

Work Session
January 6, 2014

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.

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, Chief Rick Smith, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Court Administrator Suzanne Elsner, and Recording Secretary Laurie Hugdahl.

Approval of Agenda

Motion made by Councilmember Muller, seconded by Councilmember Wright, to approve the agenda. **Motion** passed unanimously (7-0).

Motion made by Councilmember Stevens, seconded by Councilmember Toyer, to waive normal Council study session rules to allow the Council to take action on items relation to Library Board, Salary Commission, and Planning Commission appointments. **Motion** passed unanimously (7-0).

Committee Reports

None

Presentations

A. Oaths of Office: Councilmember Kamille Norton, Councilmember Jeffrey Vaughan, Councilmember Donna Wright, Councilmember Jeff Seibert, Councilmember Michael A. Stevens, Municipal Court Judge Fred Gillings, and Municipal Court Judge Lorrie Towers.

The above individuals were sworn into their respective positions.

Council recessed from 7:18 until 7:35 for refreshments then reconvened into the work session.

Discussion Items

Approval of Minutes

1. Approval of the November 25, 2013 City Council Meeting Minutes.
2. Approval of the December 2, 2013 City Council Work Session Minutes.
3. Approval of the December 9, 2013 City Council Meeting Minutes.

Consent

4. Approval of the December 11, 2013 Claims in the Amount of \$459,586.68; Paid by Check Number's 88783 through 88901 with No Check Numbers Voided.
5. Approval of the December 18, 2013 Claims in the Amount of \$5,134,304.61; Paid by Check Number's 88902 through 89078 with No Check Numbers Voided.
6. Approval of the December 25, 2013 Claims in the Amount of \$872,272.39; Paid by Check Number's 89079 through 89231 with No Check Numbers Voided.
7. Approval of the December 20, 2013 Payroll in the Amount of \$1,184,288.81; Paid by Check Number's 27234 through 27273 with Check Number 27217 Voided and Reissued with Check Number 27233.

Review Bids

Public Hearings

New Business

8. Consider Approving the Professional Services Agreement with Strategies 360 for Lobbying Services.

CAO Hirashima stated that the scope of work has been revised for 2014 to focus primarily on lobbying activities for the industrial manufacturing bill. The dollar amount has also been reworked so that the payment is higher in the months of session, but overall, it is a savings compared to last year.

9. Consider the Snohomish County Human Services Grant Agreement which will provide \$11,000 in Reimbursed Funds for the Salaries and Benefits of the Program Clerk Position at the Ken Baxter Community Center through December 31, 2014.

Director Ballew reviewed this item. There were no comments or questions.

10. Consider Approving the Supplemental Agreement No. 2 with ECCOS Design LLC to Provide for a Contract Extension through June 30, 2014.

Director Ballew stated that this would provide the City a contract with no additional funds to keep the landscape architect for the spray park on board through June. There were no comments or questions regarding this item.

11. Consider the Fuel Tax Grant Agreements and Project Funding Status Form for Transportation Improvement Board (TIB) Grant Funding of the State Avenue 116th Street NE to 136th Street NE Project.

Director Nielsen stated that this was the agreement to get \$3 million grant and construct the two lanes from 116th to 136th. Mayor Nehring commented that this is very good news.

12. Consider an **Ordinance** Repealing Marysville Municipal Code (MMC) Chapter 7.04 Entitled "Unsanitary Condition-Nuisances;" and Amending MMC Section 6.24.050 Entitled "Types of Nuisances" Adding Subsection (30) through (34); Providing for Severability; and Effective Date.

CAO Hirashima stated that items 12 and 13 are primarily cleanup ordinances for Public Nuisance and Code Enforcement sections. Some of the sections were outdated and conflicted with one another. It would also make the third violation a criminal misdemeanor to provide a higher level of penalties and get some sort of resolution to the items.

Councilmember Seibert referred to a section regarding explosive materials. He asked what materials this was referring to. Paul Rochon explained that the section was taken from the state code. Grant Weed concurred and noted that within that statute there is a definition.

13. Consider an **Ordinance** Amending Portions of Marysville Municipal Code (MMC) Chapter 4.02 Entitled “Enforcement Procedures” and Chapter 6.24 Entitled “Public Nuisance”; Providing for Severability; and Effective Date.

This item is related to item 12.

14. Consider an **Ordinance** of the City of Marysville Amending the 2013 Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 2911.

Finance Director Langdon explained that the budget needs to be amended to reflect the refunding that was done.

Legal

15. Consider Approving the Real Estate Conveyance Agreement with Marysville School District No. 25 and Associated Interlocal Agreement.

Director Nielsen stated that this is the conveyance of the Jones Creek property from the school district to the City. There is no monetary consideration being paid for the transfer of the property.

Mayor’s Business

16. Library Board Appointment: Larry Nyland.

Motion made by Councilmember Muller, seconded by Councilmember Stevens, to affirm Mayor Nehring’s appointment of Larry Nyland to the Library Board. **Motion** passed unanimously (7-0).

Salary Board Commission Appointment – Larry Nyland

Motion made by Councilmember Wright, seconded by Councilmember Toyer, to affirm Mayor Nehring’s appointment of Larry Nyland to the Library Board. **Motion** passed unanimously (7-0).

17. Facts and Information Regarding the Marysville School District Levy.

18. Planning Commission Reappointment: Stephen Leifer.

Motion made by Councilmember Stevens, seconded by Councilmember Muller, to affirm Mayor Nehring’s appointment of Stephen Leifer to the Planning Commission. **Motion** passed unanimously (7-0).

Other items:

- January 16 is the Snohomish County Cities dinner where elections for various boards will be held.
- Scott Randall, President of the Red Curtain Foundation for the Arts, has leased the old Dunn Lumber building to be a performing arts center. Mayor Nehring said he had the opportunity to tour the building and this promises to be an exciting venture, especially considering that his mother, Becky Randall, was instrumental in the formation of the Arts Coalition.
- The Legislative Action Committee trip to Olympia is coming up on January 29 and 30. Interested councilmembers should notify staff as soon as possible.
- National League of Cities will be held in Washington, DC will be on March 9-12.

Staff Business

Kevin Nielsen discussed major achievements for Public Works over the past year, and especially over the break with the transition from PUD to the City. He congratulated the Council for their efforts related to and in support of this.

Sandy Langdon had no items.

Chief Smith:

- It has been a very, very busy first of the year. On January 2, four search warrants were written and executed in or on behalf of the city. He highlighted the results of those.
- His goal for the Police Department and for the City for the new year is to reduce crime by 20%.
- The number of case reports taken by the Police Department has steadily grown over the years. Last year it increased from 8,434 case reports written the year before to 9,310 reports written last year. This was an increase of 876 reports.

Jim Ballew:

- He commended Kevin Nielsen for the recent achievements over the last year related to the successful PUD transition.
- Father Daughter Dance tickets are on sale.
- Staff did a great job with all the holiday activities.

Grant Weed:

- The agreement with the PUD taking over service in the Sunnyside area was a really big deal. The negotiations are over ten years old and the process has been very difficult. This was a great cooperative effort between Marysville staff and PUD staff and will serve the City for many years to come.
- He stated the need for an Executive Session to discuss four items: one item related to the purchase and sale of real estate, one item related to review of complaints or charges against a public employee, one item related to the performance of a public employee, and one related to collective bargaining for a

total of 20 minutes. He stated that action would be possible on item related to the performance review of an employee.

Gloria Hirashima:

- She agreed that the PUD transition was a really big deal. She thanked and congratulated everyone who had a role in that.
- She thanked all the directors for the hard work they have done over the last year.
- She noted that the Economic Development Committee had been scheduled for the third Monday of the month, but this month that falls on a holiday. After some discussion there was consensus to meet on the 4th Monday this month which is January 27 at 5:30.

Call on Councilmembers

Rob Toyer had no comments.

Michael Stevens:

- He stated that he is registered for the Father-Daughter dance and looks forward to it every year.
- He congratulated Kevin Nielsen for the accomplishments of Public Works.
- He noted that the fire district annexation had been scheduled for discussion soon. Finance Director Langdon noted that staff is currently reviewing the contract with the consultant, but it will probably be coming back at the end of January or the beginning of February.

Motion made by Councilmember Stevens, seconded by Councilmember Toyer, to waive the normal voting procedure of the study session in order to vote on whether to add Ordinance 2938 which was approved on December 9, 2013 to the agenda for reconsideration. **Motion** carried 5-2, Councilmember Vaughan and Councilmember Seibert voting against the motion.

Motion made by Councilmember Stevens, seconded by Councilmember Toyer, to direct staff to add Ordinance 2938 in its revised form to the agenda as soon as possible for reconsideration. **Motion** carried 5-2, Councilmember Vaughan and Councilmember Seibert voting against the motion.

Kamille Norton said it's good to be back and see everyone. Thanks to staff for all their hard work. She heard that Marysville for the Holidays was wonderful, but she was unable to attend due to family illnesses.

Steve Muller stated that the City has worked very hard to have control of its destiny. He thinks this is a great opportunity for the City. Thanks to staff for all the hard work. He is looking forward to a good 2014.

Donna Wright announced that Gary Wright Realty has merged with Coldwell-Banker Bain. She commented on the tremendous growth and changes in Marysville that she has witnessed over the years.

Jeff Seibert:

- Congratulations to Kevin Nielsen and Public Works on the PUD transition.
- Congratulations to the Police Department for their excellent work.
- Welcome back to everyone.

Mayor Pro Tem Jeff Vaughan commented on the value of the Constitution and how those values are reflected in the oaths of office that were heard tonight.

He reviewed the list of committee assignments and solicited any corrections. Councilmember Muller noted that he is also assigned to the Affordable Housing Board. Mayor Pro Tem Vaughan then solicited any changes. There were none. He stated that the Mayor had asked the Council to consider his appointments also.

Motion made by Councilmember Seibert, seconded by Councilmember Stevens, to appoint Mayor Nehring to continue to serve on the Community Transit and SERS Boards. **Motion** passed unanimously (7-0).

Mayor Pro Tem Nominations

There was a discussion of term lengths, and there was consensus to bring this back to the regular meeting next Monday.

Council recessed at 8:30 for four minutes after which time they reconvened into Executive Session at 8:34 for 20 minutes to discuss four items related to the purchase and sale of real estate, the review of complaints or charges against a public employee, the performance of a public employee, and collective bargaining. It was stated that there was possibility of action following the performance review of an employee item.

Executive Session

- A. Litigation
- B. Personnel – 3 items – RCW 42.30.110 (1)(f), RCW 42.30.110 (1)(g), and RCW 42.30.140 (4)(a).
- C. Real Estate – 1 item - RCW 42.30.110 (1)(c)

Executive Session extended 10 minutes.

Executive Session ended and meeting reconvened into regular session at 9:04 pm.

Motion made by Councilmember Wright, seconded by Councilmember Toyer, to execute the Second Amendment to the Chief Administrator Officer's Employment Contract. **Motion** passed unanimously (7-0).

Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 9:05 p.m.

Approved this _____ day of _____, 2014.

Mayor
Jon Nehring

April O'Brien
Deputy City Clerk