

Call to Order/Pledge of Allegiance/Roll Call	7:03 p.m.
Approval of the Agenda	Approved
Committee Reports	
Presentations	
Employee Services Awards/5 Year Prosecutors Anniversary: Al, Jennifer, Josie	Presented
Executive Session	7:31
Litigation – One potential litigation item	
Regular Meeting Reconvened	7:42
Audience Participation	
Approval of Minutes	
Approval of the January 13, 2014 City Council Work Session Minutes.	Approved
Consent Agenda	
Approval of the January 22, 2014 Claims in the Amount of \$909,096.08; Paid by Check Number's 89638 through 89746 with Check Number's 88740, 89433, 89554, and 89593 Voided.	Approved
Approval of the January 17, 2014 Payroll in the Amount of \$836,909.34; Paid by Check Number's 27318 through 27355.	Approved
Approval of the Final Plat of Rock Creek North Division 2, Phase 2.	Approved
Approval of the Remedial Action Grant between the Washington State Department of Ecology and the City of Marysville.	Approved
Approval of the January 29, 2014 Claims in the Amount of \$588,843.47; Paid by Check Number's 89747 through 89958 with No Checks Voided.	Approved
Approval of the February 5, 2014 Payroll in the Amount of \$1,546,576.01; Paid by Check Number's 27356 through 27398.	Approved
Review Bids	
Public Hearings	
New Business	
Consider an Ordinance Amending Marysville Municipal Code (MMC) Chapter 12.20 Entitled "Animals and Vehicles on Sidewalk"; Providing for Severability; and Effective Date.	Approved Ord. No. 2953
Consider a Resolution establishing that Special Market Conditions Exist with Respect to the Purchase of Certain Water Filtration Equipment and Technical Assistance and thereby waiving that Competitive Bidding Occur.	Approved Res. No. 2356
Consider an I-502 Recreation Marijuana Regulation Alternative Discussion.	Continued
Legal	
Mayor's Business	
Staff Business	
Call on Councilmembers	
Adjournment	8:15 p.m.



Regular Meeting
February 10, 2014

Call to Order / Pledge of Allegiance

Mayor Nehring called the meeting to order at 7:03 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 Stevens¹, 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 Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Information Services Manager Worth Norton, and Recording Secretary Laurie Hugdahl.

Mayor Nehring said that Councilmember Stevens was running a little late but was expected to be here later.

Mayor Nehring stated the need to have an Executive Session to discuss potential litigation after Presentations.

Motion made by Councilmember Wright, seconded by Councilmember Muller, to approve the agenda with the change of moving Executive Session to immediately after Presentations to discuss item 8 for potential litigation. **Motion** passed unanimously (6-0).

¹ Michael Stevens arrived at 7:25 p.m.

Committee Reports

Councilmember Vaughan reported on the Public Works Committee where the following items were discussed:

- Railroad traffic through the City was reviewed. The costs of various options were discussed. Information was provided as to what other cities paid for overcrossings and undercrossings. In general it costs almost twice as much for undercrossings than overcrossings. The Committee also discussed the possibility of addressing train traffic by modifying train speeds through the City.
- There was discussion about the 1st and 3rd Street LID design which is at 60%.
- There was an update on the Whiskey Ridge and Sunnyside Annexations. The cost to citizens in those areas for utilities has gone down 47% below what they were paying under PUD and Waste Management. This is good news for those residents.

Presentations

A. Employee Services Awards/5 Year Prosecutors Anniversary

5 Year Prosecutors Anniversary: Al, Jennifer, Josie – 5 years

City Attorney Grant Weed reviewed the history of the prosecutors in the City and commended Al and Jennifer for their excellent work. He also remembered Josie and the contributions she made to the City.

Council recessed into Executive Session at 7:31 p.m. for ten minutes to discuss one item regarding potential litigation with no action to be taken. Council reconvened at 7:42 p.m. into the regular meeting.

Audience Participation - None

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

1. Approval of the January 13, 2014 City Council Meeting Minutes.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve the January 13, 2014 City Council Meeting Minutes. Motion passed unanimously (7-0).

Consent

2. Approval of the January 22, 2014 Claims in the Amount of \$909,096.08; Paid by Check Number's 89638 through 89746 with Check Number's 88740, 89433, 89554, and 89593 Voided.

3. Approval of the January 17, 2014 Payroll in the Amount of \$836,909.34; Paid by Check Number's 27318 through 27355.
4. Approval of the Final Plat of Rock Creek North Division 2, Phase 2.
9. Approval of the Remedial Action Grant between the Washington State Department of Ecology and the City of Marysville.
10. Approval of the January 29, 2014 Claims in the Amount of \$588,843.47; Paid by Check Number's 89747 through 89958 with No Checks Voided.
11. Approval of the February 5, 2014 Payroll in the Amount of \$1,546,576.01; Paid by Check Number's 27356 though 27398.

Motion made by Councilmember Muller, seconded by Councilmember Stevens, to approve Consent Agenda items 2, 3, 4, 9, 10, and 11. **Motion** passed unanimously (7-0).

Review Bids

Public Hearings

New Business

6. Consider an **Ordinance** Amending Marysville Municipal Code (MMC) Chapter 12.20 Entitled "Animals and Vehicles on Sidewalk"; Providing for Severability; and Effective Date.

Commander Lamoureux stated that staff had added "Non Motorized" to the title for clarification. The agenda bill was amended to identify and address the concerns of Councilmember Seibert regarding whether or not this covers improved shoulders. He explained that no changes were made to the amendment because it is already covered under the Model Traffic Ordinance and is not required to be part of the sidewalk amendment.

Motion made by Councilmember Vaughan, seconded by Councilmember Seibert, to approve Ordinance No. 2953. **Motion** passed unanimously (7-0).

7. Consider a **Resolution** establishing that Special Market Conditions Exist with Respect to the Purchase of Certain Water Filtration Equipment and Technical Assistance and thereby waiving that Competitive Bidding Occur.

Motion made by Councilmember Muller, seconded by Councilmember Toyer, to adopt Resolution No. 2356. **Motion** passed unanimously (7-0).

8. Consider an I-502 Recreation Marijuana Regulation Alternative Discussion.

CAO Hirashima explained that the Planning Commission had sent forward a recommendation of prohibition of producers, processors, and retailers of marijuana in the City of Marysville. She reviewed other alternatives available to the Council and requested direction from the Council for any further research they would like staff to do or for information regarding the next steps on this item.

Councilmember Muller pointed out that there are currently three bills in the legislature that pertain to this. He asked when those would be concluded. CAO Hirashima stated she expected they would be wrapped up in March. She summarized the subject matter of the three bills.

Councilmember Vaughan commented that it is important to consider what is happening in the legislature. He noted that there is also some uncertainty with the Attorney General Opinion and other matters. Since the Council has time, he recommended studying this further and waiting to see what happens with the legislature and some other cities. He spoke in support of having the Planning Commission do additional study on zoning options as well as staff keeping Council apprised of happenings in the legislature and other legal matters. He pointed out that the City still has time under the moratorium to wait and do further study. He noted that the City has moved expeditiously and is ahead of schedule with the work plan.

Councilmember Stevens asked for clarification about the direction for the Planning Commission. He commented that it seems prudent to have the Planning Commission look at zoning options in the event that other legislation comes down from above.

Councilmember Muller concurred. Even though the Planning Commission's recommendation was prohibition, he thought it would be wise to look at zoning options in case it is necessary in the future.

Councilmember Seibert commented that staff had made recommendations to the Planning Commission for zoning, but didn't see that this was ever completed. He was interested in seeing that as well.

Motion made by Councilmember Muller, seconded by Councilmember Toyer, to continue with the moratorium and revisit this issue in April following completion of the legislation session in Olympia and to send the topic back to Planning Commission for a review of potential zoning plan to be completed by April 1. **Motion** passed unanimously (7-0).

Legal

Mayor's Business

Mayor Nehring:

- He attended the Community Transit meeting where they had committee assignments and elected officers for the new year.
- An Advanced Manufacturing Breakfast was held here in Council Chambers last week. This was an informative meeting and important in conjunction with the City's plans in the north end with the MIC.
- There was a nice ribbon cutting for Button Gear Work Wear at 94th and State.
- He met with Puget Sound Regional Council's new Executive Director, Josh Brown and updated him on the Marysville's efforts with regards to SR529 and I-5 Interchanges as well as other city priorities. Mayor Nehring said he was looking forward to Mr. Brown's leadership.
- HB 6906 is on to Ways and Means. Things appear to be on track.
- Marysville Diversity Council had a great event this past Saturday called *Race: The Power of Illusion*.

Staff Business

Jim Ballew:

- They are going to start to close down Comeford Park in preparation for construction of the spray park. About half the park will be closed until the spray park is completed.
- The Grand Opening of Doleshel Park will be on the 22nd.
- He talked with Tulalip Tribes today regarding graffiti activity. They are meeting next week to discuss alternatives. As soon as the weather improves tagged areas will be repainted.

Chief Smith:

- Police have arrested a couple of graffiti "artists" over the last couple weeks.
- Thanks to Commander Lamoureux for his work on Ordinance 2953. He also thanked Lt. Thomas for his work on I-502. He expressed appreciation for Council's caution, care, and diligence. He stated that he believes it is wise to approach this as they are approaching it.
- The diversity event was a great event.
- He attended a memorial service for Greg Kanehan's father.
- This weekend there was a robbery where someone impersonated a police officer. Police arrested someone in regards to a threats case. They also made a drug arrest at City Center Motel.
- He commended whoever put together the front page of the budget books.

Kevin Nielsen gave an update on activity related to the recent snowstorm.

Sandy Langdon:

- Finance Committee next Wednesday.
- Thanks to Kevin Nielsen for the new LED lights.

- Thanks for getting sweepers out to pick up sand.

Grant Weed:

- He and Sandy Langdon are working to get the TBD Resolution that was adopted transmitted to the County Elections Department so they can review it and go through the process to put it on the ballot in April.
- He stated that there was no need for any further Executive Session.

Gloria Hirashima:

- Staff will be coordinating an Economic Development Meeting with the committee and some of the chamber members.
- Staff has initiated the Fire services analysis regarding fire alternatives. The consultant will be scheduling meetings with council members to talk about alternatives going forward.

Call on Councilmembers

Kamille Norton reminded everyone that tomorrow is Election Day, so make sure to vote.

Steve Muller had no further comments.

Rob Toyer had no further comments.

Michael Stevens encouraged everyone to get ballots in.

Jeff Seibert referred to the robbery mentioned by Chief Smith and asked what type of things citizens should look out for with someone impersonating a police officer. Chief Smith noted that citizens can ask for the ID or commission card, who they work for, who they're assigned to, or employee number. He also recommended staying in a public setting and noted that the car should have lights flashing.

Donna Wright had no comments.

Jeff Vaughan had no comments.

Executive Session

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

DRAFT

Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 8:15 p.m.

Approved this _____ day of _____, 2014.

Mayor
Jon Nehring

April O'Brien
Deputy City Clerk