



**Regular Meeting**  
*June 27, 2016*

**Call to Order / Pledge of Allegiance**

Mayor Nehring called the meeting to order at 7:00 p.m. Pastor Dan Sacapano of Marysville Foursquare Church gave the invocation, and Mayor Nehring 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:** Kamille Norton, Jeff Seibert, Michael Stevens, Rob Toyer, Jeff Vaughan, and Donna Wright

**Absent:** Steve Muller

**Also Present:** Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Commander Wendy Wade, City Attorney Jon Walker, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, Community Development Director Dave Koenig, Fire Chief Martin McFalls, City Engineer Jeff Laycock, and Recording Secretary Laurie Hugdahl.

Mayor Nehring noted that Councilmember Muller had requested an excused absence as he would be out of town this week.

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

**Approval of the Agenda**

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

**Committee Reports**

## Presentations

### A. Employee Services Award

None

### B. Volunteer of the Month

**Veronica Love** was recognized as the Volunteer of the Month for the month of June for her continued efforts in supporting the community through her work with the Marysville Strawberry Festival, volunteering with Kiwanis, and assisting year round with events in Marysville.

### C. Marysville Fire District "Fire Ops Debrief" - Krista Longspaugh

Dan Schwartz of the Fire Department played a video showing fire ops simulation training and discussed the significance of involving staff and the councilmembers' participation. He stressed that modern firefighting is highly technical, time sensitive, and labor intensive. Mayor Nehring thanked Dan and all the members of Local 3219 for what they have done and for sharing it with the Council.

Councilmember Stevens asked CAO Hirashima if there was anything that surprised her in the fire ops training. CAO Hirashima stated the amount of people needed for the various exercises was enlightening to her as well as the amount and expense of technical equipment needed.

Chief McFalls thanked all the firefighters in attendance and all the councilmembers who have participated in the training.

## Audience Participation

Antonietta Carrasco, 6509 – 78<sup>th</sup> Place NE, Marysville, WA, discussed problems she has had in her neighborhood with illegal parking of vehicles and illegal activity for over a year. She stated she has lost a lot of neighbors and is afraid in her neighborhood because of the illegal activity. She expressed frustration that she is not getting any response to keep her safe in her house. Mayor Nehring asked her to meet with Commander Wendy Wade who was available to speak with her.

Ed Bailey, 13132 - 48<sup>th</sup> Ave NE, Marysville, WA, stated he has been increasingly frustrated with the changes that have taken place in his neighborhood. There are four houses within eyesight of his house that have been empty for years. One has been empty since 1993. He urged code enforcement of this issue. He expressed frustration that the City spent time talking about backyards when this is an issue in plain sight in the front yards. Mayor Nehring thanked him for his comments and requested that he leave his photos of the issue.

Ron Friesen, 4714 - 124<sup>th</sup> Place NE, Marysville, WA, expressed frustration about property conditions all over the city with code violations. Within a half mile radius of his house there are easily more than ten homes with deplorable conditions and well over 100 junk cars. He has waited for nearly a year and filed three complaints about junk cars two homes down from him with no change. He discussed the difference between malfeasance and nonfeasance (failure to act that results in harm). He noted that property values have decreased in the City as a result of local officials' failure to act. He stated that the City with regard to code enforcement is walking the line of nonfeasance. He urged the City to act on the tools it already has such as abatement while fixing the code deficiencies. He commented he would rather gather a group of citizens sue the City for nonfeasance rather than sue his neighbor individually.

Ralph V. Wilson, 6123 – 98<sup>th</sup> Street NE, Marysville, WA 98270, President of Rolling Green Estates Homeowners Association, thanked the City for doing a great job in a lot of areas. He spoke in support of the improved code regarding backyards. He also recommended that there be enough staff provided to enforce the improved code.

Charles Smith, 7110 - 67<sup>th</sup> Drive NE, Marysville, WA, commented he has individuals in his neighborhood who have used a handicapped sticker to park in his neighborhood for 2½ years without moving. He thinks the ordinance the City has crafted to address this is a good ordinance. It's a good start to improving the situation, but he recommended that it be a three-day limit instead of seven days. He thanked the Council for addressing this matter.

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

1. Consider the May 23, 2016 City Council Meeting Minutes

Councilmember Seibert pointed out that on page 5 of 6 *Jeff Stevens* should be corrected to **Michael Stevens**.

Councilmember Toyer indicated he would be abstaining from the vote as he was not in attendance at the meeting.

**Motion** made by Councilmember Norton, seconded by Councilmember Stevens, to approve the May 23, 2016 City Council Meeting Minutes. **Motion** passed (5-0) with Councilmember Toyer abstaining.

## **Consent**

2. Consider the June 8, 2016 Claims in the Amount of \$2,062,024.59; Paid by EFT Transactions and Check Numbers 108807 through 108947 with Check Number 108646 Voided
3. Consider the June 15, 2016 Claims in the Amount of \$966,766.71; Paid by EFT Transactions and Check Numbers 108948 through 109096 with Check Numbers 108808 Voided

15. Consider the June 20, 2016 Payroll in the Amount \$1,122,166.67; Paid by EFT Transactions and Check Numbers 29988 through 30036

**Motion** made by Councilmember Vaughan, seconded by Councilmember Wright, to approve Consent Agenda items 2, 3, and 15. **Motion** passed unanimously (6-0).

### **Review Bids**

4. Consider Awarding the Former Geddes Marina Interim Remedial Action Project Contract in an Amount of \$169,593.77 including Washington State Sales Tax and Approve a Management Reserve of \$10,000.00 for a Total Allocation of \$179,593.77

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

**Motion** made by Councilmember Stevens, seconded by Councilmember Seibert, to approve the Former Geddes Marina Interim Remedial Action Project Contract in an Amount of \$169,593.77 including Washington State Sales Tax and Approve a Management Reserve of \$10,000.00 for a Total Allocation of \$179,593.77. **Motion** passed unanimously (6-0).

### **Public Hearings**

5. Consider a **Resolution** of the City of Marysville Adopting a Six Year Transportation Improvement Program (2017-2022) in Accordance with RCW 35-77-010

City Engineer Jeff Laycock made a PowerPoint presentation regarding the Six Year Transportation Improvement Program (TIP) (2017-2022) as contained in Council's packet.

Councilmember Toyer asked about the overall plan for 88<sup>th</sup> since it can't be widened much. Mr. Laycock reviewed plans for this area.

Mayor Nehring opened the public hearing at 8:01 and solicited public comments. Seeing none, the hearing was closed at 8:02 p.m.

**Motion** made by Councilmember Toyer, seconded by Councilmember Seibert, to approve Resolution No. 2397. **Motion** passed unanimously (6-0).

### **New Business**

6. Consider the JAG/Edward Burne Memorial Justice Assistance Grant Local Funds Solicitation Program Titled "Canine Force Multiplier" for the to Purchase K9s and Equipment for the Police Department, in the Amount of \$12,956

Commander Wendy Wade explained the Police Department has applied for the JAG grant for \$12,956. This item notifies the Council that the police have applied for the money to replace two K9s. A third dog will be replaced in 2017.

**Motion** made by Councilmember Wright, seconded by Councilmember Stevens, to approve the JAG/Edward Burne Memorial Justice Assistance Grant Local Funds Solicitation Program Titled “Canine Force Multiplier” for the to Purchase K9s and Equipment for the Police Department, in the Amount of \$12,956. **Motion** passed unanimously (6-0).

7. Consider the Local Agency State Aid Project Prospectus and Local Agency Funding Agreement with WSDOT thereby Securing Design Funding for the Sunnyside Elementary Safe Routes to School Project

Director Nielsen explained this is a grant to improve about 600 feet of sidewalk, curb, and gutter along Sunnyside.

**Motion** made by Councilmember Vaughan, seconded by Councilmember Toyer, to approve the Local Agency State Aid Project Prospectus and Local Agency Funding Agreement with WSDOT thereby Securing Design Funding for the Sunnyside Elementary Safe Routes to School Project. **Motion** passed unanimously (6-0).

8. Consider the Public Safety Tax Plan

CAO Hirashima reviewed the plan to utilize the proceeds from the public safety tax for staffing for the police department. It would fund a total of five positions that would include four police officers and one sergeant.

Councilmember Norton asked if this would actually increase the number of officers on the streets. CAO Hirashima stated that it would.

**Motion** made by Councilmember Seibert, seconded by Councilmember Stevens, to approve the Public Safety Tax Plan. **Motion** passed unanimously (6-0).

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

Parks Director Ballew stated this is a renewal of an agreement with the City of Snohomish to furnish them with outside movies along with staff for three movie nights.

**Motion** made by Councilmember Wright, seconded by Councilmember Vaughan, to authorize the Mayor to sign the Interlocal Agreement with City of Snohomish for Outdoor Video Services. **Motion** passed unanimously (6-0).

10. Consider a **Resolution** Declaring Certain Vehicles Items of Personal Property to be Surplus and Authorizing the Sale or Disposal thereof

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

**Motion** made by Councilmember Vaughan, seconded by Councilmember Stevens, to approve Resolution No. 2398. **Motion** passed unanimously (6-0).

11. Consider an **Ordinance** Amending Section 2.24.030(5) of the Municipal Code, Establishing Salary for Municipal Court Judges, Providing for Severability, and Effective Date

CAO Hirashima explained that the amendment of the Municipal Court judges' salary would provide that the judges receive 100% of the salary established for District Court judges. She discussed the increased duties and workload of the judges.

**Motion** made by Councilmember Wright, seconded by Councilmember Stevens, to approve Ordinance No. 3024. **Motion** passed unanimously (6-0).

12. Consider an **Ordinance** Amending Chapter 11.08 of the Municipal Code and Imposing Time Limits on Parking of Vehicle and Vehicles with a Disabled Parking Privilege

CAO Hirashima explained that the proposed ordinance was in response to being contacted by a resident who was having a long-time problem with a vehicle that displayed a disabled placard that has been parked on the street for 2½ years. The car has been an eyesore and in the way of his yard for that entire time period. The proposed ordinance would place a seven-day time restriction on vehicles parked on city streets displaying a disabled decal or plate.

Councilmember Toyer asked about timeframes allowed in other cities. City Attorney Walker thought they were from 24 hours to 7 days.

Councilmember Vaughan said he thought a time limit was already in the code, but he couldn't find it. He spoke in support of the changes, but agreed with Mr. Smith that something like two to three days would be better.

Councilmember Toyer agreed that seven days was too long. He asked for comments from other Council members.

Councilmember Norton agreed that three to four days would be sufficient.

Councilmember Stevens concurred.

**Motion** made by Councilmember Stevens, seconded by Councilmember Vaughan, to approve Ordinance No. 3025 with the amendment revising all references to "seven consecutive days" to "three consecutive days". **Motion** passed unanimously (6-0).

13. Consider an **Ordinance** Amending MMC 14.07.010 (Capital Improvement Charges) and Providing for Severability

Director Nielsen explained this would revise the code regarding Capital Improvement Charges for warehouses. The Public Works Committee has recommended forwarding this to Council for approval.

**Motion** made by Councilmember Stevens, seconded by Councilmember Seibert, to approve Ordinance No. 3026. **Motion** passed unanimously (6-0).

14. Consider an **Ordinance** Amending the 2015-2016 (2016 Portion) Biennial Budget and Providing for the Addition to Pay Classification, Grades and Pay Ranges as Budgeted for in Ordinance No. 2972.

CAO Hirashima explained that as a result of the reorganization of the custody operation staff is recommending the addition of pay classification grades and ranges for the corporal position.

**Motion** made by Councilmember Wright, seconded by Councilmember Norton, to approve Ordinance No. 3027. **Motion** passed unanimously (6-0).

16. Consider the Proposal from Justice Systems for a Total of \$79,098 Including Sales Tax

CAO Hirashima reviewed the cost proposal from Justice Systems for relocation of the jail monitoring system.

**Motion** made by Councilmember Stevens, seconded by Councilmember Wright, to approve the Proposal from Justice Systems for a Total of \$79,098 Including Sales Tax. **Motion** passed unanimously (6-0).

## Legal

## Mayor's Business

- Thanks to all the staff and volunteers for their work on Strawberry Festival. This is a huge community event.
- AWC Convention in Everett last week had some good courses and good communication. They have been particularly aggressive in protecting state-shared revenues.

## Staff Business

Wendy Wade had no comments.

Sandy Langdon had no comments.

Jon Walker stated the need to have an Executive Session to address two items – one item regarding the acquisition of real estate with action expected and one item regarding the review of performance of an employee with no action expected to take ten minutes.

Kevin Nielsen:

- He commented that the fire training brought back memories of being on a submarine.
- The City is looking great and panhandling is way down.
- Public Works has a lot of projects going on and getting a lot done. One is the Qwuloolt Trail.
- He expressed appreciation for the Transportation Improvement Board (TIB) and the help they have been for the City.

Jim Ballew:

- He thanked everyone for their work on the Strawberry Festival. He thinks the traffic plan was beautifully executed. The weather was great too. He thanked the MaryFest folks for their hard work.
- Tomorrow night will be the community meeting for Mother Nature's Window at 6:30 p.m. at Cascade Elementary School.
- The spray park has been packed. Ice cream vendors are coming from all over the county.
- The dinosaur park at Jennings Park is in the process of being renovated.
- Summer camps started last week, and there is a waiting list.
- Signs are getting posted in the parks for the 4th of July.

Martin McFalls:

- He thanked the Council for their support for Fire Ops 101. He encouraged anyone who hasn't gone to consider going next year.
- He reviewed a big condo fire last week where four units were displaced. The cause is undetermined. There was no loss of life.
- The Fire Department had a great time working with all the departments at the Strawberry Festival.
- Fire is increasing staffing over the 4th of July. The Fire Operations Center will be opened between 7 p.m. and midnight.

Gloria Hirashima:

- Thanks to MaryFest and all the city departments and the fire district for their work on the Strawberry Festival.
- Thanks to the fire department for the video on fire ops. She encouraged everyone to participate.
- Congratulations to Director Kevin Nielsen for 15 years with the City. She thanked him for his excellent service.



## **Call on Councilmembers**

Jeff Vaughan:

- He asked when the ordinance regarding parking would go into effect. Finance Director Langdon replied that it would go into effect about a week from Saturday.
- He referred to the comments regarding the nuisance ordinance and noted that the Council will continue to work on these issues and make positive changes.
- He learned a lot from the AWC conference and appreciated the opportunity to go. He stated he would like to see the Council take more of an active role in the creation of agendas. He noted that the work session every other week is a great place for the Council or staff to bring things forward that need addressing.

Donna Wright:

- Thanks to everyone who worked on the Six-Year TIP.
- Thanks to all the departments and community members who worked on MaryFest.
- She also learned a lot at the AWC Conference. She noted that the Mayor was re-elected to serve on the Board of Directors.
- She stated she is planning on attending the audit exit conference.

Jeff Seibert thanked staff for their work on the TIP.

Michael Stevens:

- He appreciated that the AWC conference is nearby this year.
- Fire Ops training is a really good program. He is pleased with the amount of participation by those in the City.
- He has noticed that transportation projects are moving quicker with the help of the Transportation Benefit District.
- He appreciates the dialog they are having about the junk ordinance. He also agrees with what Director Nielsen said that the City as a whole appears to have been cleaned up quite a bit. This makes it even more important to focus on the areas that have not been cleaned up so they can reap the benefits along with the rest of the city.

Rob Toyer:

- Thanks to Mr. Smith and the others who came out to voice their opinions.
- Thanks to Kevin Nielsen for 15 years and for all he does.

Kamille Norton:

- Thanks to Mr. Smith and Mr. Wilson and others who have already left for sharing their concerns. It is the will of the Council to try to solve the problems and make them better.
- The Fire Ops video was great.
- AWC was a great conference. She came away with a lot of great information and a Fitbit.

Council recessed from 9:05 p.m. until 9:10 p.m. at which time it reconvened in Executive Session to discuss one item regarding the acquisition of real estate with action expected and one item regarding the review of the performance of an employee with no action expected to take ten minutes.

**Executive Session**

- A. Litigation
- B. Personnel – one item, RCW 42.30.110(1)(g)
- C. Real Estate – one item, RCW 42.30.110(1)(b)

Executive session extended for three minutes.

Executive session ended and public meeting reconvened at 9:23 p.m.

**Motion** made by Councilmember Wright, seconded by Councilmember Toyer, to authorize the Mayor to sight the purchase and sale agreement for the Bisnett property. Motion passed unanimously.

**Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 9:23 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

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