



Work Session
July 6, 2015

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, and Donna Wright

Absent: Jeff Vaughan

Also Present: Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Police Chief Rick Smith, City Attorney Jon Walker, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Fire Chief McFalls, Associate Planner Angela Gemmer, and Recording Secretary Laurie Hugdahl.

Mayor Nehring commented that Council President Vaughan had requested an excused absence since he is out of town.

Motion made by Councilmember Muller, seconded by Councilmember Stevens, to excuse the absence of Council President Vaughan. **Motion** passed unanimously (6-0)

Approval of the Agenda

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

Committee Reports

Donna Wright reported on the June 29 Public Safety Committee meeting where they discussed the following:

- The jail study has been reworked resulting in more beds and more security.
- There was an update on the Lakewood Crossing businesses. There will be a follow up meeting for the businesses.
- The NITE team been very effective at getting out warrants and recovering firearms, vehicles, and cash.
- The Police Department has applied for a COPS grant which the City would match.
- There has been training on scheduling, security and control of the inmate movements.
- There was discussion on fireworks.

Presentations

- A. 2015 Comprehensive Plan Update Briefing
DRAFT 2015 Comprehensive Plan & SEPA Addendum

CAO Hirashima explained this is the City's required update. The Planning Commission hearing was completed last week. This isn't scheduled for Council action until the second meeting in July, but since there is no work session prior to that meeting the presentation is being held tonight.

Brent Turley, Transpo Group, reviewed the Transportation Element objectives. The Element must be consistent with the Land Use Element so all the subarea plans were also incorporated. Changes in growth forecasts were decreased, but employees were increased. Areas of focus for the transportation system included: SR9 widening; 88th Street NE widening; 1-5/156th Street NE Interchange; 51st Avenue NE (and 67th Avenue NE); State Avenue widening; downtown bypass; pedestrian system network; and bicycle system network. The Transportation Plan includes the highways and streets, the pedestrian system, and the bicycle system. Transportation Improvement Projects include intersections/interchanges; new roadways, major widening; minor widening/reconstruction; non-motorized projects; and citywide programs. Transpo looked at high level transportation revenues the City typically gets as well as the costs of the proposed projects. There was a trend analysis and a higher-than-trend analysis compared with the project costs. There is a significant unfunded portion which is addressed in the Transportation Element. This document was taken to the Planning Commission in April and June where comments and questions were documented.

Associate Planner Angela Gemmer reviewed the purpose of the Comprehensive Plan, updating requirements, and population and employment projections. She then discussed amendments contained in each section:

DRAFT

Introduction – Updates are limited to the most recent version of plans which have been adopted.

Vision – Amendments consist of updates to reflect expansion of, and major changes within, the City from 2005 to 2015.

Public Participation – Amendments consist of a new section which outlines the general public participation process for Comprehensive Plan amendments and a description of the public participation process for the current update.

Land Use Element – Updates were made to the population and employment information consistent with PSRC's Vision 2040 Regional Growth Strategy. Maps were updated to reflect current city boundary and major infrastructure projects. There are no area-wide zoning changes or major policy changes proposed.

Citizen Rezone Request 2 – NW corner of 51st Avenue NE & 144th Street NE – This is presently zoned Neighborhood Business (NB) and was requested to be rezoned to R-18 or R-28. Staff's recommendation is to rezone it to R-18 to be consistent with the surrounding properties.

Citizen Rezone Request 3 – West of I-5 and BNSF railroad, and north of 140th Street NE – The owner is requesting rezoning, but staff's recommendation is to retain the existing Public Institutional (PI) designation as there are concerns about traffic. Staff is recommending identifying it as eligible to rezone to R-4.5 subject to a traffic analysis that assesses 140th Street as well as the future connector from 140th Street to 172nd Street including its alignment.

Citizen Rezone Request 4 – 4321-4407 84th Street NE – This is presently zoned R-6.5 Single Family High Density. The request is to rezone to R-18 or R-28. Staff's recommendation is to rezone to R-12 to serve as a transition between surrounding multi-family on the west and part of the north and single family zoning along the rest of the north and the east.

Citizen Rezone Request 5 – 3824 88th Street NE – This includes four parcels which are presently zoned 88-MU with a request to rezone to R-28 Multi-family, High Density. Staff's recommendation is to retail 88-MU zoning since it is consistent with staff's vision for the area.

Staff-Initiated Rezone 1 – 4011 81st Place NE – The recommendation is to rezone these to be entirely General Commercial to be consistent with how the property is currently developed.

Staff-Initiated Rezone 2 – 4025, 4027, and 4107 80th Street – Staff's recommendation is to rezone from R-6.5 to General Commercial to align the zoning and the use.

Councilmember Muller asked if staff ever looked into tax implications. Ms. Gemmer replied she contacted the assessor that holds the portfolio and was told they were taxed

on use not on zoning. For the two westernmost parcels he anticipated no impact to taxes. On the easternmost one the assessor thought there might be a fairly minor impact.

Councilmember Seibert noted that currently there is a business in the front and residence in the back. Ms. Gemmer explained that the current use would be allowed to continue as a legal non-conforming use. Additionally, a caretaker's quarters is also allowed in commercial zones provided it is not the predominant use.

Staff-Initiated Rezone 3 – 9417 State Avenue – Staff's recommendation is to rezone the entire parcel to Community Business to align with the current use.

Housing Element –The Housing Profile prepared by the Alliance for Housing Affordability includes an updated: analysis of existing household characteristics and housing stock; housing inventory; and analysis of housing affordability.

Environmental Element – Amendments consist of incorporating strategies and policies that pertain to climate change. There were also map updates and minor text changes.

Economic Development Element – Updates include: current employment estimates and 2035 targets; annexations, adoption of Smokey Point Master Plan and pursuit of Manufacturing Industrial Center with Arlington; completion of infrastructure projects and identification of infrastructure projects that facilitate development; major developments since 2005 such as the Gateway Shopping Center and Lakewood Crossing; current employment and wage information; and agency, entity, etc. name changes.

Parks and Recreation Element – Amendments include: public participation and recreation survey background; structure of department, budget and associated bodies; inventory of parks and trails that reflect new and annexed parks and trails; individual park and trail descriptions; supply and needs analysis; policies pertaining to open space and critical areas specifically new policies PK-23 through PK-40.

Utilities Element – Amendments reflect changes in utilities (electricity, gas, telecommunications, and cable television) since 2005 and infrastructure improvements through 2035.

Public Facilities and Services Element – Amendments consist of updating each section to reflect existing facilities and the facility, service or infrastructure needs that are anticipated and which have been identified within specific plans. Specifically: the fire and police protection and library services reflect existing facilities and anticipated future needs. It also incorporates the 2014-2019 school capital facilities plans; 2009 Water Comprehensive Plan; 2011 Sewer Comprehensive Plan; 2009 Surface Water Comprehensive Plan; and the Solid Waste section reflects accounts currently served and anticipated needs for waste collection trucks and sanitation personnel when accounts in CMA are transferred from Waste Management to the City Sanitation Division in 2017.

Capital Facilities Plan – This covers the City's capital construction and purchases for the six year period from 2014 to 2020.

Glossary – Amendments consist of additional definitions pertaining to housing and housing affordability; recreation; and essential public facilities.

Ms. Gemmer reviewed the process to date for the Comprehensive Plan update summarizing that the Planning Commission has recommended adoption of the Plan to the City Council.

Councilmember Muller asked if Master Builders provided any input. Ms. Gemmer was not aware of any concerns of Master Builders specifically related to the Comprehensive Plan. Councilmember Muller asked for staff's feelings about the rate of growth of apartments in the multi-family zones. CAO Hirashima replied the apartment growth over the past few years has been rather rapid, but it is in concert with the plan designations. One thing they need to update is the Lakewood area because the 2005 density estimate needs to be increased. She explained there have been extensive discussions by the Planning Commission about how to improve the quality of development that is seen in the City. Design standards are an area they will continue to focus on. Councilmember Muller then referred to the EPA exercise and asked if there were any comments that might affect the downtown area. CAO Hirashima said the EPA had complimented the City on the steps they are taking. In fact a lot of their recommendations were around how to reinforce and expedite changes that the City wants to see in the downtown area.

Mayor Nehring thanked Ms. Gemmer for an excellent presentation and staff for all their hard work.

Discussion Items

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

1. Consider the June 1, 2015 City Council Work Session Minutes
2. Consider the June 8, 2015 City Council Meeting Minutes

Councilmember Seibert referred to the motion made on page 5 of 8 and commented that it appeared there was a mistake. Mayor Nehring stated that staff could look into it.

Consent

3. Consider the June 19, 2015 Payroll in the Amount of \$1,053,646.56; Paid by Check Numbers 28976 through 29026
4. Consider the June 17, 2015 Claims in the Amount of \$1,124,491.95; Paid by Check Numbers 100738 through 100902 with Check Number 88540 Voided

5. Consider the June 24, 2015 Claims in the Amount of \$2,192,816.57; Paid by Check Numbers 100903 through 101100 with Check Numbers 100567 and 100570 Voided

Review Bids

Public Hearings

New Business

6. Consider Accepting the 88th Street NE and 55th Avenue NE Intersection Improvements Project, Starting the 45-Day Lien Filing Period for Project Closeout.

Director Nielsen explained this was a signal improvement along that corridor. He noted it was funded mainly by a partnership with the Transportation Improvement Board. The total cost to the City was \$153,000. The project looks good and is functioning as designed and built.

7. Consider the Professional Services Agreement with Gray & Osborne, Inc. in an Amount Not to Exceed \$249,950.00

Director Nielsen explained this is for the Surface Water Comprehensive Plan.

8. Consider to Purchase Property for Public Roads from the Snohomish County PUD, Subject to Reimbursement from the Developer for Acquisition Cost

CAO Hirashima explained the approved project of Harvest Heights was required to make two public road connections across land owned by Snohomish County PUD. 49th Street and 50th Street would provide connection from 83rd Avenue to 79th and 80th Avenue. PUD has agreed to sell the property to the City for public roads and the developer has agreed to reimburse the City for the cost of the right of way. Staff is in support of this agreement.

Councilmember Muller asked about an apparent inconsistency in the stated value of the property. CAO Hirashima later explained the value of the property is appraised at \$4400. They deducted half the value (\$2200) because of a reservation easement for the PUD. The total value of the property is only \$2200, but the appraisal cost \$2500.

9. Consider the Interlocal Agreement with the City of Snohomish for Outdoor Video Services

Director Ballew explained the City of Snohomish has requested outdoor video services for four evenings similar to the City of Stanwood.

10. Consider the Professional Services Agreement with Blue Marble Environmental LLC in the amount of \$51,853.00

Director Nielsen explained that Blue Marble is the waste and recycling program. The City won't be able to get grant money until September, but staff is recommending approval of this agreement now in order to keep it going.

Councilmember Seibert asked if Blue Marble is working with Waste Management and Allied. Director Nielsen stated they would be coordinating with Waste Management for schools, but the City is also focusing on multi-family and commercial.

11. Consider the Supplement 2 to the City's agreement with HDR Engineering, Inc.

Director Nielsen commended Mayor Nehring for all his work on the transportation package which was approved in Olympia. One of the City's projects in that package is SR529 which is slated in the years 2017-2019. This is for the final design so the City will be shovel-ready in 2017 and maybe even a little earlier.

Councilmember Seibert asked if WSDOT will be involved in the process. Director Nielsen replied they will be part of the design team because they will take it over for construction.

12. Consider an **Ordinance** Amending MMC 14.07.090 Establishing Procedures for Water and Sewer Latecomer Reimbursement Contracts; Providing for Severability; and Effective Date

City Attorney Jon Walker explained this is for latecomer fees. The legislature has now made these mandatory, and it also increases the amount of time for recovery.

Councilmember Seibert asked about a letter from Pat Anderson at Weed Graafstra and Benson. City Attorney Walker explained his opinion that street latecomer fees are different than water and sewer latecomer fees. He doesn't think the City needs to pass a separate ordinance for each property if there are ordinances specific to the entire city.

Legal

Mayor's Business

Mayor Nehring had the following comments:

- It's really good news about the transportation package. It looks like the City will have a 529/I-5 interchange, a 116th interchange, and a 156th interchange in the package in addition to possibly some work on 88th. There is also money for the shoulder lane on I-5 between Marine View Drive and Exit 199 which will help traffic during peak hours. He is very pleased and impressed with the investment in the community. He expressed appreciation to Senator Steve Hobbs, Representative Robinson and Representative Sells. Representative Christianson was also very helpful.

- Congressman Larsen came last week for a tour of the at-grade crossings with the media. Congressman Larson is proposing a \$300 million bill just for at-grade crossings. This could be very good news for Marysville because at-grade crossings are a significant issue for the City.
 - He attended the AWC Convention with Councilmembers Wright and Stevens and thought it was one of the better conventions.
 - The Farmers Market opened on Saturday, June 27. There were a lot of people down there. This will be a great asset to the community.
 - Relay for Life was another great event later that afternoon.
 - On July 18 there will be an elected officials' race out at the Monroe Speedway. Councilmember Seibert has agreed to do it again this year. The Speedway has also provided 50 tickets for city representatives this year.
 - The meeting with Lakewood business owners on Operation Northern Lights went well. Business owners said things are markedly better up there with panhandling, encampments, and disorderly conduct. There is still work to do, but progress is being made.
 - He distributed handouts related to fireworks in preparation for comments from Police Chief Smith and Fire Chief McFalls.
13. Consider the Salary Commission Appointments: Joel Faber and Shelly Ganje
14. Consider the Planning Commission Appointment

Staff Business

Kevin Nielsen:

- The City received a \$350,000 grant for Safe Sidewalks to School for 116th and Marshall Elementary. They also received a \$237,000 grant for pedestrian and bicycle safety at Grove. Additionally, there is \$137,000 from TIB coming in for pedestrian and bicycle safety.
- The City is on the list for DOE grant money for 1st and 3rd which will be about \$1 million each.
- The City will be applying for design money to continue 1st on the other side of the tracks and on Cedar.
- Staff received good news from the auditors on the federal money received this year. The single point audit looks good.
- Public Works Committee will be held this Friday. The Committee will be leaving at 11:30 to go to the Everett filtration plant.
- He reminded everyone that staff will be overlaying 67th this week so there may be traffic delays. There will also be construction on State Avenue.
- He commented that about 12 million gallons of water was going through the system on July 4 due to all the watering going on prior to the evening of the 4th of July. This was up from 5-7 million gallons of water. Staff was very concerned about the amount of water being used. There was discussion about the unique weather that the area has been experiencing.

Jim Ballew:

- It looks like the City will receive funding from two sources for Qwuloolt to total about \$840,000. This means the City will be able to start construction in August or September.
- Free Fit Saturdays will be starting this Saturday at Totem as part of the City's free exercise program.
- Poochpalooza will also be at Totem.
- Farmers Market will be held at City Hall again on Saturday.
- Junk in the Trunk will be at the Marysville Court.
- Concerts and movies also start this weekend.
- New banners were installed along State.
- A light was installed at the welcome gateway.
- Last week there was a meeting with about 45 people in the community surrounding Mother Nature's Window.
- The Waterfront Park was the only park impacted by fireworks.

Sandy Langdon:

- Finance Committee will be meeting next Wednesday.
- She was in Wenatchee before the 4th of July and saw the devastation from the fires there.

Police Chief Smith:

- He reported on fireworks-related police activity. Overall it was successful in that they talked to a lot more people. It was a lot better for police this year than it has been in the few previous years. Only one citation was written, but a lot of warning letters were given. He spoke in support of banning fireworks.
- Police are gearing up for National Night Out which will be near Comeford Park on August 4 from 6 to 8 p.m. He reminded everyone that National Night Out against Crime was originally for neighborhoods to acknowledge law enforcement and public safety within the neighborhoods. He spoke in support of moving back to the model of police going into the neighborhoods rather than the City putting on a big event. He thinks it is much more personal and effective if officers, command staff members, and supervisors go out to meet and talk with the community in that setting rather than at a big event.

Fire Chief McFalls:

- There were 79 fire responses on July 4 which was over last year's grand total of 72. Overall, he stated it was very successful with most of the fires being out or nearly out by the time crews arrived. He credited people's preparation with water sources and shovels and an increased sense of awareness.
- He discussed the I-5 fires and other fires around the city.
- He commented that there was an ice cave collapse today with several injuries.
- He also spoke in support of banning fireworks.

- Councilmember Wright noted that most of the fireworks-related injuries were in unincorporated areas. Chief McFalls agreed and noted that it would likely get worse in those areas if fireworks were banned in the City.
- Councilmember Muller asked about impacts to staffing. Chief McFalls explained that he had declared a state of emergency on June 30 because they were very taxed with the I-5 fires and had trouble getting people to relieve the firefighters. Having a state of emergency allows them to step outside the normal allowed number of hours and enables them to use additional part-time personnel.
- Councilmember Norton referred to calls councilmembers had received from citizens wanting a declaration of an emergency ban on fireworks. She asked about the feasibility of that. City Attorney Walker stated that state law requires fireworks restrictions that are greater than the state's standards be effective a year after the passage of the ordinance. He noted that there are some other options that the Council can consider. Mayor Nehring noted he did not have the authority to declare an emergency ban. Chief McFalls thought that the fire marshal could do it under the Uniform Fire Code, but they decided not to. Mayor Nehring commented that one option the Council could consider would be to grant the Mayor authority to make an emergency ban under certain circumstances, but it wouldn't go into effect for one year after the adoption date. Chief Smith spoke in support of giving sufficient lead time if they were to do something like that because it would put police at a big disadvantage with enforcement. He spoke to the importance of giving enough time to inform all of the community members. He again spoke in support of a fireworks ban.
- Fire Chief McFalls recognized a state trooper who was hit by a car and injured while assisting at one of the fire scenes.

Jon Walker stated the need for an executive session to discuss pending litigation for five minutes with no action expected and a closed session to discuss a labor issue following the executive session.

Gloria Hirashima:

- She commended the Mayor and all the legislative representatives for lobbying for the transportation package for Marysville.
- She was grateful for the Qwuloolt funding also.
- She attended the EPA Technical Building Blocks workshop last week. The consultants were very helpful and will be producing a report. The exercises done at the workshop were very helpful in identifying key actions. They encouraged the City to build on successes they already have.
- Thanks to Police, Fire, and Public Works for all their efforts related to the 4th of July.

Call on Councilmembers

Rob Toyer had no comments.

Michael Stevens:

- AWC conference was very nicely done.
- The Farmers Market ribbon cutting will be exciting.

Jeff Seibert:

- Thanks to Police, Fire, and Public Works for their work related to fireworks.
- He acknowledged a new magazine called *Marysville-Tulalip Living*. He was impressed with the publication. Mayor Nehring concurred.

Donna Wright:

- AWC Conference in Wenatchee was well presented. A wastewater treatment plant was highlighted which had sculptures, screenings, and plantings with a brand new Hilton hotel being built right next to it. There was an emphasis at the conference about transitioning to LED lighting which will save cities lots of money. Director Nielsen concurred and noted the City is already transitioning most of their lighting. Marysville was awarded a Well City Award and City of Excellence Award.
- She agreed with Chief Smith about making National Night Out more of a neighborhood event.
- She commended staff on the transportation package and the ALEA Grant.

Steve Muller:

- He commended Mayor Nehring and staff for the transportation package and the Qwuloolt funding.
- He received a lot of calls about noise from the Relay for Life going past midnight.
- He agreed that the City was noticeably quieter this year closer to the 4th.
- He went kayaking at the slough on July 5 and spotted a lot of garbage down by the boat launch which his wife and her friend picked up.
- He asked the Council to consider a \$65,000 donation to the Historical Society for completion of the museum. Mayor Nehring noted that if Council was interested it could be taken out of the Capital Reserve Fund. Councilmember Muller added that this would be a community building. There was consensus to put this on the agenda for the Finance Committee.
- Thanks to police and fire for all their hard work with the fireworks.

Adjournment

Council recessed from 9:20 to 9:25 before reconvening into Executive Session to discuss one pending litigation item for five minutes with no action and then into closed session to discuss one labor issue after the meeting adjourned.

A. Litigation – one item, RCW 42.30.110(1)(i)

B. Personnel

C. Real Estate

DRAFT

Executive Session ended and public meeting reconvened at 9:30 p.m.

Seeing no further business Mayor Nehring adjourned the meeting at 9:30 p.m.

Approved this _____ day of _____, 2015.

Mayor
Jon Nehring

April O'Brien
Deputy City Clerk