

City Council



501 Delta Ave
Marysville, WA 98270

**Regular Meeting
February 13, 2023**

Call to Order

Mayor Nehring called the meeting to order at 7:00 p.m.

Invocation

Pastor Alex Gelli gave the invocation.

Pledge of Allegiance

Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Councilmember Condyles, Councilmember James, Councilmember King, Councilmember Stevens, Councilmember Richards, Councilmember Muller, Council President Norton

Staff: CAO Gloria Hirashima, City Attorney Jon Walker, Police Chief Erik Scairpon, Parks, Culture, and Recreation Director Tara Mizell, Community Information Officer (CIO) Connie Mennie, Finance Director Crystil Wooldridge, Community Development Director Haylie Miller, Public Works Director Jeff Laycock, Human Resources Director Megan Hodgson, IT Director Stephen Doherty, Information Systems Administrator Chris Brown, Communications Specialist Bridgette Larsen

Approval of the Agenda

Motion to approve the agenda moved by Councilmember Richards seconded by Councilmember Condyles.

AYES: ALL

Presentations

A. Mayor's Volunteer of the Month

Mayor Nehring presented Gail Frost with the Volunteer of the Month award for her many volunteer activities throughout the city including MaryFest, the Marysville Community Food Bank, and the Salvation Army.

Audience Participation

None.

Approval of Minutes

1. January 23, 2023 Council Meeting Minutes

01.23.2023 Meeting Minutes

Motion to approve the January 23, 2023 Council Meeting Minutes moved by Council President Norton seconded by Councilmember King.

AYES: ALL

Consent

2. December 31, 2022 (B) Claims in the Amount of \$2,289,887.06 Paid by EFT Transactions and Check Numbers 160100 through 160233

123122B.rtf

3. December 31, 2022 (C) Claims in the Amount of \$3,679,835.75 Paid by EFT Transactions and Check Numbers 160331 through 160499

123122C.rtf

4. January 10, 2023 Payroll in the Amount of \$1,879,723.02 Paid by EFT Transactions and Check Numbers 34249 through 34179

5. January 11, 2023 Claims in the Amount of \$212,156.76 Paid by EFT Transactions and Check Numbers 160234 through 160284

011123.rtf

6. January 18, 2023 Claims in the Amount of \$265,630.48 Paid by EFT Transactions and Check Numbers 160285 through 160330 with Check Number 157840 Voided

011823.rtf

7. January 25, 2023 Payroll in the Amount of \$1,650,155.93 Paid by EFT Transactions and Check Numbers 34262 through 34274
8. January 25, 2023 Claims in the Amount of \$263,427.57 Paid by EFT Transactions and Check Numbers 160574, 160575, 160576, 160618 through 160658

012523.rtf

9. February 1, 2023 Claims in the Amount of \$1,736,716.25 Paid by EFT Transactions and Check Numbers 160659 through 160794 with Check Numbers 160144, 160423, 160577 through 160617 Voided

020123.rtf

10. Sather Farms Phase 1 Subdivision Temporary Turn Around/Emergency Access Easement Agreement (PA20060)

Temporary Turn Around Easement-Sather Farms Phase 1-PA20060.pdf

Sather Farms Phase 1 Plat Map-PA20060.pdf

11. Professional Services Agreement with Snohomish County for Marysville Visitor Analytics

2023 Professional Services Agreement - Visitor Analytics.pdf

12. Local Agency Federal Aid Project Prospectus and Local Agency Agreement (LAA) Supplement with WSDOT for the 88th ST NE Corridor Improvement Project – Phase 1

LAA_SUPP 1_PHASE 1_88th ROW_12-05-22.pdf

PROSPECTUS_PHASE 1_11-15-22.pdf

13. Supplemental Agreement No. 2 to the Professional Services Agreement with Gray and Osborne, Inc. for Design of the Armar Road Retrofit Project

Gray and Osborne Supplement No 2_Armar Rd.pdf

14. Supplemental Agreement No. 4 to the Professional Services Agreement with HDR Engineering, Inc. for the 88th ST NE Corridor Project

HDR Supp4_88th_ROW support_02-23-23.pdf

Motion to approve Consent Agenda items 2-14 moved by Councilmember Muller seconded by Council President Norton.

AYES: ALL

Review Bids

Public Hearings

New Business

15. An Ordinance amending the Public Notice Requirements for Land Use Applications

Memo, Ordinance & Exhibits - Public Notice Amendments

Community Development Director Miller explained that staff had looked into Council's request for individual notifications on the website and determined that it was not possible, but they can ask to be added to the list to receive emails or updates.

Motion to approve Ordinance No. 3256 moved by Councilmember Condyles seconded by Councilmember James.

AYES: ALL

16. An Ordinance adding definitions for Open Space Active and Open Space Passive and amending the Open Space requirements for Planned Residential Developments and Residential Density Incentives provisions

Memo, Ordinance and Exhibits - RDI and PRD Open Space Amendments

Director Miller explained this relates to revisions to the Residential Density Incentives and the Planned Residential Developments code amendments. This was workshopped at the last meeting, and there were no questions or information requests from the group.

Motion to approve Ordinance No. 3257 moved by Council President Norton seconded by Councilmember Muller.

AYES: ALL

17. An Ordinance to adopt Planning Commission's recommendation related to code amendments proposed for MMC Chapter 22C.160, Signs, and MMC Chapter 22A.020, Definitions

01-Temporary Sign Guidelines.pdf

02-PC DRAFT Minutes-012423.docx.pdf

03-PC Recommendation-Temporary Signs-CA22001.pdf

04-Ordinance1-FINAL-Sign Code Amendment-CA22001.pdf

05-Ordinance2-FINAL-Sign Code Amendments-CA22001.pdf

Director Miller reviewed this item related to new regulations for temporary signs in the right-of-way. There was one change stating that the City may require the applicant to provide proof of the abutting landowner's permission. They also included a new table related to temporary sign guidelines.

Councilmember James asked how this would work for real estate agents. Director Miller noted that they are not allowed to treat signs differently due to content. She doesn't think it will be a big issue, but envisions the code being useful to help staff target problems.

Mayor Nehring expressed concern about creating something that will not be enforced. The goal will be to enforce this strictly.

Councilmember Muller noted that a lot of the yard arm real estate signs are taller than 5-feet tall. Director Miller stated that the Council could change it if desired.

Councilmember Muller expressed concern about the maximum size of the sign. There was discussion about options. Director Miller commented that Council could allow larger signs if they wanted.

Council President Norton expressed concern that they are creating work and hassle where it doesn't need to be. She would rather have staff focusing on more important items rather than trying to enforce this.

Councilmember Richards agreed that staff has more important things to do. He expressed concern about saying that this not going to be enforced on the weekends. He asked why the language about seasonal signs was removed. He also thought having to get written approval from adjacent properties would be a hassle if not impossible. He noted that the maximum size sign would be surpassed once someone is endorsed by the police, fire, etc. He noted that the placement of the 32 square foot signs would no longer be allowed along the railroad tracks because they would have to get permission in writing. He brought up several signs around the community and asked if they would still be allowed. He noted that the Planning Commission had also asked about the area from 104th to 116th.

Councilmember James thought that the sign code needed a more thorough review. He suggested sending it back to the Planning Commission to look at again.

Councilmember Muller suggested having separate requirements for signs up longer than 72 hours (for example) so real estate agents and weekend signs would not be impacted. He agreed with having the Planning Commission look at this again.

Councilmember Stevens asked about Lake Stevens' approach which regulates the size and separation requirements. Director Miller replied that Lake Stevens does not have the requirement to get permission from the abutting property owner so it is more flexible. The Lake Stevens' staff had indicated that the most difficult part to regulate was the distance between signs. If this is something the Council supports, it would need more workshopping.

Director Miller offered to take this back to the Planning Commission. She noted that seasonal signs were removed because they were trying to keep the code content neutral.

Councilmember King asked if this addresses feather banners. Director Miller thought those were not allowed near intersections because of safety issues.

Councilmember Condyles also expressed concerns about having staff spend time on enforcement. He works in Lake Stevens and noted the first year they had the separation requirement, it was a mess trying to determine who had their signs out first. He appreciates the distinction between long-term temporary signs and short-term temporary signs brought up by Councilmember Muller and thought that might be the most useful part of the regulations. He didn't know if sending this back to the Planning Commission was the best idea because it still might not address what they are concerned about.

Councilmember Stevens said he was intrigued by the idea of people placing signs in the right-of-way having to get the permission of adjacent property owners.

There was discussion about options available to Council to address the issues of concern.

Councilmember Richards expressed concern about the size limit and thought it should be 32 square feet.

Council President Norton did not think it needed to go back to the Planning Commission. Either Council could hash through this or it could go to the Economic Development Committee.

Councilmember Condyles agreed and recommended staff make some changes and bring it back in March. Director Miller indicated she would work with the City Attorney and try to bring it back in March.

Council President Norton thanked Director Miller for the substantial amount of work put into this.

18. An Ordinance amending the 2023-2024 Biennial Budget and providing for the establishment of pay classifications and grades or ranges as budgeted for in Ordinance No. 3239

2023-2024 Biennial Budget Amendment Ordinance.docx

Director Wooldridge reviewed the proposed amendment of the 2023-2024 Biennial Budget and providing for the establishment of pay classifications and grades or ranges.

Motion to approve Ordinance No. 3258 moved by Councilmember Richards seconded by Council President Norton.

AYES: ALL

19. Services Agreement with Mayors and Business Leaders for Public Safety, Inc.

Mayors and Business Leaders Agreement 2-9-23.docx

Mayors and Business Leaders for Public Safety - Articles of Incorporation - Review Copy (003).pdf

Mayors and Business Leaders for Public Safety - Bylaws - Review Copy (002).pdf

Mayor Nehring recused himself and handed the Chair duties over to Council President Norton. Council President Norton reviewed the item.

Motion to authorize the council president to sign and execute the agreement with the Mayors and Business Leaders for Public Safety, Inc. moved by Councilmember Condyles seconded by Councilmember James.

AYES: ALL

20. Contract Award with FieldTurf USA, Inc. for the Strawberry Fields Turf Project

Field Turf USA_CONTRACT_Strawberry Fields Athletic Complex_combined.pdf

Mayor Nehring returned to the meeting and resumed the duties of Chair.

Director Laycock reviewed this item related to Strawberry Fields turf project.

Councilmember Richards asked about details about the costs. Director Laycock reviewed the budget.

Councilmember King asked if we currently have the equipment needed to maintain the field. Director Laycock reviewed that they do.

Motion to authorize the Mayor to execute the contract with FieldTurf USA, Inc. in the amount of \$1,664,535.64 to install an artificial turf soccer field and approve a management reserve of \$166,453.56 for a total allocation of \$1,830,989.20 moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

Mayor's Business

21. Appointment of Hotel/Motel Tourism Grant Committee

Appointment - Eric Moeser.doc

Appointment - Rian White.doc

Appointment - Mary Kirkland.doc

Appointment - Ivonne Sepulveda.doc

Motion to authorize Mayor Nehring to appoint Eric Moeser to the Hotel/Motel Tourism Grant Committee moved by Council President Norton seconded by Councilmember Richards.

AYES: ALL

Motion to authorize Mayor Nehring to appoint Rian White to the Hotel/Motel Tourism Grant Committee moved by Council President Norton seconded by Councilmember Richards.

AYES: ALL

Motion to authorize Mayor Nehring to appoint Mary Kirkland to the Hotel/Motel Tourism Grant Committee moved by Council President Norton seconded by Councilmember Condyles.

AYES: ALL

Motion to authorize Mayor Nehring to appoint Ivonne Sepulveda to the Hotel/Motel Tourism Grant Committee moved by Council President Norton seconded by Councilmember James.

AYES: ALL

Mayor Nehring gave an update on bills in Olympia and the status of the City's legislative priorities.

Staff Business

City Attorney Walker stated the need for an Executive Session to address 3 items - one collective bargaining issue with no action, one regarding the acquisition of real estate with no action expected, and one potential litigation with action expected for an estimated total time of 20 minutes.

Call on Councilmembers and Committee Reports

Councilmember Condyles:

- He reported on the Alliance for Affordable Housing meeting last week and discussed HB 1110 which is the missing middle housing bill that allows for fourplexes in single-family zones and up to sixplexes in single-family zones within

a certain parameter of transit. They also discussed some of the rental and home purchase data from 2022.

- He gave an update on the Snohomish County Tomorrow meeting where they got updates for Puget Sound Regional Council, Economic Alliance of Snohomish County, and Sound Transit's Lynnwood connection. They also discussed the 2023 Work Plan which includes the 2022 Growth Monitoring Report. The HO5 Report has not come out yet but it will talk about requirements related to having a diversity of housing in communities. They also discussed the 2024 GMA Update and Compliance Review which will come back to SCT in March.
- He and Council President Norton attended the pump track open house last week. It was a really nice event.

Councilmember James:

- Thanks to staff for their hard work on the sign code.
- He wondered if there is anything the public can do to help with the Blake decision bill. Mayor Nehring did not think so at this time.

Councilmember King:

- He noted that he saw that the City purchased the two mobile radar speed limit sign units and they are out in the field.
- Congratulations to Gail Frost. He is happy to see the volunteer award program back.

Councilmember Stevens had no comments.

Councilmember Richards reminded everyone to get their ballots turned in.

Councilmember Muller had no comments.

Council President Norton congratulated Gail Frost for the award. She agreed that there was a lot of positive excitement about the pump track.

Adjournment/Recess

Council recessed from 8:08 until 8:13 p.m. and moved into Executive Session.

Executive Session

Council went into Executive Session at 8:13 p.m. to address 3 items - one collective bargaining issue with no action, one regarding the acquisition of real estate with no action expected, and one potential litigation with action expected for an estimated total time of 20 minutes. Executive Session was extended by 20 minutes.

Reconvene

Executive Session ended and the regular meeting reconvened at 8:53 p.m.

Motion to authorize the Mayor to sign and execute the settlement agreement with Lydig Construction in the amount of \$550,900.30 moved by Councilmember Muller seconded by Councilmember Stevens.

AYES: ALL

Adjournment

The meeting was adjourned at 8:55 p.m.

Approved this 2nd day of March, 2023.

Mayor
Jon Nehring

