

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
Approve the agenda as presented.	Approved
Excuse the absence of Councilmember Toyer.	Approved
<b>Committee Reports</b>	
<b>Presentations</b>	
Officer Swearing-In - Angie Fawks	Peformed
Employee Service Awards: 5 Years - Nancy Abell, Risk Management Officer, Executive; John Nield, Financial Ops Manager, Finance; Orlando Roche, Electrical Inspector, Community Development (not present); Shawn Smith, Engineering Services Manager, Community Development (not present); Ying "Billy Xiong, Police Officer (not present) 15 Years - Marty Norsby, Facilities Maintenance Worker II 20 Years - Stacey Dreyer, Police Officer (not present); Patricia Duemmell, Property/Evidence Specialist (not present); Judith Kirchberg, Administrative Secretary, Parks (not present); Juan Salazar, Lead Worker II, Sanitation 25 Years - Jim Ballew, Parks Director	Presented
Employee of the Month	Not presented
Proclamation: Declaring October 2013 as Domestic Violence Awareness Month in Marysville	Presented
<b>Approval of Minutes</b>	
Approval of the September 3, 2013 City Council Work Session Minutes.	Approved
<b>Consent Agenda</b>	
Approval of the September 4, 2013 Claims in the Amount of \$1,256,780.98; Paid by Check Number's 86816 through 86935 with Check Number's 84473 and 85624 Voided.	Approved
Approval of the September 11, 2013 Claims in the Amount of \$488,009.79; Paid by Check Number's 86936 through 87038 with No Check Number's Voided.	Approved
<b>Review Bids</b>	
Consider Awarding the HVAC Maintenance and Repair Services Project to Diamond B Constructors in the Amount of \$300,000 Including Washington State Sales Tax.	Approved
<b>New Business</b>	
Consider Approving the Master Agreement and Software License Agreement with Aclara Technologies LLC.	Approved
Consider Approving the JAG/BYRNE Grant Funds to Purchase the Police Department in the Amount of \$10,663.00.	Approved
Consider the City of Marysville - Berry Farm Condo - Private Road Agreement.	Approved
Consider Approving the Supplemental Agreement No. 1 with ECCOS Design LLC to Provide for a Contract Extension through December 31, 2013.	Approved
Consider Approving the Coordinated Prevention Grant Agreement No.	Approved

G1400098 with the State of Washington Department of Ecology.	
Consider Approving the Professional Services Agreement with Blue Marble Environmental LLC in the Amount of \$102,100.63.	Approved
<b>Legal</b>	
<b>Mayor's Business</b>	
2013-14 Hotel Motel Committee Appointments. <ul style="list-style-type: none"> <li>• Jennifer Caveny, Holiday Inn Express</li> <li>• Carol Kapua, Maryfest, Inc.</li> <li>• Mary Kirkland, Downtown Merchants Association</li> <li>• Mr. Lee, Village Motor Inn</li> <li>• Caldie Rogers, The Greater Marysville Tulalip Chamber of Commerce</li> </ul>	Approved
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
<b>Adjournment</b>	8:30 p.m.
<b>Executive Session</b>	
<b>Litigation</b> – one item	
<b>Personnel</b> – one item	
<b>Real Estate</b> – one item	
<b>Adjournment</b>	8:55 p.m.



**Regular Meeting**  
September 23, 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. Pastor Chris Rich from Damascus Road 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, Jeff Vaughan, and Donna Wright

**Absent:** Rob Toyer

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

**Motion** made by Councilmember Muller, seconded by Councilmember Wright, to approve the agenda as presented. **Motion** passed unanimously (6-0).

**Motion** made by Councilmember Stevens, seconded by Councilmember Vaughan, to excuse Councilmember Toyer from the meeting tonight. **Motion** passed unanimously (6-0).

**Committee Reports**

Councilmember Norton reported on the September 10 Joint Planning Commission and Parks Advisory Board Meeting. At the meeting there was discussion of some of the upcoming projects the city is looking at including downtown revitalization, the spray park, and Mother Nature's Window.

Councilmember Muller reported on the September 12, 2013 Library Board meeting. The library has completed their shutdown for construction and is about 90% finished on their technology upgrade. They will be having an open house soon. They are going through a policy change on the meeting room space rentals to allow for online checkout.

Councilmember Stevens reported on the Marysville Fire District Board of Directors meeting on September 18 where they received a report from Local 3219 that the MDA Fill the Boot that occurred on September 14 was a success, raising over \$8,000 for the cause. Also, during Fire Safety Awareness Week in October the local and the administration are collecting donations. They hope to be able to provide a full class at one of the local elementary schools with brand new coats for each of the students in that class. Finally, the budget workshop for the district is scheduled for October 21 from 3 p.m. to 7 p.m. at Station 61. It is open to everyone.

Donna Wright added that they had the Fire District had service awards last Wednesday for years served. Over 340 years of the officers were recognized. Rex Tucker and Chief Corn have both served for 40 years in the fire department.

## **Presentations**

### A. Officer Swearing-In

Officer Angie Fawks was introduced and sworn in.

### B. Employee Services Awards

The following employees received awards for their years of service:

#### 5 Years:

- Nancy Abell, Risk Management Officer, Executive
- John Nield, Financial Ops Manager, Finance
- Orlando Roche, Electrical Inspector, Community Development (not present)
- Shawn Smith, Engineering Services Manager, Community Development (not present)
- Ying "Billy" Xiong, Police Officer (not present)

#### 15 Years:

- Marty Norsby, Facilities Maintenance Worker II

#### 20 Years:

- Stacey Dreyer, Police Officer (not present)
- Patricia Duemmell, Property/Evidence Specialist (not present)
- Judith Kirchberg, Administrative Secretary, Parks (not present)
- Juan Salazar, Lead Worker II, Sanitation

25 Years:

- Jim Ballew, Parks Director

*There was a recess from 7:32 to 7:42 p.m. to congratulate the award recipients.*

- C. Employee of the Month (not presented)
- D. Proclamation: Declaring October 2013 as Domestic Violence Awareness Month in Marysville

Mayor Nehring read the proclamation designating October 2013 as Domestic Violence Awareness Month in the Marysville and urging all citizens to work together to eliminate domestic violence from our community. The proclamation was presented to Lisa Nicholson from Domestic Violence Services of Snohomish County

## **Audience Participation**

Donald and Rachel, 915 Columbia Avenue, expressed a concern on a road crossing safety issue on Columbia where there is a pedestrian sign, but the painting on the roadway is faded. Rachel stated that cars do not stop at the crossing, and she has almost been hit several times.

Kevin Nielsen stated that staff is currently repainting roadways, and he will make sure that this location is addressed.

Councilmember Muller suggested that they try the flag crossing method. Director Nielsen noted that they tried a pilot program, and all the flags disappeared within one day. He was open to trying it again though.

## **Approval of Minutes (Written Comment Only Accepted from Audience.)**

1. Approval of the September 3, 2013 City Council Work Session Minutes.

**Motion** made by Councilmember Stevens, seconded by Councilmember Seibert, to approve the September 3, 2013 City Council Work Session Minutes as presented.

**Motion** passed unanimously (6-0).

## **Consent**

2. Approval of the September 4, 2013 Claims in the Amount of \$1,256,780.98; Paid by Check Number's 86816 through 86935 with Check Number's 84473 and 85624 Voided.
3. Approval of the September 11, 2013 Claims in the Amount of \$488,009.79; Paid by Check Number's 86936 through 87038 with No Check Number's Voided.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to approve Consent Agenda items 2 and 3. **Motion** passed unanimously (6-0).

## Review Bids

4. Consider Awarding the HVAC Maintenance and Repair Services Project to Diamond B Constructors in the Amount of \$300,000 Including Washington State Sales Tax.

Director Nielsen stated that this is unique because the amount is based off the projections from previous years' repairs and maintenance. It could be more or less, depending on what breaks. Diamond B was the apparent low bidder.

**Motion** made by Councilmember Muller, seconded by Councilmember Stevens, to authorize the Mayor to award the HVAC Maintenance and Repair Services Project to Diamond B Constructors in the Amount of \$300,000 Including Washington State Sales Tax. **Motion** passed unanimously (6-0).

## Public Hearings

### New Business

5. Consider Approving the Master Agreement and Software License Agreement with Aclara Technologies LLC.

Director Nielsen explained the need for this software. City Attorney Grant Weed discussed some contract issues. He referred to page 22 which limits Aclara's liability to the amount that the City pays them. This is a significant concession on the City's part. Staff has tried to negotiate this, but has been unsuccessful.

**Motion** made by Councilmember Muller, seconded by Councilmember Seibert, to authorize the Mayor to sign the Master Agreement and Software License Agreement with Aclara Technologies LLC. **Motion** passed unanimously (6-0).

6. Consider Approving the JAG/BYRNE Grant Funds to Purchase the Police Department in the Amount of \$10,663.00.

Commander Lamoureux explained that these funds are distributed by the Department of Justice to law enforcement agencies based on population. There are no requirements on the part of the city other than to spend it in specified categories. In this case, the police department will be purchasing additional Tasers and radar units for patrol cars.

**Motion** made by Councilmember Wright, seconded by Councilmember Seibert, to approve the receptions of the JAG/BYRNE Grant Funds to Purchase the Police Department in the Amount of \$10,663.00. **Motion** passed unanimously (6-0).

7. Consider the City of Marysville - Berry Farm Condo - Private Road Agreement.

City Attorney Weed explained that this was refined based on discussion that staff had with the Council. This would allow for speed enforcement by police department on the private roads at Berry Farm Condo Association. It is currently being considered by Berry Farm Condos. This was an informational item only. No action was taken.

8. Consider Approving the Supplemental Agreement No. 1 with ECCOS Design LLC to Provide for a Contract Extension through December 31, 2013.

Director Ballew explained that the spray park project design is taking longer than expected so they are requesting an extension of the agreement. No additional money is being requested.

**Motion** made by Councilmember Norton, seconded by Councilmember, Muller, to authorize the Mayor to sign the Supplemental Agreement No. 1 with ECCOS Design LLC to Provide for a Contract Extension through December 31, 2013. **Motion** passed unanimously (6-0).

9. Consider Approving the Coordinated Prevention Grant Agreement No. G1400098 with the State of Washington Department of Ecology.

Director Nielsen explained that this item and the next item go together and are related to recycling efforts in the City.

Councilmember Norton asked if staff anticipates cost savings to the City. Director Nielsen replied that cost savings is the goal because they will have less going to the transfer station. Staff hopes that educational efforts in the school will help in this effort.

Councilmember Vaughan asked how this worked out with commercial customers earlier. Director Nielsen noted that they saw a decrease in tonnage, but didn't track exactly how successful it was because it included some heavy weighted materials that went to another facility.

Councilmember Stevens said that Bellingham has a similar program and studies have shown that just by having the option to recycle, compliance is increased. Education is very important as well.

**Motion** made by Councilmember Seibert, seconded by Councilmember Stevens, to authorize the Mayor to sign the Coordinated Prevention Grant **Agreement** No. G1400098 with the State of Washington Department of Ecology. **Motion** passed unanimously (6-0).

10. Consider Approving the Professional Services Agreement with Blue Marble Environmental LLC in the Amount of \$102,100.63.

**Motion** made by Councilmember Seibert, seconded by Councilmember Wright, to authorize the Mayor to sign the Professional Services Agreement with Blue Marble Environmental LLC in the Amount of \$102,100.63. **Motion** passed unanimously (6-0).

## Legal

### Mayor's Business

11. 2013-14 Hotel Motel Committee Appointments.

- Jennifer Caveny, Holiday Inn Express
- Carol Kapua, Maryfest, Inc.
- Mary Kirkland, Downtown Merchants Association
- Mr. Lee, Village Motor Inn
- Caldie Rogers, The Greater Marysville Tulalip Chamber of Commerce

**Motion** made by Councilmember Stevens, seconded by Councilmember Seibert, to approve the Mayor's recommendations for the 2013-2014 Hotel Motel Committee Appointments. **Motion** passed unanimously (6-0).

### Mayor's Comments:

- Sandy Langdon and her staff put in a lot of work hosting the Washington Finance Officers Association Conference this past week. There were 700 people in attendance. He had the opportunity to attend and to speak there. Sandy is very highly thought of with that group. He congratulated her for receiving an award for Washington Finance Officer of the Year.
- There was a well-attended state legislative "listening tour" that came to the City of Everett last week regarding the transportation package. A number of staff and councilmembers spoke in favor of the Marysville projects. Mayor Nehring thanked Joel Hylback and Butch Klum who also came. It is valuable to have private sector folks speaking at these events.
- Mayor Nehring and Councilmember Stevens attended Snohomish County Cities last week where the impact of trains in Edmonds and Marysville was discussed.
- Thanks to the Fire and Police departments for the 9/11 Ceremony.
- The legislators took an all-day transportation bus tour of all the proposed projects in Snohomish County. The legislators were very attentive.
- United Way Days of Caring and Marysville Days of Caring took place last week. Thanks to everybody who worked so hard to put this all together.
- He displayed a sponsor award from the Strawberry Festival for the City's many years of sponsorship and support. He stated that the award will be prominently displayed.



- DOE has given an Outstanding Performance Award for 2012 for the Wastewater Treatment Plant. Mayor Nehring commended Kevin Nielsen and the staff at the treatment plant.
- He informed everyone that there will be an informal coffee klatch tomorrow at IHOP in Smokey Point.
- Today is Gloria Hirashima's birthday.
- He recognized the LDS church for their tremendous volunteer efforts at Doleshel Park.

## **Staff Business**

Jim Ballew:

- Happy Birthday to Gloria Hirashima.
- He thanked everyone for the recognition tonight. It is a pleasure to be with the City.
- Judy Kirchberg couldn't be here tonight, but it is her 20<sup>th</sup> year of service. He was proud to announce that Parks and Recreation has over 254 combined years of service.
- There were two teams at the Day of Caring. 40 people assisted at the Fantasy Fortress on Saturday. To date the City has doubled its volunteer hours from last year, and that was a record year. They are very impressed with what the community is doing for Marysville.
- He hopes to give Council an update on the spray park soon.

Robb Lamoureux stated that police are getting ready to do a crosswalk enforcement detail in the next few weeks. They will be sure to take a look at the Columbia location mentioned earlier under Audience Participation.

Kevin Nielsen:

- Congrats to Jim Ballew
- There will be a Public Works Committee meeting on October 4 at 2:00.
- Wal-Mart traffic seems to be good.
- He announced that the Corps wants to do a single permit for the Smokey Point Master Plan area. This is great news for the City.

Doug Buell:

- He introduced Communications Intern Danielle Mangasser from UW.
- The first Youth Council meeting of the new school year will be held on Wednesday.
- The Chamber Breakfast for Council Candidates Forum will be held on Friday. The City will be bringing a video crew.
- The Multicultural Fair will be held from 10 to 3 in Comeford Park this Saturday with food booths, performers, vendors, and presentations.
- He congratulated Jim Ballew for his 25 years with the City.

Sandy Langdon thanked Mayor Nehring for presenting at the WFA conference. It was a great venue, and the service was awesome at the resort.

Grant Weed congratulated Jim Ballew for his 25 years of service. He stated the need for an Executive Session expected to last 20 minutes to discuss one item concerning pending litigation, one matter concerning labor negotiations, and one matter concerning purchase and sale of real estate with no action expected.

Gloria Hirashima thanked everyone for their work on the Marysville Days of Caring and the United Way kickoff event. She commended Jim Ballew for getting all the volunteer events organized and helping with the barbecue. She sadly informed the Council that the City's Confidential Legal Assistant Josie Pendergrass passed away this past week after a battle with cancer.

## **Call on Councilmembers**

Kamille Norton:

- Congratulations to Jim Ballew for his 25 years of service.
- She agreed that the 9/11 ceremony was very nice.
- She participated in the service project at Doleshel Park a couple weeks ago. She is very excited about the park and thinks it will be a great addition to the City.

Steve Muller congratulated Jim Ballew. He informed everyone that he will miss council meetings on October 7<sup>th</sup> and 14 due to being out of town.

Michael Stevens:

- He attended the Wal-Mart grand opening.
- Snohomish County Cities was a great venue to express the potential transportation needs that will be enhanced when the trains start rolling. At the end of the meeting County Executive Lovick spoke to some of the same issues and invited everyone to hear the reading of his first Budget Address to the County Council at 11:30 at the Council Chambers in Everett.
- He congratulated Jim Ballew on his 25-year service award.
- Congratulations to Sandy Langdon on her award.

Jeff Seibert:

- Congratulations to Jim Ballew on 25 years.
- Congratulations to Sandy for her successful finance conference.
- Happy Birthday to Gloria Hirashima.
- Congratulations to Kevin Nielsen on the Master Plan Area.

Donna Wright echoed Councilmember Seibert's comments.

Jeff Vaughan stated he was impressed with the number of volunteer hours in the community. He commended the leadership efforts in the City.

Council recessed into Executive Session at 8:35 p.m. to discuss one item concerning pending litigation, one matter concerning labor negotiations, and one matter concerning the purchase and sale of real estate with no action expected.

**Executive Session**

- A. Litigation – one item, per RCW 42.30.110 (1)(i)
- B. Personnel – one item, per RCW 42.30.140 (4)(a)
- C. Real Estate – one item, per RCW 42.30.110(1)(b)

Council reconvened into regular session at 8:55 p.m.

**Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 8:55 p.m.

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

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Mayor  
Jon Nehring

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April O'Brien  
Deputy City Clerk