interest in attending the meetings or participating to the extent that she is able. CAO Hirashima welcomed that idea.

Motion made by Councilmember Rasmussen, seconded by Councilmember Phillips, to approve the Memorandum of Understanding to Continue Participation in the Housing Task Force. **Motion** passed unanimously (4-0).

6. An Ordinance Relating to Contracting Indebtedness; Authorizing the Issuance of Limited Tax General Obligation Bonds to Provide the Funds Necessary to Pay a Portion of the Costs of Constructing an Interstate 5 Overpass at 156th Street NE; Authorizing the Issuance of Interim Financing Pending the Issuance of those Bonds; Authorizing the City Finance Director to Contract for Interim Finance to Pay the Cost of Constructing an Interstate 5 Overpass at 156th Street NE Pending the Issuance of Local Improvement District Bonds Authorized by Ordinance No. 2827 and Issuance of the Bonds Authorized by this Ordinance.

Sandy Langdon reviewed this item. There were no questions.

Motion made by Councilmember Seibert, seconded by Councilmember Stevens, to adopt Ordinance No. 2868, an Ordinance Relating to Contracting Indebtedness; Authorizing the Issuance of Limited Tax General Obligation Bonds to Provide the Funds Necessary to Pay a Portion of the Costs of Constructing an Interstate 5 Overpass at 156th Street NE; Authorizing the Issuance of Interim Financing Pending the Issuance of those Bonds; Authorizing the City Finance Director to Contract for Interim Finance to Pay the Cost of Constructing an Interstate 5 Overpass at 156th Street NE Pending the Issuance of Local Improvement District Bonds Authorized by Ordinance No. 2827 and Issuance of the Bonds Authorized by this Ordinance. **Motion** passed unanimously (4-0).

8. Application for Marysville Boys' and Girls' Club to Conduct a Special Event on August 20, 2011, as Requested by Applicant.

CAO Hirashima reviewed this item. MOM Fest (Musicians of Marysville) which will be an indoor/outdoor youth arts festival held on August 20 at the Boys and Girls Club.

The youths involved in planning the project discussed their vision for the project which is to create a place for local musicians to bring their music and get exposure.

Councilmember Seibert asked about contracting some talented musicians for the Concerts in the Park in the future. Parks and Recreation Director Ballew noted they would consider that.

Motion made by Councilmember Rasmussen, seconded by Councilmember Phillips, to approve an Application for Marysville Boys' and Girls' Club to Conduct a Special Event on August 20, 2011, as Requested by Applicant. **Motion** passed unanimously (4-0).

Legal

Mayor's Business

7. Planning Commission Reappointment; Marvetta Toler.

Motion made by Councilmember Stevens, seconded by Councilmember Rasmussen, to approve the re-appointment of Marvetta Toler to the Planning Commission. **Motion** passed unanimously (4-0).

Mayor Nehring:

- Thanks to everyone who participated in the Graffiti Paint Out last weekend. The weather was excellent and it was a great volunteer effort. He commended Jim Ballew, Mike Robinson, Lt. Rasmussen, Lt. Goldman, Doug Buell, and Councilmembers Vaughan and Stevens for their efforts. He gave a special thanks to the Navy and E & E Lumber for donating work and supplies.
- Thanks to Jeff Darrah at Bleachers Restaurant, Jim Ballew and all of the Council for an excellent meeting last week.
- He attended the volunteer luncheon at the Marysville Food Bank and learned that they are short of food.
- There will be a Special Council Meeting on Tuesday, August 9 at 7:30 a.m.
- The 156th Street Overcrossing groundbreaking will be held on August 11 at 11 a.m.

Staff Business:

John Cowling:

- He met with a contractor about 156th and is looking forward to that project. He discussed the timeline for that project.
- He gave an update on the Bayview Trail project. The crew is ahead of schedule working on grading and gravel work. Asphalt work should begin in mid-August.

Chief Smith commended the youth for putting the MOM Fest together. He noted that National Nite Out would be on Tuesday, August 2 at Comeford Park

Jim Ballew:

- The Graffiti Paint Out was a lot of fun. They had 51 people who used 40 gallons of paint. He commended Paul Rochon, Mike Robinson and Doug Buell for all their work on this.
- Two music teachers from MSD are putting a city band together to put on orchestral, big band, and jazz performances.
- There will be an art show in Comeford Park by Marysville Artists' Guild on August 13 and 14.

Doug Buell thanked the City for the *Volunteer of the Month* award.

Sandy Langdon had no comments.

Gloria Hirashima:

- She stated the need for an Executive Session on one personnel item and one real estate item expected to last 15 minutes with no action.
- Applications are being accepted for Hotel Motel Grants through August 5.
- She distributed a letter from Mayor Nehring to the Washington State Redistricting Commission regarding redistricting of state legislative districts and gave an update on the issue.

Call on Council

Carmen Rasmussen heard from a citizen who expressed approval on the moratorium on the medicinal marijuana issue.

Lee Phillips had no comments.

Michael Stevens:

- He congratulated the police department for the *Dare to Soar* award.
- He also thoroughly enjoyed the meal served at the meeting at the golf course.
- He enjoyed the Graffiti Paint Out event with his young son.

Jeff Seibert:

- He congratulated the police department for the *Dare to Soar* award.
- He discussed some communications he had received.

- He asked for an update on the status of the Economic Development Committee. Mayor Nehring said they are trying to schedule for the third Monday in September.

Mayor Nehring adjourned the meeting at 9:00 for five minutes. The meeting was reconvened into Executive Session at 9:08 for 15 minutes to discuss a real estate and a personnel issue with no action taken.

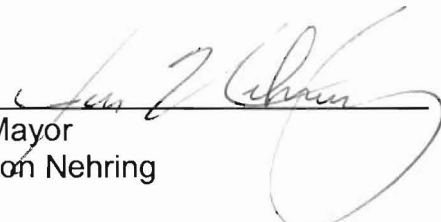
Executive Session

- A. Litigation
- B. Personnel – one item pursuant to RCW 42.30.140 (4)(a)
- C. Real Estate – one item pursuant to RCW 42.30.110 (1)(b)


Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 9:21 p.m.

Approved this 12th day of September, 2011.



Mayor
Jon Nehring



April O'Brien
Deputy City Clerk