

City Council



1049 State Avenue  
Marysville, WA 98270

**Work Session  
Minutes  
December 5, 2022**

**Call to Order / Pledge of Allegiance**

Mayor Nehring called the work session to order at 7:00 p.m. and 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: CAO Gloria Hirashima, City Attorney Jon Walker, Parks Director Tara Mizell, CD Director Haylie Miller (via Zoom), Information Systems Administrator Chris Brown, I.S. Director Stephen Doherty, Deputy City Clerk Genevieve Geddis, Principal Planner Angela Gemmer, Economic Development Manager Terrie Battuello, Community Information Officer (CIO) Connie Mennie, Human Resources Director Megan Hodgson, Court Administrator Suzanne Elsner, Police Chief Erik Scairpon (via Zoom), IT Services Supervisor Jeremiah Nyman, Judge Fred Gillings (via Zoom), Judge Lorrie Towers (via Zoom), Public Works Director Jeff Laycock, Finance Director Crystil Wooldridge

**Approval of the Agenda**

**Motion** to approve the agenda with the removal of the resource center presentation moved by Council President Norton seconded by Councilmember Richards.

**AYES: ALL**

**Presentations**

A. Resource Centers

Removed from agenda.

B. Potential Sports Complex Briefing

**Waterfront Revitalization\_20221201 final.pptx**

Economic Development Manager Terrie Battuello made a presentation regarding a potential sports complex building.

Councilmember King asked about the relocation of Public Works. Economic Development Manager Battuello responded that is still being worked out. She is doing studies of hazardous materials and demolition of structures that would come down. CAO Hirashima added that there was some money budgeted for a programming study for Public Works which will begin in 2023. She and Public Works Director Laycock are discussing potential options.

Council President Norton thanked Ms. Battuello for the presentation.

**Discussion Items**

C. 2024 Comprehensive Plan - General Growth Strategy Discussion

**Memo re. General Growth Strategies & Exhibits 1 - 4**

**General Growth Strategies PowerPoint - Exhibit 5**

Principal Planner Gemmer and Director Miller made a presentation regarding general growth scenarios. Director Miller reviewed the current population, capacity, and additional population to accommodate through 2044. Principal Planner Gemmer reviewed six potential approaches to address the additional needs and the additional unit yield of each.

1. Increased density around SWIFT nodes on State Avenue
2. Increased density in single-family zones
3. A combination of 1 and 2
4. Require minimum densities in multifamily zones (supportive strategy)
5. Modify assumptions for residential densities in residential zones to more accurately reflect what the market is actually doing. (supportive strategy)
6. Modify buildable lands in downtown area (supportive strategy) (This option was removed.)

Director Miller reviewed public feedback from the community survey, the Economic Development Committee, and the Planning Commission.

Councilmember James asked why the combination approach mentioned in Option 3 would accommodate less than the two above it. Ms. Gemmer explained she took half of each of the two above it to come up with the total. She noted that it is just a placeholder and could be modified.

Council President Norton referred to Option 5 and asked how much time and effort it would take to do more research. Ms. Gemmer thought it would take a week or two.

Councilmember Muller asked if there are examples around the country of how Option 1 would work. Ms. Gemmer explained they hope to have little hubs of activity where people can walk to different amenities and services and have access to transit. The Highway 99 plan in Everett may be similar.

Councilmember Richards said he likes Option 3 but also spoke in support of Option 4 with the minimum density requirements. Ms. Gemmer indicated that would be a possibility.

Councilmember James asked if they can use multiple strategies. Ms. Gemmer recommended choosing one overarching strategy (1, 2 or 3). Options 4 and/or 5 would be supportive strategies.

Council President Norton spoke in support of Option 1. In general, she was less inclined to support Option 2. She would be in favor of integrating some of Option 5. She stated she was in favor of having more focused higher density areas rather than spreading it out through the city.

Councilmember Richards noted that Strategy 3 has the highest support from the citizens. He was in support of the hybrid approach and Option 4 as supportive approach.

Councilmember Condyles spoke in support of Option 1 with the focused density. He was less supportive of Option 2.

Councilmember Muller said unless there is enough incentive in place with Option 2 they will not get redevelopment. He doesn't want to end up like Lynnwood and other communities that have developed for density in a haphazard manner. Option 1 will allow some control of the feel of the community and protect neighborhoods. He noted that some of options 2 and 3 will naturally happen within a half mile of State Avenue.

Councilmember Stevens stated he was supportive of Options 1 and 4 with targeted aspects of Option 2.

Councilmember James was in support of Option 1 but not to the exclusion of any other growth that is going to happen.

Councilmember King said he was leaning toward Option 1.

Director Miller spoke regarding Option 4. Since there is no minimum density required several applicants have chosen to do single family developments instead. Staff feels strongly that there should be a minimum density in multifamily zones so that density is not pushed out into single-family zones. The best way to avoid Option 2 in the future is to take a look at Option 4. She thinks Option 1 can accommodate the bulk of the growth around the SWIFT stations.

Councilmember Muller said he wouldn't be opposed to Option 4 but he would want to analyze the current multifamily map before they adopt that. Ms. Gemmer stated that staff could prepare a map.

Councilmember James asked about next steps if they pursue Option 4. Ms. Gemmer replied they would have discussions with the Planning Commission and probably with Master Builders about this. Councilmember James recommended not requiring a minimum density that is greater than the density of the multifamily they already have.

Councilmember Stevens commented that if they don't have minimum requirements they end up with incompatible developments within the same zone.

Council President Norton commented she also was not opposed to Option 4 but she would like to have a closer look at what this would look like in certain spots.

Director Miller stated that staff would move forward with this and discussions with the Planning Commission. She thanked the group for their feedback.

### **Consent**

1. November 23, 2022 Payroll in the amount of \$1,620,809.43 Paid by EFT Transactions and Check Numbers 34209 through 34221.
2. November 23, 2022 Claims in the Amount of \$1,181,733.19 Paid by EFT Transactions and Check Numbers 159205 through 159284.

### **112322.rtf**

3. November 30, 2022 Claims in the Amount of \$1,291,736.68 Paid by EFT Transactions and Check Numbers 159285 through 159384.

### **113022.rtf**

## **Approval of Minutes**

### **Consent**

### **Review Bids**

## **Public Hearings**

### **New Business**

4. Memorandum of Understanding between the City of Marysville and the City of Everett regarding overhead costs to administer the Therapeutic Court Grant

#### **Overhead Expenses for Therapeutic Court Grant 11-28-22.docx**

Court Administrator Elsner reviewed this item. They are proposing splitting costs between Marysville and Everett for overhead costs.

5. Supplemental Agreement No. 1 to the Professional Services Agreement with PH Consulting, LLC for Engineering Design Services Associated with the Quiet Zone Project

#### **PSA\_SuppSF.docx**

#### **PH QZ Additional Scope & Fee.updated.pdf**

Director Laycock reviewed this item. The recommendation is for the consultant to go forward with the design for all main line crossings. This would ultimately get a quiet zone established across all main line crossings in the city and reduce the risk of losing those in the future.

Councilmember Muller wondered if they would have more support if they said they were going to do away with some of the crossings. Director Laycock agreed that BNSF might more supportive of that, and they could possibly consider that.

6. Interagency Agreement between Washington State Administrative Office of the Court and Marysville for continued participation in the Interpreter Reimbursement program

#### **Interpreter Reimbursement.pdf**

#### **Exhibit A - FY23 Language Access Interpreter Reimbursement.docx**

#### **Exhibit B-Annotated Language Access Plan Template for Approval.pdf**

Ms. Elsner explained this agreement would allow for up to 50% of all eligible interpreter services.

7. A Resolution for Proposed Rate Increase at Cedarcrest Golf Course

#### **Cedarcrest proposed 6 year plan for rates increase 20-25 - MF (002).pdf**

#### **Golf Fees Resolution 11-29-22.docx**

Director Mizell introduced Mike Fosnick from Premier Golf Centers and Cedarcrest Golf Pro Wayne Clark. She acknowledged the great work they have done for the golf course and noted that they are recommending rate increases.

Council President Norton asked if these are pretty standard increases. Mr. Fosnick explained how rates are determined doing a cost analysis of Snohomish County area golf courses. Cedarcrest has fallen behind in what they feel is a fair value rate for 2023, and this will correct that. They are recommending modest increases in rates this year and upcoming years to keep up with rising costs of doing business.

Councilmember Muller asked if they have considered not only keeping the course at status quo but also taking it to the next level. Mr. Fosnick noted they have considered that as well as what cost the public will bear. He pointed out that Everett is instituting a \$3 facility improvement fee across the board on January 1. He's not sure how the golfing public will take that. Marysville's team is very cognizant of the current economic climate and wants to be respectful of the cost of everything these days. He thinks the \$2 increase is warranted, but anything more than that might be pushing it.

Councilmember King asked if they get many comments from golfers about the fees and the condition of the course. Mr. Fosnick replied that get comments that Cedarcrest is a fantastic value. They have a lot of very satisfied customers.

Mayor Nehring commended Premier for the work they have done over the years to get the golf course into a stable position.

8. [An Ordinance approving Josephine Master Planned Senior Community Rezone](#)

**Ord. with exhibits - Josephine Caring Community Rezone**

**Staff Recommendation Josephine Caring Community**

**Email from Josephine Caring Community re Age & Residency Agreement**

Director Miller reviewed this item which was before the Council last week. There had been a question about condition #2 regarding no children younger than 18 being allowed to reside on the property. Councilmembers Muller and King had noted that school age can go up to 21 years of age. Staff researched this with legal, and they are proposing to change this on all future development applications. In this case, since the owner's plan for the property is to only allow residents 62 years and older, they believe the risk is very low. Staff is recommending that the condition remain intact for now in an effort to not delay this development with the recognition that it will be addressed in the future. Director Miller invited the Council to approve this agreement at this work session by waiving the normal rules if desired. Councilmember Muller thanked staff and said he was fine with moving forward with this.

(Action taken below after item 11.)

9. An Ordinance of the City of Marysville Amending Chapter 6.27 of the Municipal Code in Regard to the Use of Controlled Substances in Public Places

#### **Use of a Controlled Substance in Public Ordinance.docx**

City Attorney Walker reviewed this item which would make it illegal to use prescription drugs and other controlled substances in public without a prescription. He discussed the need for this. General questions and answers followed.

10. An Ordinance of the City of Marysville Amending Section 6.54.010 of the Municipal Code and Adopting the State Crime of Unlawful Transit Conduct in RCW 9.91.025

#### **Unlawful Transit Conduct Ordinance 11-30-22.docx**

City Attorney Walker reviewed this item which would prohibit unlawful transit conduct. It is a tool for the police to be able to enforce appropriate lawful behavior on transit and encourages people to use transit. Mayor Nehring spoke to the need for this.

Council President Norton asked if the park and rides are included. City Attorney Walker replied that they are included if they are part of the transit system.

Councilmember James asked if there are any protections for Uber and Lyft drivers. City Attorney Walker stated that those are private companies, so they can establish their own rules. They would not be covered by this.

Councilmember Richards asked if this is similar to the rules that Community Transit is trying to enforce. City Attorney Walker noted that it is state law. This is just adopting it so it would go through municipal court.

11. 2023 LifeWise Assurance Company Stop Loss Insurance (Action Requested)

#### **LifeWise Assurance Company Agreement.pdf**

Human Resources Director Hodgkins presented this item related to stop loss coverage. She noted that it needs to be returned to LifeWise by December 8, which is why staff is requesting action tonight. This would continue the current coverage for 2023 at the same rates as 2022.

**Motion** to waive normal Council rules and take action on items 8 and 11 moved by Councilmember Richards seconded by Councilmember Condyles.

**AYES: ALL**

**Motion** to adopt Ordinance 3246 related to the Josephine Master Plan Senior Community rezone moved by Council President Norton seconded by Councilmember Muller.

**AYES: ALL**

**Motion** to approve the 2023 LifeWise Assurance Company Stop Loss Insurance renewal moved by Councilmember Richards seconded by Councilmember James.

**AYES: ALL**

## Legal

## Mayor's Business

- The Chamber auction was really good. A lot of money was raised. He appreciates the Chamber leadership.
- Thanks to staff and everyone who had a part in Marysville for the Holidays which was a very festive evening.
- The Police/Fire Charity Basketball game was last night. Great job to officers and fire staff for that and Tip a Cop on Saturday.

## Staff Business

None

## Call on Councilmembers and Committee Reports

Councilmember Condyles said he enjoyed Terrie's presentation on the sports complex. He also enjoyed the Marysville for the Holidays last weekend.

Councilmember James noted that Marysville for the Holidays was packed and a lot of fun. Thanks to everyone for hard work. The Chamber auction was a beautiful event.

Councilmember King:

- Interviews for fire chief were held last Thursday.
- The Public Works Committee met last Friday and discussed recycling proposals, wastewater screening, Strawberry Fields turf project update, Whiskey Ridge Highway update including the future Highway 9 break in access, and closing out the State Avenue Phase 1 project.
- He heard a lot of great comments from the public about how great the city looked for Marysville for the Holidays.
- The Chamber Auction was great.
- The Community Lights display is on, and his lights are up.

Councilmember Stevens:

- Economic Development Committee meeting met today. They discussed the break in access on Highway 9, the Whiskey Ridge lift station/development, and the new visitor guide that Connie Mennie is putting together.
- He also praised the Christmas parade which was a great event.
- Congratulations to police for their win.



- He shared accolades for Community Development he received from a developer in town.

Councilmember Richards:

- He also attended the Public Works Committee meeting on Friday. He noted that Strawberry Fields has a cost overrun so they will need to budget for that. The bridge project also was over cost.
- The tree lighting was fantastic.
- Thanks for the sign in front of the old city hall saying that they moved.

Councilmember Muller reported it was a great Economic Development Committee meeting. There are a lot of big things happening in the City. She also has heard a lot of great comments about Marysville for the Holidays.

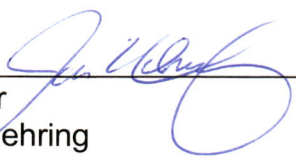
Council President Norton congratulated the police for their win. She praised staff for the great work on Marysville for the Holidays.

### **Adjournment**

The first meeting in January will be held on Tuesday, January 3.

The meeting was adjourned at 8:34 p.m.

Approved this 10<sup>th</sup> day of January, 2022.  
13

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