

<b>Call to Order/Pledge of Allegiance/Roll Call</b>	7:00 p.m.
<b>Approval of the Agenda</b>	Approved
<b>Committee Reports</b>	
<b>Presentations</b>	
Arbor Day Proclamation	Presented
Employee of the Month - Mayor's Innovative Service– Dare to Soar Award: School Resource Officer Unit (Jeremy Wood, Christopher Sutherland, Angela Fawks, David White, Rick Sparr)	Presented
Snohomish County Tourism Bureau	Presented
<b>Audience Participation</b>	
<b>Approval of Minutes</b>	
Consider the March 6, 2017 City Council Meeting Minutes	Approved
<b>Consent Agenda</b>	
Consider the March 22, 2017 Claims in the Amount of \$804,109.89; Paid by EFT Transactions and Check Numbers 115506 through 115689 with No Checks Voided	Approved
Consider the March 29, 2017 Claims in the Amount of \$324,508.30; Paid by EFT Transactions and Check Numbers 115690 through 115822 with No Checks Voided	Approved
Consider the Professional Services Agreement with HDR, Inc. for the State Avenue Widening Project from 100th St NE and 116th Street NE in the amount of \$1,665,545.09	Approved
<b>Review Bids</b>	
Consider Awarding SRV Construction, Inc. for the Grove Street Improvement Project in the amount of \$677,132.79, including Washington State Sales Tax, and approve management reserve of \$72,867.21 for a total allocation of \$750,000.00	Approved
<b>Public Hearings</b>	
<b>New Business</b>	
Consider an Ordinance of the City of Marysville, Washington, Updating the City's Development Regulations and Amending Sections 22A.020.050, 22A.020.070, 22A.020.200, 22C.010.060, 22C.010.070, 22C.010.090, 22C.010.210, 22C.010.220, 22C.020.060, 22C.020.070, 22C.020.190, 22C.130.030, 22C.160.080, 22G.080.100, AND 22A.010.160 of the Marysville Municipal Code	Approved Ord. No. 3054
Consider a Resolution Appointing the City Clerk as the Agent to Receive Claims for Damages Pursuant to RCW 4.96.020	Approved Res. No. 2412
Consider a Discussion regarding Emergency Medical Service tax levy options	Approved
Consider Approving the Records Unit Lead pay classification, establishing the position at Pay Code 20 of the Teamsters Pay Grid	Approved
<b>Legal</b>	
<b>Mayor's Business</b>	
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	

<b>Adjournment</b>	8:31 p.m.
<b>Executive Session</b>	8:35 p.m.
Real Estate – one item with action	Action taken
Personnel – one item	
<b>Adjournment</b>	9:15 p.m.



**Regular Meeting**  
*April 10, 2017*

**Call to Order / Pledge of Allegiance**

Mayor Nehring called the meeting to order at 7:00 p.m. Shawn Higgins 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, Jeff Vaughan, and Donna Wright

**Absent:** None

**Also Present:** Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Police Chief Rick Smith, Deputy City Attorney Colin Olivers, Public Works Director Kevin Nielsen, Community Development Director Dave Koenig, and Recording Secretary Laurie Hugdahl.

**Approval of the Agenda**

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

**Committee Reports**

**Presentations**

- Arbor Day Proclamation

Mayor Nehring read the Proclamation declaring April 12, 2017 as Arbor Day in the City of Marysville.

- Employee of the Month

Mayor Nehring recognized the School Resource Officer Unit (Jeremy Wood, Christopher Sutherland, Angela Fawks, David White, Rick Sparr) with the *Mayor's Innovative Service– Dare to Soar Award* for its tremendous work on the 2017 Anti-Bullying Campaign which explores the tragic effects of bullying and promotes the message of hope through personal responsibility. This program, along with the Unit's ongoing dedication to youth, has made a positive impact on our community.

- Snohomish County Tourism Bureau

Amy Spain, Executive Director of the Snohomish County Tourism Bureau (SCTB) made a PowerPoint presentation (distributed to Council) regarding the 2016 Annual Report. She introduced Stacey Pfeiffer, Visitor Services & Training Manager, who manages volunteers and runs the visitor information centers around the county. She also introduced Tammy Dunn, Sports Development Director, who is responsible for the Sports Department which specializes in bringing sports events to the community.

Ms. Spain reviewed the purpose of the SCTB; partnership with the Snohomish County Parks, Recreation and Tourism Department; what the bureau does and how they do it. She stressed that tourism is economic development noting that visitors to Washington State spent nearly \$21 billion in 2015; accounting for \$1.8 billion in local/state tax revenues creating 170,500 jobs. She discussed the need for funding and legislation being proposed this session (HB 1123 and SB 5251). She discussed the impact of tourism to the local economy and areas where visitors are spending their money. Ms. Spain reviewed key stats at a glance regarding requests for information, website visitation, media coverage, convention room nights, numbers of visitors served, hotel occupancy, and hotel/motel tax. She also discussed convention, sports, and group tour sales and service statistics. She thanked the City for its continued support.

## **Audience Participation**

Evan Kaiser, 2910 – 73<sup>rd</sup> Avenue NE, Marysville, WA asked for and received clarification about comments that were made by staff at recent meetings. He stated he wrote a memo to the Mayor asking for procedures on how the City Council functions. He expressed frustration that he never received that or responses to other correspondence he has sent the City and the Council. Mayor Nehring commented on the great number of emails, documents, and questions that Mr. Kaiser has submitted. He reviewed the tremendous amount of work that staff and the Council has spent on the issue (hundreds of hours). Mr. Kaiser again requested that his questions be answered. He asked for clarification about the definition for base height and noted that it is not in the code.

Alice VanBeek, 4929 - 65<sup>th</sup> Street NE, Marysville, WA, thanked the pothole committee for repairing her street and asked what the big holes on 3<sup>rd</sup> Street are. Director Nielsen explained that the project relates to stormwater improvements. The holes are basins to

clean the water before it is discharged out to the Sound. Ms. VanBeek then asked about the Grove Street project. Director Nielsen reviewed the project and explained it would be overlaid at the end.

Tom King, 3113 Sunnyside Blvd, Marysville, WA thanked the City for the recent sidewalk installation on Sunnyside Blvd. near the school. Also, he recently attended the Police Department Citizens Academy which gave him a better understanding and appreciation of what they do. He was especially impressed with the operations of the jail and the need for a larger facility.

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

1. Consider the March 6, 2017 City Council Meeting Minutes

**Motion** made by Councilmember Norton, seconded by Councilmember Wright, to approve the March 6, 2017 Council Meeting Minutes as presented. **Motion** passed unanimously (7-0).

## **Consent**

2. Consider the March 22, 2017 Claims in the Amount of \$804,109.89; Paid by EFT Transactions and Check Numbers 115506 through 115689 with No Checks Voided
3. Consider the March 29, 2017 Claims in the Amount of \$324,508.30; Paid by EFT Transactions and Check Numbers 115690 through 115822 with No Checks Voided
6. Consider the Professional Services Agreement with HDR, Inc. for the State Avenue Widening Project from 100th St NE and 116th Street NE in the amount of \$1,665,545.09

**Motion** made by Councilmember Toyer, seconded by Councilmember Stevens, to approve Consent Agenda items 2, 3, and 6. **Motion** passed unanimously (7-0).

## **Review Bids**

4. Consider Awarding SRV Construction, Inc. for the Grove Street Improvement Project in the amount of \$677,132.79, including Washington State Sales Tax, and approve management reserve of \$72,867.21 for a total allocation of \$750,000.00

Director Nielsen stated that the sewer and side laterals will be replaced. Additionally sidewalks, curbs, and ADA ramps will be replaced.

**Motion** made by Councilmember Stevens, seconded by Councilmember Toyer, to authorize the Mayor to sign and execute the Grove Street Improvement Project in the

amount of \$677,132.79, including Washington State Sales Tax, and approve management reserve of \$72,867.21 for a total allocation of \$750,000.00. **Motion** passed unanimously (7-0).

## Public Hearings

## New Business

5. Consider an **Ordinance** of the City of Marysville, Washington, Updating the City's Development Regulations and Amending Sections 22A.020.050, 22A.020.070, 22A.020.200, 22C.010.060, 22C.010.070, 22C.010.090, 22C.010.210, 22C.010.220, 22C.020.060, 22C.020.070, 22C.020.190, 22C.130.030, 22C.160.080, 22G.080.100, AND 22A.010.160 of the Marysville Municipal Code

Mayor Nehring asked for Council consensus to allow public comments on this item. The Council concurred.

### Public Comments:

Evan Kaiser, 2910 – 73rd Avenue NE, Marysville, WA expressed concern about the proposed definition for sign with allows for advertising. Under the present code these signs are regulated. Under the proposed regulations flags would be unregulated. He stated that he and 100 petitioners want them regulated. He argued that the Supreme Court regulations allow regulation. He urged the Council not to amend the present definition of signs in the code. He expressed frustration about not receiving an answer about why these codes need amending.

### Staff Comments:

Senior Planner Angela Gemmer commented on concerns raised at the prior Council meeting about larger estate size properties potentially being compatible with taller flagpoles provided a greater setback was provided from the property line. She explained that staff had amended Option B (now identified as Option C) to include an exception to provide for this.

Councilmember Seibert asked if permits would be required for flagpoles. Director Koenig explained that it would come down to size and would be determined by the building official. Councilmember Seibert asked how a citizen would know whether or not they need a permit. Director Koenig replied that they would rely what is required in the building code. His understanding is that permits are required if there is a structural need.

Councilmember Muller thanked staff for their work on this. It seems easier to interpret now.

**Motion** made by Councilmember Muller, seconded by Councilmember Wright, to adopt Ordinance No. 3054 as amended to include Option C. **Motion** passed unanimously (7-0).

7. Consider a **Resolution** Appointing the City Clerk as the Agent to Receive Claims for Damages Pursuant to RCW 4.96.020

Deputy City Attorney Olivers explained this is largely a housekeeping measure to make sure there is someone available to accept claims from damages if the clerk or the deputy clerk isn't available.

**Motion** made by Councilmember Wright, seconded by Councilmember Stevens, to adopt Resolution No. 2412. **Motion** passed unanimously (7-0).

8. Consider a Discussion regarding Emergency Medical Service tax levy options

Finance Director Langdon explained that at the last meeting Council had asked for information about the levy. She reviewed the current levy rate and options available to the Council as outlined in the Council packet. Questions and answers about details of the options followed.

**Motion** made by councilmember Seibert, seconded by Councilmember Vaughan, to direct staff to set up a hearing to discuss using the banked capacity for the EMS levy. **Motion** passed unanimously (7-0).

**Motion** made by Councilmember Seibert, seconded by Councilmember Stevens, to direct staff to craft potential language to put this item on the ballot. **Motion** passed unanimously (7-0).

9. Consider Approving the Records Unit Lead pay classification, establishing the position at Pay Code 20 of the Teamsters Pay Grid

CAO Hirashima explained that this is the classification of a Records Unit Lead Position for the Police Department which was approved in the 2017-18 budget, but had not been formally classified at the time of the budget approval. Police and Human Resources completed the job description, and an analysis was completed to establish appropriate pay level. They also bargained the job description and pay with union. The recommended classification is Pay Code 20. Staff is recommending that Council approve the classification.

**Motion** made by Councilmember Norton, seconded by Councilmember Muller, to approve the Records Unit Lead pay classification, establishing the position at Pay Code 20 of the Teamsters Pay Grid. **Motion** passed unanimously (7-0).

## Legal

## Mayor's Business

Mayor Nehring had the following comments:

- Thanks to everyone for coming out tonight and for all the comments.
- The Easter Egg Hunt will be this weekend.
- He spoke at a Volunteer Appreciation Luncheon for those who help to feed the homeless. He recognized those folks for their work.
- On April 22 there will be a ribbon cutting for the first phase of the Ebey Waterfront Trail. He encouraged everyone to come out to see the project.
- There is preliminarily good news from Olympia with \$1 million now in the capital budget for the Qwuloolt Estuary trail and park project and also some money for Bayview.

## Staff Business

Chief Smith:

- Thanks to the Mayor for the *Dare to Soar Award*. That unit works very hard, and this means a lot.
- Interviews were held today for code enforcement officers.

Sandy Langdon reminded Council that the Finance Committee meeting would be held next Wednesday.

Colin Olivers stated the need for an Executive Session to discuss one matter relating to purchase of real estate with action following and one item regarding potential litigation with no action, expected to last 17 minutes.

Dave Koenig commented that the Planning Commission has a meeting tomorrow night to go over code amendments they have been working on with home builders. If approved, those will come to Council in May for action.

Chief McFalls:

- He apologized for coming in late.
- He thanked the Council for taking action on the EMS levy.
- He concurred with the praise for the SRO team. This is another example of how dedicated and committed Chief Smith's officers are.

Kevin Nielsen:

- The weather looks good for the weekend.
- Public Works has a lot going on.
- There are a lot of open positions. He thanked Gloria for her help with this.
- Thanks to Tom King for pointing out the Sunnyside sidewalk which was funded by Safe Sidewalks to School.

Gloria Hirashima reported that staff is extremely busy and struggling to fill positions.



## **Call on Councilmembers**

Jeff Vaughan thanked Ms. VanBeek for her comments and questions. He discussed concerns he heard from people about those holes on 3<sup>rd</sup> Street. Director Nielsen commented that vegetation will grow up. They also may add beauty bark to them.

Donna Wright commented that she has also heard concerns from people about the holes on 3<sup>rd</sup> Street.

Jeff Seibert thanked everyone for support of his position on the EMS levy.

Michael Stevens commented that when he has explained to people that the large holes on 3<sup>rd</sup> Street were made possible by a very sizeable grant that didn't require tax payer dollars, they are generally okay with it.

Rob Toyer had no comments.

Steve Muller:

- He recognized the SRO Unit. This is a great group and a great program.
- He has also heard a lot of comments about the holes on 3<sup>rd</sup> Street, but he explains that we are waiting for vegetation to grow up.
- He expressed condolences about the loss of Cheryl Niclai and commented that she would be missed.

Kamille Norton had no comments.

## **Adjournment**

Council adjourned at 8:31 p.m. for four minutes and reconvened in Executive Session at 8:35 p.m. to discuss one matter relating to purchase of real estate with action following and one item regarding potential litigation with no action, expected to last 17 minutes.

## **Executive Session**

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

Executive Session extended twenty three minutes.

Executive Session ended and public meeting reconvened at 9:15 p.m.

*DRAFT*

**Motion** made by Councilmember Seibert, seconded by Councilmember Muller, to authorize the Chief Administrative Officer to sign a letter regarding the use of eminent domain on the Keiso site. **Motion** passed unanimously (7-0).

**Adjournment**

Seeing no further business Mayor Nehring adjourned the meeting at 9:15 p.m.

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

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

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