

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Committee Reports	
Presentations	
Volunteer of the Month	Continued
Approval of Minutes	
Approval of the February 25, 2013 City Council Meeting Minutes.	Approved
Approval of the March 4, 2013 City Council Work Session Minutes.	Approved
Approval of the March 7, 2013 City Council Special Meeting Minutes.	Approved
Consent Agenda	
Approval of the March 20, 2013 Payroll in the Amount of \$904,653.98; Paid by Check Number's 26394 through 26432.	Approved
Approval of the March 6, 2013 Claims in the Amount of \$913,713.99; Paid by Check Number's 83032 through 83154 with Check Number 83000 Voided.	Approved
Approval of the March 13, 2013 Claims in the Amount of \$521,177.95; Paid by Check Number's 83155 through 83333 with No Check Number's Voided.	Approved
Review Bids	
Public Hearing	
New Business	
Interlocal Cooperation Agreement by and Among Snohomish County, the City of Marysville and Snohomish County Fire Protection District No. 12 for the Housing of a Mobile Command Vehicle.	Approved
Interlocal Cooperation Agreement by and between Snohomish County and the City of Marysville for the Use of Mobile Communication Vehicles.	Approved
An Ordinance of the City of Marysville, Washington Relating to the City's Growth Management Act Comprehensive Plan and Approving the Recommendations of the Marysville Planning Commission For Amending The Comprehensive Plan By Adopting Amendments to Chapter 4 – Land Use Element Section(S): B.III Industrial; and Planning Area 10: Smokey Point Neighborhood Amending Goals, Policies, and Chapter Discussions Related to the Designation of a Manufacturing/Industrial Center (MIC) and Adding New Map Specifically Delineating a Local MIC Boundary as well as Identifying a Future Regional MIC Boundary with the City of Arlington.	Approved Ord. No. 2921
A Resolution of the City of Marysville Relating to Procedures for the Conduct of Business at Council Meetings, and Repealing Resolution Number 2322.	Approved Res. No. 2342
Legal	
Mayor's Business	
Civil Service Commission Appointment: Dennis Kendall.	Approved
Staff Business	
Call on Councilmembers	
Reconsider the decision at last week's meeting to place on the agenda and to draft a resolution concerning Citizens United.	Approved
Adjournment	8:11 p.m.

Executive Session	8:15 p.m.
Litigation - two items concerning pending litigation	
Real Estate - two items concerning real estate	
Adjournment	8:47 p.m.



Regular Meeting
March 25, 2013

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. Jeff Hastings from Turning Point Community Church gave the invocation.

Roll Call

Chief Administrative Officer Hirashima gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Jon Nehring

Council: Steve Muller, Kamille Norton, Jeff Seibert, Michael Stevens, Rob Toyer, Jeff Vaughan, and Donna Wright

Absent: None

Also Present: Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Commander Robb Lamoureux, City Attorney Thom Graafstra, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, and Recording Secretary Laurie Hugdahl.

Committee Reports

Councilmember Michael Stevens reported on the March 20 Fire District Board of Directors meeting where the following items were discussed:

- The Fire District is still waiting for the audit exit conference.
- Operations calls continue to be up this year over last year.
- They will be having a part-time recruits class in May to fill in some challenges with staffing regarding ObamaCare being enacted and how this relates to full-time and part-time employees.
- The Fire District will be participating in the Rudy Wright memorial mural and field dedication at Cedar Field on April 13 at 1:00.
- New officers were welcomed for the Firefighters Local 3219.

Audience Participation

Peter, PO Box 191, Marysville, WA 98270, brought up concerns about Lakewood Station in Marysville just north of 172nd. He is adamantly opposed to the project because there are a lot of things he feels have not been addressed adequately. He believes there should be three east-west lanes in each direction. A center median with plants and vegetation should also be installed to improve aesthetics as has been done in Bellevue. Even though this is DOT's responsibility, he thinks if Marysville asks it will be done. He then complained that he and other neighbors received the Notice of Application on February 28 with a deadline to appeal by March 4. This is not adequate time for neighbors to get together to fight the project or discuss different aspects they may disagree with. He spoke with city staff who informed him it had to do with delays at the post office. He was also told that the notice was posted at the project; however, when he went there over the weekend three of the four signs were down on the ground. He does not feel that the citizens have had adequate notification, and he believes this is grounds for delaying the project. Also, for this project the developer plans on raising the grade of the soil by three feet. When White-Leasure did this in that area it created a drainage problem. He thinks there needs to be a change in the code having to do with sound walls between commercial properties and residential properties. He expressed concern about noise from traffic, especially trucks. He recommended a 6 to 8 foot sound wall separating the commercial and where people may be sleeping. Finally, regarding the apartments at the back of the project, he expressed concern that they plan to not only raise the grade, but also build apartments twenty feet from the property line. He expressed concern that the residents do not have enough input regarding the impacts of this development. At the very least, he believes that a proper sound wall needs to be put in.

CAO Hirashima informed Peter that there is a Hearing Examiner meeting this week where these concerns can also be addressed.

Councilmember Seibert asked CAO Hirashima about a minimum notification for hearings. CAO Hirashima stated that the notices are required to be mailed ten days before the hearing, but that doesn't mean they arrive ten days prior. She indicated she would encourage staff to get the mailings out sooner. Councilmember Seibert suggested that Council review this part of the code to ensure adequate notification of citizens. He thought that 30 days prior to the hearing would be more sufficient. CAO Hirashima indicated that they could review it, but noted that due to the scope of this particular project there have been several neighborhood meetings and other notifications since last summer.

Approval of Minutes

1. Approval of the February 25, 2013 City Council Meeting Minutes.

Motion made by Councilmember Stevens, seconded by Councilmember Muller, to approve the minutes as presented. **Motion** passed unanimously (7-0).

2. Approval of the March 4, 2013 City Council Work Session Minutes.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve the minutes as presented. **Motion** passed unanimously (7-0).

3. Approval of the March 7, 2013 City Council Special Meeting Minutes.

Councilmembers Seibert and Stevens stated they would be abstaining as they were absent at the March 7 meeting.

Motion made by Councilmember Vaughan, seconded by Councilmember Wright, to approve the minutes as presented. **Motion** passed (5-0) with Councilmembers Seibert and Stevens abstaining.

Consent

4. Approval of the March 20, 2013 Payroll in the Amount of \$904,653.98; Paid by Check Number's 26394 through 26432.
5. Approval of the March 6, 2013 Claims in the Amount of \$913,713.99; Paid by Check Number's 83032 through 83154 with Check Number 83000 Voided.
6. Approval of the March 13, 2013 Claims in the Amount of \$521,177.95; Paid by Check Number's 83155 through 83333 with No Check Number's Voided.

Motion made by Councilmember Stevens, seconded by Councilmember Norton, to approve Consent Agenda items 4, 5, and 6. **Motion** passed unanimously (7-0).

Review Bids

Public Hearings

New Business

7. Interlocal Cooperation Agreement by and Among Snohomish County, the City of Marysville and Snohomish County Fire Protection District No. 12 for the Housing of a Mobile Command Vehicle.

Director Nielsen reviewed this item and related item 8. There were no comments or questions.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to approve the Interlocal Cooperation Agreement by and Among Snohomish County, the City of Marysville and Snohomish County Fire Protection District No. 12 for the Housing of a Mobile Command Vehicle. **Motion** passed unanimously (7-0).

8. Interlocal Cooperation Agreement by and between Snohomish County and the City of Marysville for the Use of Mobile Communication Vehicles.

Motion made by Councilmember Norton, seconded by Councilmember Toyer, to approve the Interlocal Cooperation Agreement by and between Snohomish County and the City of Marysville for the Use of Mobile Communication Vehicles. **Motion** passed unanimously (7-0).

9. An **Ordinance** of the City of Marysville, Washington Relating to the City's Growth Management Act Comprehensive Plan and Approving the Recommendations of the Marysville Planning Commission For Amending The Comprehensive Plan By Adopting Amendments to Chapter 4 – Land Use Element Section(S): B.III Industrial; and Planning Area 10: Smokey Point Neighborhood Amending Goals, Policies, and Chapter Discussions Related to the Designation of a Manufacturing/Industrial Center (MIC) and Adding New Map Specifically Delineating a Local MIC Boundary as well as Identifying a Future Regional MIC Boundary with the City of Arlington.

Cheryl Dungan explained that staff is proposing text amendments in order to designate a local Manufacturing/Industrial Center (MIC) as well as to qualify for future regional MIC designation jointly with the City of Arlington. The local MIC designation would identify the area as a major employment center that attracts manufacturing and industrial uses. The proposed amendments would supplement existing MIC policies that are currently in the Comprehensive Plan to further strengthen the City's support and desire to establish an MIC. The proposed amendments also update existing goals and polices to support the future regional Marysville-Arlington MIC. The regional designation would encompass areas within both city limits; approximately 45% of the land is within Marysville. Some of the requirements for designation of a regional MIC are: a minimum of 20,000 jobs, 80% of the area has to be zoned Industrial, and limitations to retail uses in the area to those specifically supporting the manufacturing and industrial uses and the workers there. The local MIC establishes a local boundary that allows the City the ability to apply for additional grant money. There were no comments or questions by Council.

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to approve Ordinance 2921. **Motion** passed unanimously (7-0).

10. A Resolution of the City of Marysville Relating to Procedures for the Conduct of Business at Council Meetings, and Repealing Resolution Number 2322.

CAO Hirashima explained that this would enable the Mayor Pro Tem to also be called the Council President as discussed at a previous meeting.

Motion made by Councilmember Toyer, seconded by Councilmember Muller, to approve Resolution 2342. **Motion** passed unanimously (7-0).

Legal

Mayor's Business

11. Civil Service Commission Appointment: Dennis Kendall.

Motion made by Councilmember Seibert, seconded by Councilmember Stevens, to approve the appointment of Dennis Kendall to the Civil Service Commission. **Motion** passed unanimously (7-0).

Additional Mayor's Business:

- He had a good meeting with Rear Admiral Michael White who expressed great gratitude for the hospitality of the City of Marysville and its care for military families.
- The Easter Egg Hunt is coming up this Saturday.
- He went to Olympia to testify on the RSO bill at the Public Safety Committee last week.

Staff Business

Jim Ballew:

- It will be a perfect Saturday for the Easter Egg Hunt. They are anticipating a lot of people.
- The spring and summer activity guide has gone out in the mail. He commended Doug Buell for his work on this and staff for putting together the menu offerings.
- The Maryfest Pageant was held over the weekend.

Robb Lamoureux:

- The Police department is extremely busy with all the recent promotions and new hires.
- Police are preparing for the Rudy Wright memorial mural opening and the Heroes Half Marathon.
- He thanked Parks and Recreation for the great class offerings and noted he will be signing up for a couple classes.

Kevin Nielsen:

- He commented on the extreme weather the area has been having.
- WSDOT is putting a roundabout in at Highway 9 and Getchell. They are in design phase and looking at getting right of way right now. Councilmember Seibert asked why the functional signal is being torn out and being replaced with a roundabout. Director Nielsen said it was based on the Highway 9 corridor analysis. DOT concluded it would be better than a traffic signal. Councilmember Seibert expressed concern about people slowing down too much and actually causing more of a slowdown. Director Nielsen stated he would forward the preliminary design on to Council. Councilmember Muller thought that a single

lane would not meet the capacity. Director Nielsen explained it was based on trip numbers.

- He was disappointed to report that 156th got tagged from top to bottom over the weekend.

Mayor Nehring thanked Worth Norton and his team for helping get the tablets ready for Council and supporting Council with that over the past few weeks.

Worth Norton indicated he would be available after the meeting to help anyone who needed help with the tablets.

Sandy Langdon had no comments.

Thom Graafstra noted he would be present at meetings for some time while Grant Weed is out for hip replacements.

Gloria Hirashima:

- She reported that an Everett Marysville Odor Monitoring Project meeting held by the Puget Sound Clean Air Agency in Everett on Tuesday. She gave an update on the status of Seattle's composting contract. Seattle City Council is currently discussing the contract.
- She stated the need for an Executive Session to discuss two items related to real estate and two items related to pending litigation which were expected to take 20 minutes with no action requested.

Call on Council

Kamille Norton commended the Parks department on the great offerings in the spring and summer activity guide.

Steve Muller discussed a letter from a citizen who expressed concerns about business being conducted without a license. CAO Hirashima explained that staff had not been able to locate any code violations.

Rob Toyer commented that 528 looks great after the weeding and spreading of beauty bark.

Michael Stevens had no comments.

Jeff Seibert commented that there was a lot of snow in Everett on Friday.

Donna Wright had no comments.

Jeff Vaughan stated that he wasn't at the last Council meeting when the item was discussed regarding Citizens United. He expressed concerns about unintended consequences with considering a resolution such as this. Regardless of the merits of

this matter, he believes it would change the dynamics on the Council and could open the door for divisions among council members on political matters which may not impact our community directly. Also, giving groups like theirs the opportunity to have a platform for their activism can take time away from Council meetings and take away time from staff. In general, this sets a precedent he is not comfortable with. He recommended that the Council not move forward with the resolution that was recommended at the previous meeting.

Councilmember Toyer spoke in support of Councilmember Vaughan's comments.

Councilmember Seibert thanked Councilmember Vaughan for bringing up some good points, but explained that he would still like this to move forward for discussion.

Councilmember Wright expressed concern that this would take staff and attorney time which might be used for issues more important to citizens right now.

Councilmember Norton concurred with Councilmember Wright and Vaughan. She offered to make a motion for reconsideration. Councilmember Seibert spoke against reconsidering this because he thought that a motion had been made at a prior council meeting to put this on the agenda for discussion. There was some discussion about the background of this particular item.

Councilmember Muller did not think there would be much staff time required for this item because City Attorney Grant Weed had indicated he would just bring a copy of a resolution he had drafted for Oak Harbor.

Councilmember Vaughan agreed that it might not take a lot of staff time right now, but he was concerned about the precedent that this might set for other groups to come in in the future and that it might divert the Council from the important work they need to do in the community.

Councilmember Toyer suggested just leaving this as an agenda item and not having the draft resolution.

Councilmember Muller said he wanted to see a draft resolution in order to better understand this. He thinks this is a big deal and they should stand up for something that is wrong.

Councilmember Stevens said he was absent at the meeting as well. He requested any information that had been distributed at the meeting.

Councilmember Vaughan encouraged council members who felt that this was important to pursue it individually and not as part of the Council's agenda. He thinks the Council's focus needs to be on things that are local and important to the residents.

Motion made by Councilmember Norton, seconded by Councilmember Toyer, to reconsider the decision at last week's meeting to place on the agenda and to draft a resolution concerning Citizens United.

Councilmember Stevens stated he would abstain as he was not present at the meeting. Councilmember Seibert informed him that under council rules, an abstention would be a yes vote. City Attorney Graafstra clarified that if the abstention was publicly stated it was allowed.

Motion carried 4-2 with Councilmembers Seibert and Muller voting against the motion and Councilmember Stevens abstaining.

Council recessed at 8:11 p.m. until 8:15 at which time they reconvened into Executive Session to discuss two items related to real estate and two items related to pending litigation which were expected to take 20 minutes with no action requested.

Executive Session

- A. Litigation - two pending litigation items – RCW 42.30.110 (1)(i)
- B. Personnel
- C. Real Estate - two items – RCW 42.30.110 (1)(b)

Motion made by Councilmember Muller, seconded by Councilmember Wright to extend Executive Session 10 minutes. **Motion** passed unanimously (7-0).

Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 8:47 p.m.

Approved this _____ day of _____, 2013.

Mayor
Jon Nehring

April O'Brien
Deputy City Clerk