

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Committee Reports	
Presentations	
Officer Swearing-In - Officer Scott Richey	Presented
Employee Services Awards: Joseph Finley, Computer Support Tech I, Information Services – 5 Years; Jacki Goldman, Administrative Secretary, Police Sergeants and Detectives – 25 Years (not present); Ken Tyacke, Lead Worker I, Public Works Streets Division – 25 Years (not present)	Presented
Proclamation: Healthy Community Challenge Day	Presented
Approval of Minutes	
Approval of the May 6, 2013, City Council Work Session Minutes.	Approved
Consent Agenda	
Approval of the May 8, 2013 Claims in the Amount of \$962,914.92; Paid by Check Number's 84420 through 84562 with Check Number's 83432, 84182, and 84188 Voided.	Approved
Approval of the May 15, 2013 Claims in the Amount of \$371,726.40; Paid by Check Number's 84563 through 84715 with Check Number's 77796 and 80326 Voided.	Approved
Review Bids	
Public Hearing	
New Business	
Add the Roy Robinson Subaru Agreement to tonight's agenda under New Business item 7.	Approved
Add the MOU with the Tulalip Tribes to tonight's agenda under New Business as item 8.	Approved
Interlocal Agreement with Snohomish County and the City of Marysville for Utility Relocation and Construction Associated with the for 67 th Avenue NE/132 nd Street NE Sight Distance Improvement Project in the Amount of \$45,173.75 with a Management Reserve of \$4,826.25 for a Total of \$50,000.	Approved
Interlocal Agreement with the Snohomish Regional Drug and Gang Task Force.	Approved
Staff Recommends the City Council Authorize the Mayor to Approve the 2013 Strawberry Festival Permit Proposal as Required by the Master Permit Agreement Currently with the City . Approval Includes the Marysville Kiwanis Club Beer And Wine Garden Event as a Strawberry Festival Sponsored Event Subject to Receipt of Specific Liability Insurance Coverage Required by the City.	Approved
Roy Robinson Subaru Agreement	Approved
Memorandum of Understanding with Tulalip Tribes	Approved
Legal	
Mayor's Business	
Staff Business	
Call on Councilmembers	
Adjournment	8:04 p.m.



Regular Meeting
May 28, 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. Doug Sharp from the Seventh Day Adventist 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, Police Chief Rick Smith, City Attorney Grant Weed, Public Works Superintendent Doug Bye, Parks and Recreation Director Jim Ballew, IS Manager Worth Manager, Police Commander Wendy Wade, and Recording Secretary Laurie Hugdahl.

Committee Reports

Councilmember Stevens reported on the May 15 Marysville Fire District Board of Directors meeting where the Board received reports on the fire district's participation on the Washington Care and Survival Report. This is a study that monitors how well the fire district is doing in the community with public safety resources in preventing cardiac arrests and negative outcomes from a cardiac arrest. The Marysville Fire District is doing well as compared to the national average and within Snohomish County. The fire district is finishing up a part-time recruit class which will be ending tomorrow. This is partly due to an effort to mitigate some of the impacts from the Affordable Health Care reform and balancing part-time versus full-time firefighter requirements as it relates to health care. The fire district has not been rated by the Servings and Ratings Bureau for a couple years. Due to significant improvements to the water system that the City of

Marysville has implemented in that time, the fire district expects they will be able to achieve a lower rating which will impact the insurance premiums. This would mainly impact commercial property insurance premiums.

Councilmember Wright reported on the Public Safety Committee Meeting held on May 22. Members of the police department will be participating in the Law Enforcement Torch Run for Special Olympics on May 30 and 31. There will be a memorial for former Marysville Police Chief John Faulkner on Thursday at 1 p.m. followed by a reception at the Ken Baxter Community Center at 3 p.m. The department has hired a new lateral officer from Monroe, Scott Richey, and an offer has been made to another lateral officer from another city. There will still be a couple vacancies after that. There will be a mid-year review in June or July to deal with overtime issues. There is also a focus on the downtown area. The police are working on the vision, mission, and values within the department. Morale is good and all areas are very busy.

Presentations

A. Officer Swearing-In.

Commander Wendy Wade introduced Officer Scott Richey who was then sworn in by Mayor Nehring.

B. Employee Services Awards.

- Joseph Finley, Computer Support Tech I, Information Services – 5 Years
- Jacki Goldman, Administrative Secretary, Police Sergeants and Detectives – 25 Years (not present)
- Ken Tyacke, Lead Worker I, Public Works Streets Division – 25 Years (not present)

C. Proclamation: Healthy Community Challenge Day.

Mayor Nehring read the proclamation recognizing June 1 as Healthy Community Challenge Day and encouraging all citizens to celebrate by participating in the event to be held at Allen Creek Elementary School in support of healthy living in Marysville.

Audience Participation - None

Approval of Minutes

1. Approval of the May 6, 2013, City Council Work Session Minutes.

Motion made by Councilmember Vaughan, seconded by Councilmember Toyer, to approve the May 6, 2013, City Council Work Session Minutes. **Motion** passed unanimously (7-0).

Consent

2. Approval of the May 8, 2013 Claims in the Amount of \$962,914.92; Paid by Check Number's 84420 through 84562 with Check Number's 83432, 84182, and 84188 Voided.
3. Approval of the May 15, 2013 Claims in the Amount of \$371,726.40; Paid by Check Number's 84563 through 84715 with Check Number's 77796 and 80326 Voided.

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to approve Consent Agenda items 2 and 3. **Motion** passed unanimously (7-0).

Review Bids

Public Hearings

New Business

Mayor Nehring noted that the City Attorney had developed an agreement with Roy Robinson which was available tonight. Councilmember Toyer requested more time to review this item. Councilmember Seibert concurred. City Attorney Grant Weed commented on the timing of this. He explained that it took some time to prepare this agreement and to make sure Roy Robinson and his attorney were comfortable with this. They didn't know until today if it would be signed. He offered to brief the Council on the Sewer Extension Agreement if they desired.

Motion made by Councilmember Wright, seconded by Councilmember Muller, to add the Roy Robinson Subaru Agreement to tonight's agenda under New Business item 7. **Motion** passed (6-1) with Councilmember Toyer voting against the motion.

Motion made by Councilmember Muller, seconded by Councilmember Stevens, to add the MOU with the Tulalip Tribes to tonight's agenda under New Business as item 8. **Motion** passed unanimously (7-0).

4. Interlocal Agreement with Snohomish County and the City of Marysville for Utility Relocation and Construction Associated with the for 67th Avenue NE/132nd Street NE Sight Distance Improvement Project in the Amount of \$45,173.75 with a Management Reserve of \$4,826.25 for a Total of \$50,000.

Public Works Superintendent Doug Byde explained that this fall, Snohomish County will lower 67th Avenue from 132nd to Hilltop Road by two feet. The City has a 14-inch water main coming from Wade Road that is three feet deep so it will be lowered another two feet at the same time. The Interlocal Agreement with Snohomish County will allow their contractor to do the work. This will expedite the process and keep the road closures to a minimum.

Motion made by Councilmember Vaughan, seconded by Councilmember Seibert, to authorize the Mayor to sign the Interlocal Agreement with Snohomish County and the City of Marysville for Utility Relocation and Construction Associated with the 67th Avenue NE/132nd Street NE Sight Distance Improvement Project in the Amount of \$45,173.75 with a Management Reserve of \$4,826.25 for a Total of \$50,000. **Motion** passed unanimously (7-0).

5. Interlocal Agreement with the Snohomish Regional Drug and Gang Task Force.

Chief Smith stated that this is a renewal of the Interlocal Agreement. The only thing different on it is that it incorporates the 3% increase annually.

Motion made by Councilmember Muller, seconded by Councilmember Seibert, to authorize the Mayor to sign the Interlocal Agreement with the Snohomish Regional Drug and Gang Task Force. **Motion** passed unanimously (7-0).

6. Staff Recommends the City Council Authorize the Mayor to Approve the 2013 Strawberry Festival Permit Proposal as Required by the Master Permit Agreement Currently with the City. Approval Includes the Marysville Kiwanis Club Beer And Wine Garden Event as a Strawberry Festival Sponsored Event Subject to Receipt of Specific Liability Insurance Coverage Required by the City.

Parks and Recreation Director Ballew stated that MaryFest Inc has submitted a proposal for the Strawberry Festival. This is the second year they have requested the Kiwanis Club Beer and Wine Garden Event.

Motion made by Councilmember Wright, seconded by Councilmember Stevens, to authorize the Mayor to approve the 2013 Strawberry Festival Permit Proposal as Required by the Master Permit Agreement Currently with the City. Approval Includes the Marysville Kiwanis Club Beer And Wine Garden Event as a Strawberry Festival Sponsored Event Subject to Receipt of Specific Liability Insurance Coverage Required by the City. **Motion** passed unanimously (7-0).

7. Roy Robinson Subaru Agreement

City Attorney Grant Weed gave an overview of the agreement for the benefit of the Council. He explained that the agreement is actually with Bjorg WA Properties, LLC who is developing the property.

Councilmember Toyer asked City Attorney Weed if he feels comfortable with this whole process. City Attorney Weed replied that he is comfortable with it.

Councilmember Muller asked for confirmation that the City would not be held liable for any capital expenditures. City Attorney Weed stated that they have endeavored to have full disclosure about the fact that the utilities in this area would ultimately come under the authority of the Tulalip Tribes. He believes it is clear in the agreement that Marysville is not intending to be the utilities purveyor in the long haul.

Motion made by Councilmember Seibert, seconded by Councilmember Muller, to authorize the Mayor to sign the Sewer Utility Extension Agreement.

Councilmember Seibert and Councilmember Toyer both requested that documents be delivered to Council earlier than the night of the meeting in the future.

Motion passed unanimously (7-0).

8. Memorandum of Understanding with Tulalip Tribes

CAO Hirashima reviewed this item. She noted that the City staff and Tulalip staff have met to go over a draft agreement. She is comfortable that this will move forward, hopefully this year. She commented that no insurmountable issues were raised at the meeting.

Councilmember Muller asked if there are geographical bounds to this MOU. CAO Hirashima said it only relates to the Tribes' gas station and the Subaru site. However, the overall agreement for the water and sale does identify a geographic area and specific lines that will be conveyed. The intention is to convey all of the lines the City owns west of I-5. Any other requests for connections prior to the sale would have to come before the Council.

Motion made by Councilmember Muller, seconded by Councilmember Seibert, to approve the Utilities by MOU with the Tulalip Tribes. **Motion** passed unanimously (7-0).

Legal

Mayor's Business

Mayor Nehring:

- He and Councilmember Stevens went to Olympia to attend the bill signing which was a very memorable and satisfying event. He expressed appreciation for all the work by Council and staff on this issue.
- He and others attended the Boys and Girls Club Auction which was a great event.
- He attended a reception for the new publisher for *The Herald*, Josh O'Connor who was very interested in talking about the news coverage in Marysville. *The Herald* really wants to focus on the local community reporting.
- Economic Alliance Snohomish County had a board meeting where they reviewed the 2013 Business Plan. Big items are the Transportation Package, Washington State University and education funding in general for this area, and the Boeing 777X.
- Snohomish County Tomorrow met last week and reviewed the Urban Development Application Review Process. A new citizen representative was

elected, but there were three great applicants. There is now an alternative dispute resolution program in place.

- He attended the grand opening of Nomz Restaurant on State Avenue.
- American Legion Post 178 put on a fantastic, very moving and extremely well-attended Memorial Day event yesterday.

Staff Business

Jim Ballew:

- Healthy Communities Challenge Day will be held this weekend from 10 to 2 at Allen Creek Elementary School.
- On Friday morning the Police Department and Parks Department will be featured at the Chamber Breakfast.

Chief Smith:

- Thanks to Worth Norton, Joseph Finley, and the IS Department for making the Marysville Police Department look outstanding based on the work they have done. There are only two entities in the state of Washington who have gone through this process. This is a big credit to Worth and the IS department.
- There will be a memorial service for retired Chief John Faulkner on Thursday at 1:00 with a reception at 3:00 at the community center.
- Police have been very busy in the community. He reviewed some of the events that have transpired recently highlighting the value of the police dogs.

Doug Hyde stated that Public Works will be doing structural digouts this week on 51st between Grove and 80th. There will be long delays, and sign boards are out that indicate this will be happening.

Worth Norton had no further comments.

Sandy Langdon:

- Thanks to Worth Norton for attending the meetings and being available to help with the tablets.
- The Auditors' Entrance Meeting will be this Friday.
- The City Wellness Committee will have a booth at the Challenge Day with a new Minute-to-Win-It event.

Grant Weed:

- In 2008 the State Supreme Court issued a decision on *Lane v. Seattle* regarding charging costs of fire flow and hydrants for the water utilities. The legislature recently adopted HSB 1512 which allows greater flexibility for cities to bring those charges back within the utility customer base. Staff will be looking at this bill to see if there is a potential to change the charges back to the way it used to be. He may be coming back to Council with some choices regarding this in the future.
- There is no need for an executive session tonight, but there will be a number of items at the June 3 Work Session.

Gloria Hirashima announced that the City received a Brownfield grant for \$200,000 from the EPA for the waterfront cleanup. Shawn Smith from Community Development worked on that grant.

Call on Councilmembers

Kamille Norton congratulated the Police Department on their new hire of Officer Richey. She welcomed the Boy Scouts to the meeting tonight.

Steve Muller commented that the Boys and Girls Club Auction was a great event. He went on a tour of the facility and was very impressed.

Rob Toyer had no comments.

Michael Stevens:

- Thanks to Grant Weed and his office, the Mayor, Gloria and everyone involved in Bill 5105. It was a great event to participate in.
- He requested that the fire annexation issue come to the Council in the near future for discussion.

Jeff Seibert:

- He reported on the Finance Committee meeting
- He commended the work that the police dogs have done lately. The community is getting a good return on their investment.

Donna Wright stated that the Memorial Day ceremony was very nice. The attendance was double what it has been in the past. The music was presented by the high school band and the echo taps. The Jr. ROTC did a great job with their presentation.

Jeff Vaughan had no comments.

Executive Session

- A. Litigation
- B. Personnel
- C. Real Estate

Adjournment

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

Approved this _____ day of _____, 2013.

DRAFT

Mayor
Jon Nehring

April O'Brien
Deputy City Clerk