

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
Excuse the absence of Councilmember Donna Wright	Approved
<b>Approval of the Agenda</b>	Approved
<b>Committee Reports</b>	
<b>Presentations</b>	
Officer Swearing-In -new officers Wade Rediger and Daniel Negron	Presented
Code Enforcement Presentation	Presented
<b>Audience Participation</b>	
<b>Approval of Minutes</b>	
Consider the February 13, 2017 City Council Meeting Minutes	
<b>Consent Agenda</b>	
Consider the February 22, 2017 Claims in the Amount of \$997,210.30; Paid by EFT Transactions and Check Numbers 114750 through 114954 with Check Numbers 111529 and 113638 Voided	Approved
<b>Review Bids</b>	
<b>Public Hearings</b>	
<b>New Business</b>	
Consider the Alliance for Housing Affordability Fiscal Year 2018 Budget and Work Plan with a Contribution Totaling \$6,085.00	Approved
Consider the Update to the 2017-2022 Capital Facilities Plan with Formal Action Requested at the March 27, 2017 City Council Meeting	Continued
Consider the Lakewood Neighborhood Master Plan with Formal Action Requested at the on March 27, 2017 City Council Meeting	Continued
Consider the Application for Snohomish Running Company to Conduct a Special Event on Sunday, April 9, 2017, including the Temporary Street Closure of Northbound SR529/State Avenue to 2nd Street, the Eastbound Lane of 2nd Street from State Avenue to Alder Avenue, the Southbound Lane of Alder Avenue from 2nd Street to the South Side of 1st Street, Both Lanes of Columbia Avenue from the South Side of 1st Street to 2nd Street, and 1st Street from Columbia Avenue to State Avenue, as Requested by the Applicant	Approved
Consider Amendment to Paymentus Corporation Agreement	Approved
Consider Agreement with Gravity Payments, Inc. for Merchant Services	Approved
Consider the Substitute Professional Services Agreement between City of Marysville and Billing Document Specialists	Approved
Consider the Local Agency Supplemental Funding Agreement No. 2 with WSDOT for the Grove Street Pedestrian and Bicycle Improvements (State Ave to Cedar Ave).	Approved
Consider Amending the City's Municipal Code and Development Regulations by Amending Sections 22A.020.050, 22A.020.070, and 22A.020.200 of MMC Chapter 22A.020, Definitions; Amending Sections 22C.010.060, 22C.010.070, 22C.010.090, 22C.010.210, and 22C.010.220 of MMC Chapter 22C.010, Residential Zones; Amending Sections 22C.020.060, 22C.020.070, and 22C.020.190 of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones;	Continued

Amending Section 22C.130.030 of MMC Chapter 22C.130 Parking and Loading Amending Section 22C.160.080 of MMC Chapter 22C.160 Signs; Amending Section 22G.080.100 Of MMC Chapter 22G.080 Planned Residential Developments; and Amending Section 22A.010.160 of MMC Chapter 22A.010, General Administration, Related to Tracking Amendments to the City's Uniform Development Code	
Consider a <b>Resolution</b> of the City Council of the City of Marysville, Washington, Relinquishing All Interest in the Real Property Located at 3020 Rucker Avenue in Everett, Washington, to the Snohomish Health District	Approved Res. No. 2410
Consider an <b>Ordinance</b> Amending Chapter 11.37 of the Municipal Code Regarding Qualifications for Tow Truck Operators	Approved Ord. No. 3050
<b>Legal</b>	
<b>Mayor's Business</b>	
Reappointment to the Parks, Culture, and Recreation Board; Katherine Smith	Approved
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
Adjournment	8:33 p.m.



**Regular Meeting**  
March 6, 2017

**Call to Order / Pledge of Allegiance**

Mayor Nehring called the meeting to order at 7:02 p.m. Gene Rutherford of the Salvation Army 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:** Steve Muller, Kamille Norton, Jeff Seibert, Michael Stevens, Rob Toyer, and Jeff Vaughan

**Absent:** Donna Wright

**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, Community Development Director Dave Koenig, Fire Chief Martin McFalls, Planning Manager Holland, Senior Planner Cheryl Dungan, Senior Planner Angela Gemmer, Commander Mark Thomas, Financial Operations Manager John Nield and Recording Secretary Laurie Hugdahl.

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

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

**Committee Reports**

## Presentations

### A. Officer Swearing-In

Chief Smith introduced new officers Wade Rediger and Daniel Negron. Mayor Nehring swore in the new officers.

### B. Code Enforcement Presentation

Commander Thomas gave a PowerPoint presentation reviewing a 30-day update of the reorganized Code Enforcement Program. He commended staff for their support in making this program successful.

Councilmember Muller asked Commander Thomas if he thinks they are getting more positive response because of the uniformed staff. Commander Thomas commented that he thinks it is more a result of the proactive approach.

Councilmember Toyer asked if there has been any non-compliance. Commander Thomas indicated that there has. He referred to the sheet showing the notices of infractions. He reviewed how the process works.

## Audience Participation

Evan Kaiser, 2910 73<sup>rd</sup> Ave. NE, Marysville, WA referred to and read portions of two emails which he sent to the Council today regarding proposed code amendments (item 11 under New Business). He spoke against the proposed amendments to the definitions of signs and the flagpole height limit and recommended further study of these issues. He expressed concern and stated that the Planning Commission and planning staff wasn't supplied all the relevant information.

Mr. Kaiser then referred to the Code Enforcement presentation and asked if the outline for the Code Enforcement division would be available online. Commander Thomas was not sure if it would be online or not. Mr. Kaiser asked a question about a noise enforcement issue. Commander Thomas responded.

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

1. Consider the February 13, 2017 City Council Meeting Minutes

**Motion** made by Councilmember Norton, seconded by Councilmember Muller, to approve the February 13, 2017 City Council Meeting Minutes with Councilmember Toyer abstaining. **Motion** passed unanimously (5-0).

**Consent**

2. Consider the February 22, 2017 Claims in the Amount of \$997,210.30; Paid by EFT Transactions and Check Numbers 114750 through 114954 with Check Numbers 111529 and 113638 Voided

**Motion** made by Councilmember Vaughan, seconded by Councilmember Stevens, to approve Consent Agenda item 2. **Motion** passed unanimously (6-0).

**Review Bids**

**Public Hearings**

**New Business**

3. Consider the Alliance for Housing Affordability Fiscal Year 2018 Budget and Work Plan with a Contribution Totaling \$6,085.00

Planning Manager Holland reviewed this item and recommended that Council approve the allocation.

**Motion** made by Councilmember Muller, seconded by Councilmember Stevens, to approve the Alliance for Housing Affordability Fiscal Year 2018 Budget and Work Plan with a Contribution Totaling \$6,085.00. **Motion** passed unanimously (6-0).

4. Consider the Update to the 2017-2022 Capital Facilities Plan with Formal Action Requested at the March 27, 2017 City Council Meeting.

Senior Planner Dungan reviewed the update to the 2017-2022 Capital Facilities Plan. No action was requested.

5. Consider the Lakewood Neighborhood Master Plan with Formal Action Requested at the on March 27, 2017 City Council Meeting

Planning Manager Holland made a PowerPoint presentation regarding the Lakewood Neighborhood Master Plan (LNMP). Staff will be requesting action on March 27.

Councilmember Seibert referred to the issue with 169<sup>th</sup> and asked if the plan is to approve the road going straight or curved south. Planning Manager Holland explained that it may change, but it has to meet engineering standards.

6. Consider the Application for Snohomish Running Company to Conduct a Special Event on Sunday, April 9, 2017, including the Temporary Street Closure of Northbound SR529/State Avenue to 2nd Street, the Eastbound Lane of 2nd Street from State Avenue to Alder Avenue, the Southbound Lane of Alder Avenue from 2nd Street to the South Side of 1st Street, Both Lanes of Columbia

Avenue from the South Side of 1st Street to 2nd Street, and 1st Street from Columbia Avenue to State Avenue, as Requested by the Applicant

Director Koenig reviewed this item and explained it is for a half marathon which has happened before in recent years.

**Motion** made by Councilmember Norton, seconded by Councilmember Muller, to the Application for Snohomish Running Company to Conduct a Special Event on Sunday, April 9, 2017, including the Temporary Street Closure of Northbound SR529/State Avenue to 2nd Street, the Eastbound Lane of 2nd Street from State Avenue to Alder Avenue, the Southbound Lane of Alder Avenue from 2nd Street to the South Side of 1st Street, Both Lanes of Columbia Avenue from the South Side of 1st Street to 2nd Street, and 1st Street from Columbia Avenue to State Avenue, as Requested by the Applicant. **Motion** passed unanimously (6-0).

7. Consider Amendment to Paymentus Corporation Agreement

Finance Director Langdon explained that 7, 8, and 9 all relate to online bill pay. Financial Operations Manager John Nield reviewed these items.

Councilmember Vaughan asked about the length of the term. Financial Operations Manager John Nield explained that they are both for 60-months. Councilmember Vaughan asked about a liquidated damages clause. Mr. Nield explained that they were not tied to Gravity at all. Councilmember Vaughan noted that it looks like an early termination would result in fees paid to Gravity so there is still a potential cost. Mr. Nield explained that according to Deputy City Attorney Olivers, the early termination fee would be \$495.

**Motion** made by Councilmember Norton, seconded by Councilmember Muller, to authorize the Mayor to sign the Agreement extension between the City of Marysville and Paymentus Corporation. **Motion** passed unanimously (6-0).

8. Consider Agreement with Gravity Payments, Inc. for Merchant Services

**Motion** made by Councilmember Vaughan, seconded by Councilmember Toyer, to authorize the Mayor to accept Gravity Payments' waiver of rights and sign the Agreement between the City of Marysville, Gravity Payments, and Wells Fargo Bank, N.A. **Motion** passed unanimously (6-0).

9. Consider the Substitute Professional Services Agreement between City of Marysville and Billing Document Specialists

**Motion** made by Councilmember Muller, seconded by Councilmember Stevens, to authorize the Mayor to sign the Substitute Professional Services Agreement between City of Marysville and Billing Document Specialists. **Motion** passed unanimously (6-0).

10. Consider the Local Agency Supplemental Funding Agreement No. 2 with WSDOT for the Grove Street Pedestrian and Bicycle Improvements (State Ave to Cedar Ave).

Director Nielsen explained that the project came in less than the contract amount so the percentages need to be reallocated.

**Motion** made by Councilmember Stevens, seconded by Councilmember Norton, to authorize the Mayor to sign and execute the Local Agency Supplemental Funding Agreement No. 2 with WSDOT for the Grove Street Pedestrian and Bicycle Improvements (State Ave to Cedar Ave). **Motion** passed unanimously (6-0).

11. Consider Amending the City's Municipal Code and Development Regulations by Amending Sections 22A.020.050, 22A.020.070, and 22A.020.200 of MMC Chapter 22A.020, Definitions; Amending Sections 22C.010.060, 22C.010.070, 22C.010.090, 22C.010.210, and 22C.010.220 of MMC Chapter 22C.010, Residential Zones; Amending Sections 22C.020.060, 22C.020.070, and 22C.020.190 of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones; Amending Section 22C.130.030 of MMC Chapter 22C.130 Parking and Loading Amending Section 22C.160.080 of MMC Chapter 22C.160 Signs; Amending Section 22G.080.100 Of MMC Chapter 22G.080 Planned Residential Developments; and Amending Section 22A.010.160 of MMC Chapter 22A.010, General Administration, Related to Tracking Amendments to the City's Uniform Development Code

Senior Planner Gemmer reviewed the proposed code amendments related to flags and flagpoles, single family/duplex/townhouse parking requirement clarifications, duplex dimensional standards, adding and amending zoning definitions, shipping containers standards (primarily in residential zones), manufactured homes age administrative variance, and residential accessory structure clarifications. She also responded to Mr. Kaiser's concerns. Additionally, Director Koenig discussed this item. He explained that flagpoles haven't been an issue so far, and staff feels that permits should not be required. He explained that the City does not want to be in the role of enforcing the content of flags. City Attorney Walker stated that based on the Supreme Court decision his recommendation is that the City should not regulate the content of flags.

Councilmember Muller asked if the size of flags would be regulated. Director Koenig commented that they did not address the size of flags. He pointed out that most communities do not regulate flags at all.

Mayor Nehring noted that this item will be back to the Council on March 27.

12. Consider a **Resolution** of the City Council of the City of Marysville, Washington, Relinquishing All Interest in the Real Property Located at 3020 Rucker Avenue in Everett, Washington, to the Snohomish Health District

City Attorney Walker stated that this would clear up any title issues associated with this building so the Health District is able to move forward with selling the building.

**Motion** made by Councilmember Stevens, seconded by Councilmember Muller, to approve Resolution No. 2410. **Motion** passed unanimously (6-0).

13. Consider an **Ordinance** Amending Chapter 11.37 of the Municipal Code Regarding Qualifications for Tow Truck Operators

City Attorney Walker explained the need for this item.

**Motion** made by Councilmember Muller, seconded by Councilmember Norton, to approve Ordinance No. 3050. **Motion** passed unanimously (6-0).

## Legal

### Mayor's Business

14. Reappointment to the Parks, Culture, and Recreation Board; Katherine Smith

**Motion** made by Councilmember Norton, seconded by Councilmember Stevens, to approve the reappointment of Katherine Smith to the Parks, Culture, and Recreation Board. **Motion** passed unanimously (6-0).

### Staff Business

Chief Smith:

- Citizens Academy is going well. Personnel and participants are enjoying it.
- Commander Thomas wanted to make sure to acknowledge Community Service Officer Dave Vasconi and his work on code enforcement efforts.

Sandy Langdon had no additional comments.

Jon Walker had no additional comments.

Dave Koenig thanked the Mayor and Gloria Hirashima for the clear direction on code enforcement.

Chief McFalls had no additional comments.

Jim Ballew:

- MTV will be in Marysville doing an episode at Jennings Park.
- He noted that the next two performances at the Opera House look like they are going to be sold out.
- The new recreation guide should be out next week.



Kevin Nielsen noted that snow was falling and urged everyone to be careful.

CAO Hirashima:

- She thanked Code Enforcements for their efforts and a nice presentation by Commander Thomas.
- She thanked the Community Development group for their work and the Lakewood Plan.
- She thanked Director Nielsen and Public Works for the work they will be doing tonight.

### **Call on Councilmembers**

Jeff Vaughan had no additional comments.

Jeff Seibert thanked staff for the Lakewood Master Plan. He acknowledged the amount of work that has gone into that.

Michael Stevens had no additional comments.

Rob Toyer had no additional comments.

Steven Muller thanked staff for the Lakewood Plan

Kamille Norton had no additional comments.

### **Executive Session**

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

### **Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 8:33 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Mayor  
Jon Nehring

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April O'Brien  
Deputy City Clerk