

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
Excuse the absence of Donna Wright from tonight's meeting.	Approved
Approve the agenda.	Approved
<b>Committee Reports</b>	
<b>Presentations</b>	
Volunteer of the Month for June 2013 - Brendon Krall	Presented
Officer Swearing-in - Police Officer Robert Guertin	Completed
Employee Services Awards: 5 Years: <ul style="list-style-type: none"> <li>• Adam Vermeulen, Police Officer (not present)</li> <li>• Chris Sutherland, Police Officer (not present)</li> <li>• Kaleb Callahan, Maintenance Worker II Streets (not present)</li> </ul> 10 Years: <ul style="list-style-type: none"> <li>• Tonya Miranda, Financial Analyst</li> </ul> 15 Years: <ul style="list-style-type: none"> <li>• David Doop, GIS Administrator (not present)</li> </ul> 25 Years: <ul style="list-style-type: none"> <li>• <b>Ralph Avey, Lead Worker I – Public Works</b></li> <li>• Michael Lewis, Facilities Maintenance Worker II (not present)</li> </ul>	Presented
Employee of the Month Award - Utility Billing Department: Roberta Schneider, John Nield, Teri McCann, Bet Galde, Shauna Crane, and Sherry Buell.	Presented
SnoCAT Presentation	Presented
Cedarcrest Golf Course Presentation	Presented
<b>Approval of Minutes</b>	
Approval of the May 28, 2013 City Council Meeting Minutes.	Approved
Approval of the June 3, 2013 City Council Work Session Minutes.	Approved
<b>Consent Agenda</b>	
Approval of the June 5, 2013 Claims in the Amount of \$971,663.95; Paid by Check Number's 84987 through 85113 with Check Number's 84771 and 84857 Voided.	Approved
Approval of the June 5, 2013 Payroll in the Amount of \$1,130,455.63; Paid by Check Number's 26630 through 26696.	Approved
<b>Review Bids</b>	
<b>Public Hearing</b>	
<b>New Business</b>	
Consider Final Plat Approval for Willow Springs ZA05-123399SD Located at 3115 79 <sup>th</sup> Avenue NE.	Approved
Consider Approving the Master Usage Agreement with Department of Enterprise Services (DES).	Approved
Consider the Interlocal Agreement for Signal Maintenance with Snohomish County Providing Six Years of As Needed Services.	Approved
Consider the Employment Agreement for Golf Shop Supervisor.	Approved
Consider Adopting the Proposed Job Description for the Planning	Approved

Assistant Position and Place on the "N-4" Non-Represented, Non-Management Classification Grid.	
Consider Adding the Cross Connection Specialist Position Back onto the City's Organizational Chart and Refilling the Position in 2013.	Approved
Consider Approving a Resolution Declaring a Surplus Vehicle and Equipment to be Surplus and Authorize the Sale or Disposal.	Approved Res. 2345
Consider Agreement between City of Marysville and Seattle Goodwill Industries Summer 2013 Aerospace Program.	Approved
Consider approval of the Planning Commission recommendation, and adoption of an ordinance prohibiting the establishment of medical cannabis collective gardens and dispensaries, and repealing Ordinance 2889.	Approved Ord. 2932
<b>Legal</b>	
<b>Mayor's Business</b>	
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Adjournment</b>	9:25 p.m.
<b>Executive Session</b>	9:30 p.m.
Litigation - one item concerning pending litigation	
Real Estate - one item concerning real property acquisition	
<b>Reconvened into regular session</b>	9:35 p.m.
<b>Adjournment</b>	9:36 p.m.



**Regular Meeting**  
*June 24, 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. Stephen Thompson from Victory Four Square 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

**Absent:** Donna Wright

**Also Present:** Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Police Chief Smith, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, and Recording Secretary Laurie Hugdahl.

Councilmember Stevens noted that Councilmember Donna Wright was attending an AWC Committee meeting in eastern Washington.

**Motion** made by Councilmember Stevens, seconded by Councilmember Toyer, to excuse the absence of Donna Wright from tonight's meeting. **Motion** passed unanimously (6-0).

**Motion** made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve the agenda. **Motion** passed unanimously (6-0).

## Committee Reports

Councilmember Stevens reported on the June 19 Marysville Fire District Board of Directors meeting where they were introduced to the new part time firefighters and had a presentation on Fire Ops 101.

## Presentations

- Volunteer of the Month for June 2013

Mayor Nehring recognized Brendon Krall for his outstanding community service through volunteerism with the Marysville Food Bank, Marysville Historical Society, Shoultes Elementary School Carnival, Marysville Rotary Club, Tulalip Boys and Girls Club, and the Marshall Elementary 4<sup>th</sup> Grade Retreat, as well as many other achievements.

### A. Officer Swearing-in

Chief Smith introduced and welcomed Police Officer Robert Guertin, who was subsequently sworn in by Mayor Nehring.

### B. Employee Services Awards

#### 5 Years:

- Adam Vermeulen, Police Officer (not present)
- Chris Sutherland, Police Officer (not present)
- Kaleb Callahan, Maintenance Worker II Streets (not present)

#### 10 Years:

- Tonya Miranda, Financial Analyst

#### 15 Years:

- David Doop, GIS Administrator (not present)

#### 25 Years:

- Ralph Avey, Lead Worker I – Public Works
- Michael Lewis, Facilities Maintenance Worker II (not present)

### C. Employee of the Month Award

Mayor Nehring recognized the members of the Utility Billing Department for their professionalism and outstanding customer service. He especially commended their creativity in addressing the significant increase in the number of shutoffs by using color-coded notification. This new system has dramatically decreased the number of shutoffs. The following employees received Employee of the Month awards: Roberta Schneider, John Nield, Teri McCann, Bet Galde, Shauna Crane, and Sherry Buell.

## D. SnoCAT Presentation

Chief Smith introduced Lt. Brent Speyer from the Sheriff's Office who gave a presentation regarding the Snohomish County Auto Theft Task Force.

Lt. Speyer explained that the Snohomish County Auto Theft Task Force was formed in 2008. It was funded by grants from the Washington Auto Theft Prevention Authority (WATPA). When they first started, Marysville PD was a part of the original task force, but budget cuts and staffing issues ended that relationship for a time. An Advisory Committee was put in place at that time, which allows the Sheriff to brief the prosecutor and chiefs that have members on the task force every quarter and maintain communication. Lt. Speyer stressed the importance of partnerships to the task force. He emphasized that this is not a Snohomish County *Sheriff's Office* Auto Theft Unit; it is built on partnerships. There are detectives available 24/7 for all Snohomish County law enforcement agencies. One of the reasons the partnership works well is because criminals don't know geographical boundaries. By working together law enforcement is able to attack the problem better. One example of partnerships includes a Marysville City flatbed truck which was stolen along with tools and flowers for the Strawberry Festival. SnoCAT detectives and Marysville Police Department worked together to get the truck back to the City within 48 hours.

Vehicle theft is a serious problem in the state of Washington and especially Snohomish County. Snohomish County is traditionally the third or fourth highest for auto theft for counties in Washington state. In 2005, over 6,000 vehicles were stolen in Snohomish County. This has gone down, but it still fluctuates. Unfortunately, criminals that steal cars also commit other types of crimes including: burglary, robbery, ID theft, and drugs. Between March of 2008 and March of 2013 the task force arrested 232 auto thieves and recovered \$4.5 million in vehicles, equipment and parts. Over 1,200 citizens and law enforcement personnel have been trained by the task force. With the help of the prosecuting attorney assigned to the task force, the average offender is getting 40 months in prison. Lt. Speyer asserted that the task force is a force multiplier for law enforcement in the region. Additionally, the task force has received numerous awards. In 2009 and 2010 they were the Washington Auto Theft Task Force of the year. Proclamation to SnoCAT was read on the floor of the US congress by Congressman Rick Larsen. Current members include a WSP sergeant, a WSP detective (funded 100% by the State Patrol), two Sheriff's Office detectives, a full-time prosecuting attorney, and a legal secretary.

Lt. Speyer stated that he had come to the meeting because he doesn't want to lose the task force partnership concept. If they lose that, they lose money from WATTF. He had approached Chief Smith a while ago and requested that Marysville put somebody back in the unit because of their working relationship. He stated that he had requested additional grant money to fund all of their positions 100% including adding a Marysville detective. WATTF has approved the grant for \$1.5 million for the next two years in their grant request. The legislature has not released the funds yet, but Lt. Speyer is confident that it will happen. This will mean that they can fund a Marysville detective position from July 1, 2013 to June 30, 2015, at which time they would apply for new grant. Lt. Speyer

stressed that the partnership is beneficial to everyone. They already do and will continue to help with Marysville cases but a detective from Marysville increases the case involvement of the task force in Marysville.

Chief Smith explained that Marysville pulled their detective in 2010 when the police department redeployed their resources. This was significant because they had to provide for an overlap to deal with high call load times in conjunction with the annexation. He stated that he believes in regionalization of certain units such as the Auto Theft Task Force which is one of the most effective task forces in the state of Washington. He agrees that this is a force multiplier. This means that that the police department would have to hire someone, but it would be funded 100% for salary and benefits by the grant. He believes this is a terrific grant-funded opportunity for the City. Mayor Nehring referred to an article in the paper today and commended the task force for their work in busting a chop shop in north Marysville recently.

Councilmember Vaughan asked what the police force's level of commitment is like with other regional task forces. Chief Smith explained that Marysville is not a part of any others except the major crimes unit. They were a part of the Drug Task Force at one point; when Mark Thomas came back nobody was put in it because there was no money to support it. That was about the time that the economy started to take a dive. Marysville still works with all other agencies, especially the NITE team, but since they were with the Auto Theft Task Force the City hasn't been a part of a task force. As the second largest city in Snohomish County, he feels it is time to step up and start leading and participating in some of the task force models where they have funding or money to support it.

Councilmember Muller asked about the connectivity with task forces in other counties or states. Lt. Speyer said they have gone north as far Bellingham and Vancouver, south as far as Portland, and over to eastern Washington. One of the benefits of having a state patrol sergeant is that they have multiple auto theft units around the state. Because of that the task force ties in with them. Chief Smith added that a couple years ago the SWAT team served a multiple location search warrant, which is a very complex task. He stated that the City has worked very well with the Auto Theft Task Force, and he is confident that this will continue into the future.

## E. Cedarcrest Golf Course Presentation

Parks Director Jim Ballew and David Castleberry, with the assistance of Finance Director Langdon and Public Works Director Kevin Nielsen, gave a report on the 2012-2013 season of the Cedarcrest Golf Course. Director Ballew explained that last year was one of the lowest years for a variety of reasons including the weather and the economy. He reviewed how they track the temperature and the number of rain days. One of the problems was with the timing of the rain days; the other was with the saturation of the golf course. He reviewed averaged statistical rounds and 2012 statistics YTD including revenue activity. This year they have seen a jump in May and June. Sandy Langdon has been tracking the revenue expense profile. She explained that the golf course has done a good job managing the expenditures on the course.

Finance Director Langdon noted that the first quarter the expenses exceeded the revenues because they were down in the season. By the third quarter, which is their biggest season, the revenues exceeded the expenditures. By the end of the year they balanced out with the transfers from the General Fund.

Dave Castleberry explained that overall, throughout the county, rounds were either stagnant or down. Staff tried to put their finger on exactly why Cedarcrest's rounds were down compared to some other local courses to see what could be done about it. He explained that some of the other courses offer huge discounts and special offers when their rounds are down so this could be why their numbers appear to be up for rounds. He does not believe this would be a wise financial strategy for Marysville because even though the round numbers might go up, revenues would either remain stagnant or go down.

Jim Ballew stated that Cedarcrest remains in the top 10 out of the area's public courses. He thinks a lot of the lack of revenue had to do with course saturation and drainage issues, weather, and the course's location. One of the things staff focused on this year was restaurant revenue and managing the restaurant agreement. The restaurant revenue is growing. There is a good operator up there with a very community-minded business that will be seeking an extension to their agreement.

Finance Director Langdon reviewed the debt service on the course. For 2013 the debt service totals \$375,009. There is still outstanding debt of just over \$2 million. The first golf course debt is scheduled to be paid off in 2021. The restaurant and pro shop debt has a payoff period of 2018.

Director Ballew continued to explain that some of the accomplishments regarding expenditure controls include the creation of administrative policies which were approved by resolution; a staff reduction plan with regards to full-time and seasonal employees; minimization of capital projects; allocation of a mechanic to fleet services weekly; the pooling of MWII staff support; revision and assessment of fertility and course management practices; adjustments in the Pro Shop inventory; enhancement of the restaurant contract; adaptation of course layout, and restrictions of cart path. The rounds for 2012 at this same period (January - June) were 14,600; right now we're at 16,700 which is an increase of 2,116 rounds or 14.4%. The daily fee revenue has increased 12.2% Cart revenue is up 22.8% Merchandise revenue is up 16.2%.

Revenue generation has focused on the renewal of the restaurant lease, the renovation of the existing cart fleet, the addition of the new carts, updating and recharged men's and women's clubs, and advertising transitions. The switch to the GolfNOW service has made a dramatic difference in how the golf course operates and how it is seen. The reader board marketing is constant. They have done some crossover marketing with the restaurant in the community. Facebook is reaching the young families and kids who like to golf.

Dave Castleberry discussed the Golf Channel/GolfNOW partnership. He explained how GolfNOW has helped change their presence both on the internet and on mobile apps in

addition to combining tee-time bookings with the website. This service has saved the golf course \$1,900 a year as well. One thing that has worked well is how much easier it is to use the website and the mobile apps. The golf course's presence on mobile apps, especially with younger golfers, is huge and now has multiple features such as course flyovers, GPS, online tee-time bookings, and links to order from the restaurant. They have seen a 37% increase in website bookings since this started in May. Now, 11% of the total bookings are done online which is more than the national average. He stated that there have been more bookings this month than there ever have been online.

Cart rentals have gone up \$11,000 from where they were last year. Mr. Castleberry said he has received a lot of great comments about the new carts. It has really helped to weed out the carts that weren't running well. Director Ballew noted that another thing they have done is taken over administrative rights to the golf course's Yelp account which has helped. The Cedarcrest Player Card was initiated at the end of April. 109 player cards were sold beginning April 26, 2013. There were 213 single rounds of play using the card, and 42 Pro Shop related purchases. The Player Card has also assisted in sales of punch cards.

Director Ballew then reviewed maintenance operations at the golf course. Four on-course drainage projects have been completed. They are installing a new practice bunker in July. They have begun to utilize the effective scheduling of seasonal staff. They just painted the restaurant and pro shop. The superintendent is meeting monthly with the men's, women's, and senior club to encourage volunteer support through those organizations. Mike Robinson has been meeting with Marysville Arts and Technology High School. They are about to initiate a STEM (Science Technology Engineering and Mathematics) project utilizing the students to help find the challenges on the course drainage system which was installed in 1997.

Director Nielsen further discussed utility enhancements. He noted that one of the expenses that the golf course has to forecast for is water for irrigation. Staff did some research and found an existing 120 gallons per minute water right on the golf course. The City will be drilling that well next week and filling the pond at a constant rate of about 60 gallons per minute. This will reduce golf course expenses and therefore increase revenues. Director Ballew stated that based on the average weather patterns, the well could potentially save the golf course about \$20,000 annually.

Bleachers Restaurant has created its own tournament league and is generating good business. The restaurant is very busy at night. They have purchased a new concession cart (their third cart). The golf course has been working on their customer service model and is focused on delivering excellent customer service. They are focusing on youth and parent involvement. Father's Day was a record single-day attendance of 252. They are working with a new youth league and etiquette training. They have spoken at the Chamber to promote a business league. Non-golfing promotions include cross country meets and Tour of Lights in the winter. Club memberships are growing. Director Ballew summarized that they are seeing a positive trend with the golf course. If the weather cooperates, he believes they are on a good path.



Councilmember Vaughan referred to the GolfNOW app and said he saw Kayak Point and Gleneagle, but didn't see any other courses in the area. He likes the feature where you can compare the prices. He commented that managing Yelp and the social presence in general is very important. He thinks Bleachers is great, but he encouraged staff to look at their reviews on Yelp as well. He pointed out that the GolfNOW doesn't work as well on the iPad as it does on the iPhone. Dave Castleberry explained that Cedarcrest is one of the 20 courses in Western Washington that is a GolfNOW preferred member. This was limited to a certain number of courses by GolfNOW.

Councilmember Muller asked how the well would impact water consumption at the golf course. Director Ballew said their hope is to have a reservoir system which would feed irrigation completely offline from city use. Director Nielsen said they are rehabbing an existing water well, not a new one.

Councilmember Norton added that Bleachers has always been great with the meetings she has attended there.

## **Audience Participation - None**

## **Approval of Minutes**

1. Approval of the May 28, 2013 City Council Meeting Minutes.

Councilmember Stevens referred to the second-to-last sentence on page 1 of 8 and clarified that the fire district has not been rated for "more than 10 years". He added that "They have not requested a new rating, but that is pending the completed improvements with the PUD line."

Councilmember Vaughan clarified that Michael Stevens' comments under Call on Council should reference "Senate Bill 5105 relating to registered sex offender housing voucher program" instead of just "bill".

**Motion** made by Councilmember Vaughan, seconded by Councilmember Stevens, to approve the May 28 Meeting minutes as amended. **Motion** passed unanimously (6-0).

2. Approval of the June 3, 2013 City Council Work Session Minutes.

**Motion** made by Councilmember Stevens, seconded by Councilmember Muller, to approve the June 3 Work Session minutes as presented. **Motion** passed unanimously (6-0).

## **Consent**

3. Approval of the June 5, 2013 Claims in the Amount of \$971,663.95; Paid by Check Number's 84987 through 85113 with Check Number's 84771 and 84857 Voided.

4. Approval of the June 5, 2013 Payroll in the Amount of \$1,130,455.63; Paid by Check Number's 26630 through 26696.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Stevens, to approve Consent Agenda items 3 and 4. **Motion** passed unanimously (6-0).

### **Review Bids**

### **Public Hearings**

### **New Business**

5. Consider Final Plat Approval for Willow Springs ZA05-123399SD Located at 3115 79<sup>th</sup> Avenue NE.

CAO Hirashima explained that the final plat of Willow Springs is a 13-lot subdivision located on the east side of 79th Avenue along 32nd Street NE. This plat was originally approved by Snohomish County and was annexed into the City in 2006. The final plat inspection and completion was reviewed by city staff and they have created all the conditions of approval. She stated that the builder on this is D.R. Horton, and she is excited to see them doing business in Marysville because they are a very good homebuilder. They have started their building permit reviews in expectation of the final plat approval.

Mayor Nehring commented that the landowner, Robert Nehring, is no relation to him.

Councilmember Muller asked how much longer the plats approved in the county have. CAO Hirashima explained that the state just extended the plat extensions to ten years. This gives most of the plats in process another four years or so.

**Motion** made by Councilmember Stevens, seconded by Councilmember Muller, to approve the final plat of Willow Springs and authorize the Mayor to sign that. **Motion** passed unanimously (6-0).

6. Consider Approving the Master Usage Agreement with Department of Enterprise Services (DES).

Director Nielsen explained that this is the state procurement process. It is no cost this year because they changed it to charge the people that want to sign up on the procurement list.

**Motion** made by Councilmember Seibert, seconded by Councilmember Norton, to authorize the Mayor to sign the Master Usage Agreement. **Motion** passed unanimously (6-0).

7. Consider the Interlocal Agreement for Signal Maintenance with Snohomish County Providing Six Years of As Needed Services.

Director Nielsen explained that this is very rarely used, but is important if they need it.

**Motion** made by Councilmember Muller, seconded by Councilmember Toyer, to authorize the Mayor to execute the Interlocal Agreement for Signal Maintenance with Snohomish County Providing Six Years of As Needed Services. **Motion** passed unanimously (6-0).

8. Consider the Employment Agreement for Golf Shop Supervisor.

Director Ballew discussed a recommendation to bring in Mike Reynolds as a supervisor for the golf course golf shop. He applauded Mr. Reynolds' contributions to the course and his qualifications.

**Motion** made by Councilmember Toyer, seconded by Councilmember Vaughan, to authorize the Mayor to sign the Employment Agreement for Golf Shop Supervisor. **Motion** passed unanimously (6-0).

9. Consider Adopting the Proposed Job Description for the Planning Assistant Position and Place on the "N-4" Non-Represented, Non-Management Classification Grid.

CAO Hirashima reviewed the proposed position. She stated that the expectation is that the position would primarily be dedicated to overseeing the Community Development Block Grant Fund. She stated that this is a very complex program so having someone in the office to oversee the funds is very important in order to run the program cleanly.

**Motion** made by Councilmember Stevens, seconded by Councilmember Toyer, to authorize the Mayor to adopt the Proposed Job Description for the Planning Assistant Position and Place on the "N-4" Non-Represented, Non-Management Classification Grid. **Motion** passed unanimously (6-0).

10. Consider Adding the Cross Connection Specialist Position Back onto the City's Organizational Chart and Refilling the Position in 2013.

Director Nielsen reviewed this item.

**Motion** made by Councilmember Seibert, seconded by Councilmember Muller, to authorize the Mayor to approve adding the Cross Connection Specialist Position Back onto the City's Organizational Chart and Refilling the Position in 2013. **Motion** passed unanimously (6-0).

11. Consider Approving a Resolution Declaring a Surplus Vehicle and Equipment to be Surplus and Authorize the Sale or Disposal.

Director Nielsen explained that there are two old radar trailers and an old police car that they want to take to auction. The money will go into the fleet replacement fund. The

police also have some freezers that the police want to donate to non-profit organizations.

**Motion** made by Councilmember Muller, seconded by Councilmember Seibert, to authorize the Mayor to sign Resolution No. 2345, a Resolution Declaring a Surplus Vehicle and Equipment to be Surplus and Authorize the Sale or Disposal. **Motion** passed unanimously (6-0).

12. Consider Agreement between City of Marysville and Seattle Goodwill Industries Summer 2013 Aerospace Program.

Director Ballew stated that the City has the opportunity to engage 20 high school students who are part of the Seattle Goodwill Aerospace Program. They will be working particularly in Jennings Park and will be managed by Seattle Goodwill personnel. He stated that staff is excited to participate in this.

**Motion** made by Councilmember Norton, seconded by Councilmember Stevens, to authorize the Mayor to sign the Agreement between City of Marysville and Seattle Goodwill Industries Summer 2013 Aerospace Program. **Motion** passed unanimously (6-0).

13. Consider approval of the Planning Commission recommendation, and adoption of an ordinance prohibiting the establishment of medical cannabis collective gardens and dispensaries, and repealing Ordinance 2889.

Director Hirashima stated that the Planning Commission held a public hearing on the proposed regulations on June 11. Council had originally established a moratorium on the establishment of medical cannabis collective gardens and dispensaries. The ordinance and moratorium has been in place for two years while the City waited for clarity between the state and federal regulations on medical marijuana. Staff feels that given the duration of the moratorium it is important to have resolution on this matter. The City of Marysville has been working with the local jurisdictions of Lake Stevens and Arlington who want to collectively handle this in a similar fashion. All three city staffs recommended to their planning commissions and councils to prohibit the facilities in the cities. The Police Chief and City Attorney both testified at the Planning Commission's public hearing. Chief Smith spoke at the public hearing regarding some of the issues and crimes associated with some of the medical marijuana dispensaries and facilities in other communities. City Attorney Weed discussed some of the legal issues and the court decisions relating to medical marijuana regulations. Following the testimony and public hearing, the Planning Commission recommended adoption of the ordinance prohibiting the establishment of medical cannabis collective gardens and dispensaries. The proposed ordinance would also repeal Ordinance 2889, which is the moratorium ordinance.

City Attorney Grant Weed discussed some of the confusion around this issue. He stressed that the medical marijuana issue is a separate issue from the recreational marijuana issue. As far as how various cities around the state have handled the medical

marijuana issue, he explained that some cities have done nothing; some have adopted a moratorium; some have adopted rolling moratoriums; some have opted to regulate this through zoning regulations, licensing, and nuisance codes; and some cities have opted to exclude collective gardens altogether. The cities of Woodinville, Pasco, and Kent have adopted that type of ordinance. He reviewed the background and status of the City of Kent's ordinance and a decision by the State of California relating to these types of ordinances.

Chief Smith stated that this is a big issue for him, not only as a police chief, but as a family member of those who have been involved with illicit drugs which started with marijuana and his experience as a drug cop. At the public hearing he presented a tremendous amount of information about crime associated with medical cannabis collective gardens and dispensaries. These crimes often include shootings, robberies, burglaries, and even homicides. He concurs with the Planning Commission and staff's recommendations to prohibit the establishment of medical marijuana cannabis gardens and dispensaries.

Councilmember Seibert asked if under the medical marijuana law, patients are still allowed to cultivate their own marijuana or assign cultivation to someone else. Grant Weed agreed that there is still a one patient, one provider provision in the statute that allows enough for personal medical use. This proposed ordinance would not prohibit that. Councilmember Seibert commented that the collective gardens and the dispensaries seemed to speak toward establishing a distribution system, which he is not in favor of. The one patient, one provider provision has much less impact in his mind and seems easier to control.

**Motion** made by Councilmember Seibert, seconded by Councilmember Vaughan, to authorize the Mayor to adopt Ordinance No. 2932 approving the Planning Commission recommendation, and adoption of an ordinance prohibiting the establishment of medical cannabis collective gardens and dispensaries, and repealing Ordinance 2889. **Motion** passed unanimously (6-0).

## Legal

## Mayor's Business

- Thanks to Councilmember Vaughan for running the last meeting while he was away.
- The Strawberry Festival and Parade seemed to be bigger than normal, probably due to the great weather. Jim Ballew and Councilmember Norton did a great job broadcasting at the parade. There were no major incidents associated with the Strawberry Festival. He commended Chief Smith and the police department for their efforts. He commented on the quick cleanup that was done after the event. He thanked all the staff, Council members and staff who worked on this event.
- The SERS board will be replacing their Assistant Manager.

- Some of the Council went to the Buffalo Wild Wings ribbon-cutting for a great event.
- Councilmembers Stevens and Toyer had a nice article on the fire ops event in the *North County Outlook*. There will also be an article in the *CityScene*.

## Staff Business

### Jim Ballew:

- The Strawberry Festival went very smoothly. The cleanup effort at the end was done by volunteers of the Grove Church. They did a great job. It was a very nice event.
- Granite Falls Outdoor movies had their first movie on Saturday and over half the people there were from Marysville.
- The CDBG project has been started at Comeford Park. A diseased tree which covered a third of the park came down to make way for a spray park. Utilities put the line in for water and sewer.

### Chief Smith:

- The parade was a great event. Thanks to Council for the new jail van which he rode in to lead the parade. There were some very minor incidents that they had to deal with, but nothing major at all. When he drove the parade route at 12:15 he was surprised that he didn't see any trash from Grove and further south. The volunteers did a tremendous job with cleanup.
- The NITE team served a search warrant on Friday. They took a dope distributor to jail and confiscated multiple ounces of meth, cocaine, and heroin.
- Police will be taking a proactive approach as it relates to fireworks enforcement, and they have already written two fireworks citations. They are targeting the times that fireworks are not allowed as well as illegal fireworks.

### Kevin Nielsen:

- Public Works had a neighborhood meeting regarding the proposed road modifications for Getchell/84th Street with a good turnout. There was a lot of open discussion. About 50% of those present were in support of keeping it an arterial, and about 50% were in favor of making it local access. Staff has developed a blog site on the City's main webpage for people to comment on the proposed modifications to Getchell/84<sup>th</sup> and Ingraham. Comments will be taken for a couple months before staff makes a recommendation and holds another public meeting.
- He drove one of the Chevy police cars and thought it was amazing in the way it handled.
- June tends to be a challenging month with the high intensity storms. Public Works is keeping an eye on the weather.

### Sandy Langdon:

- The auditors have gone home and are wrapping up the audit from their office.
- She and Gloria started meeting to kick off the 2014 budget.

Grant Weed:

- The cities of Burlington and Mt. Vernon just completed a two-week trial in federal court before Judge Laznik in Seattle concerning the lawsuit filed by the ACLU against those cities and their level of service for providing public defender services. Judge Laznik did not make a ruling yet, and has asked for additional briefing. It is likely that a decision will be forthcoming in August. This is something that all cities in the state will be watching with interest.
- The I-502 recreational marijuana bill charges the Liquor Control Board with promulgating regulations of all sorts including the licensing of those who wish to sell, distribute, and manufacture their product. Their original deadline of coming up with the rules was December of this year. They have sped up their process and just announced that they have advanced the date the rules will come into effect to September 14. They will be able to start accepting licensing for these various activities sooner than the cities thought. This is likely to prompt many cities to advance their reviews through planning commissions and city councils to determine what they want to do at a local level.
- He stated the need for an Executive Session to discuss two items regarding real property acquisition and pending litigation expected to last five minutes.

Gloria Hirashima:

- Thanks to city officials, community members, and employees for participating in the Strawberry Festival festivities.
- She attended the Getchell meeting. Kevin Nielsen and his staff did a fantastic job of running that meeting. There was a great discussion with a lot of options presented. This is an opportunity for community members to understand how government operates and how they can be a part of it. She is excited about the new module on the website that they will be using as part of this process.

## **Call on Councilmembers**

Kamille Norton:

- She was also at the Getchell neighborhood meeting. Thanks to staff for putting the meeting on. She thinks a lot of people were relieved to find out that the road isn't necessarily closing and that there are other options.
- The Strawberry Festival was a great festival. She had a great time. Thanks to all the volunteers and people involved.

Steve Muller:

- The Strawberry Festival was great. The weather was amazing.
- He stated that he received a solicitation letter from a law firm requesting input regarding Cedar Grove.

Michael Stevens:

- Kamille Norton and Jim Ballew did a great job.

- He reviewed developments relating to Arlington Airport and the north Marysville Manufacturing Industrial Center designation which were discussed at Snohomish County Tomorrow last week.

Jeff Seibert commented on a glitch in the tablets with the tabs this week. Director Langdon said staff had noticed that today and thought that it was probably due to the way it was entered. She noted that staff will work on it for next time.

Jeff Vaughan had no comments.

Council recessed at 9:25 p.m. for 5 minutes before reconvening in Executive Session at 9:35 to discuss two items concerning real property acquisition and pending litigation, expected to last five minutes with no action expected.

### **Executive Session**

- A. Litigation - one item concerning pending litigation
- B. Personnel
- C. Real Estate - one item concerning real property acquisition

Council reconvened into regular session at 9:35 p.m.

### **Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 9:36 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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

\_\_\_\_\_  
April O'Brien  
Deputy City Clerk