

Work Session
December 4, 2017

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, Jeff Vaughan

Absent: Donna Wright

Also Present: Chief Administrative Officer Gloria Hirashima, Police Chief Rick Smith, City Attorney Jon Walker, Public Works Director Kevin Nielsen, Community Development Director Dave Koenig, Assistant Finance Director Jan Berg, Planning Manager Chris Holland, Senior Planner Angela Gemmer, Judge Towers, Judge Gillings, Assistant Chief Goldman and Recording Secretary Laurie Hugdahl.

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

Motion made by Councilmember Toyer, seconded by Councilmember Norton, to excuse the absence of Donna Wright. **Motion** passed unanimously (6-0).

Committee Reports

None

Presentations

A. Judicial Swearing-in

Judge Towers and Judge Gillings were sworn in.

Discussion Items

B. Health District Funding

Clarification questions were asked and answered. There was consensus to bring this back on December 11.

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

Consent

1. Approval of the November 20, 2017 Payroll in the Amount of \$988,044.95 EFT Transactions and Check Number's 31216 through 31241 with Check Numbers 30510, 30801, & 30871 Voided.
2. Approval of the November 22, 2017 Claims in the Amount of \$485,967.39 Paid by EFT Transactions and Check Number's 120831 through 120973 with No Check Numbers Voided.
3. Approval of the November 29, 2017 Claims in the Amount of \$340,095.30 Paid by EFT Transactions and Check Numbers 120974 through 121103 with Check Number 111632 Voided.

Review Bids

Public Hearings

New Business

4. Consider an Ordinance Affirming the Planning Commission's Recommendation and Adopting the Critical Areas Management Code Amendments.

Angela Gemmer explained that the proposed updates to the Critical Areas Ordinance (CAO) would ensure that the code is current. She reviewed the proposed changes which include replacing obsolete references to manuals that are no longer in use for evaluating wetlands with updated publications. The main substantive change would be to allow categories 1 and 2 wetlands to take advantage of the buffer reductions that are presently afforded for category 3 and 4 wetlands if they meet the same site-specific criteria. She reviewed concerns that had been raised by the development community regarding language in section 22E.010.100 that requires a mandatory 25% buffer increase if any of the criteria are met. Staff has proposed two alternative ways of handling that concern. Master Builders had indicated they were in support of Option C

which would provide discretionary language. This is more reflective of how this section has been applied.

Councilmember Seibert asked about residential building permit activity over the last year. Senior Planner Gemmer indicated staff would bring that information back next week. Councilmember Seibert asked how the proposed amendments would benefit or protect the environment and the community. Senior Planner Gemmer explained that builders could only be eligible for buffer reduction if they do mitigation. Councilmember Seibert asked about the concerns related to scoring. Senior Planner Gemmer reviewed the historical and current scoring system. Councilmember Seibert asked for clarification about the building community's concerns. Senior Planner Gemmer and Planning Manager Holland reviewed these. CAO Hirashima added that Ecology updated the Manual so staff was simply updating the code to reflect the updated Manual. The Manual does result in a change to the habitat scoring which is actually what the development community is concerned about. This is not the City's change, but DOE's change that resulted in this issue. If the City wants to keep the same outcomes they have had in the past, they need to change the word "shall" to "may" or "shall not be decreased". Councilmember Seibert suggested that there must be a reason that DOE made the changes they did. He questioned whether or not the City should make changes to that. CAO Hirashima clarified that DOE doesn't regulate buffers.

Councilmember Stevens spoke in support of having some flexibility with buffers.

5. Consider an Ordinance Affirming the Planning Commission's Recommendation and Adopting Amendments to the Marysville Municipal Code Chapter 22C.090 Residential Density Incentives.

Planning Manager Holland reviewed proposed changes to the RDI code which allows developers to pick from a menu in order to increase their density. The proposed changes would identify an RDI for an identified capital improvement project, reorganize sections 7b and 7c for clarification purposes; update language in section 8 regarding Star Energy to allow for LEED building, Evergreen Sustainable Development Standard or Built Green Units; add a new section 11 which would allow for a bonus with critical areas enhancements; and update the review process for the RDI.

6. Consider an Ordinance Affirming the Planning Commission's Recommendation and Adopting Amendments to the Marysville Municipal Code Chapter 22G.090 Subdivisions and Short Subdivisions.

Planning Manager Holland explained that the legislature passed Senate Bill 5674 which allows cities to delegate final plat approval to administrative personnel rather than bringing it back to Council. The proposed amendments would allow that to happen administratively.

Councilmember Seibert asked how the Council would stay informed about plats if they don't come to Council. Planning Manager Holland stated that staff could provide

whatever kind of reports the Council desires. There was consensus to continue to put updates regarding approved final plats in Council's packet for information only.

7. Consider an Ordinance Amending Chapter 11.08 of the Municipal Code to Prohibit Parking Vehicles with Expired Registration on Public Streets.

Assistant Chief Goldman explained that this would help to clean the right of ways in the streets of Marysville.

8. Consider an Ordinance Amending the 2017-2018 Biennial Budget.

Assistant Finance Director Jan Berg reviewed the proposed Ordinance amending the 2017-2018 Budget. CAO Hirashima reviewed the proposed amendments in more detail as contained in the packet including:

- General Fund authority to hire two additional police officers
- General Fund hiring of a Program Specialist in the Police Records Unit
- General Fund hiring of a part-time Emergency Preparedness Coordinator
- General Fund reclassification of a Program Clerk to a Program Specialist in the Parks Department
- General Fund purchase of a UTV and drones using grant, tribal gaming and drug enforcement funds
- General Fund cost included in the interlocal agreement to provide an embedded social work services
- Drug Enforcement Fund budget authority to contribute to the purchase of drones, police utility trailer and ATV and additional funds for the Bear Cat armored vehicle purchase
- Tribal Gaming Fund additional budget authority to contribute to the purchase of drones and the police utility trailer and ATV
- Reorganization of Public Works department
- Fleet Maintenance fund additional budget authority for costs associate with the purchase of the patrol cars, utility trailer, ATV, and additional funds for the BearCat armored vehicle

Councilmember Toyer asked for clarification about the costs and responsibilities for the social worker. Chief Smith reviewed this. Councilmember Toyer asked how they would measure the success of the program. Chief Smith replied that they will measure success by the number of people that they help and by a reduction in crime. He noted that crime has been reduced by quite a bit in the north.

9. Consider an Ordinance Amending Marysville Municipal Code Chapter 11.08.200 to Amend Tractor-Trailer Parking.

Director Nielsen reviewed this item related to tractor-trailer parking. This would limit businesses being able to leave their trailers and run their businesses out of trailers in right of ways.

10. Consider a Resolution Supporting Funding of a New Countywide 911 Emergency Radio System.

Councilmember Seibert asked for clarification about the amount that is being requested. Mayor Nehring explained that the amount of funding is nebulous because nobody knows how it will be funded yet. The resolution under consideration would just be in support of the formation of it and some way to fund it by the county.

Councilmember Muller commented that the City is dependent on the system.

11. Consider a Resolution Prohibiting Entering Roadway at Restricted Intersections.

City Attorney Walker explained that this would prohibit entering roadways except at marked crosswalks at specific intersections. This will achieve the Council's traffic safety goals at busy intersections and would be defensible in court.

12. Consider an Interlocal Agreement with Washington State Department of Corrections for Community Correction Officer Services.

Assistant Chief Goldman stated that this would enter a partnership with the DOC to embed a corrections officer with the NITE team. He reviewed the benefits of this and explained there would be no cost to the City.

13. Consider the Interlocal Agreement with Snohomish County Human Services Department Behavioral Health Program for Law Enforcement Embedded Social Worker Services.

Mayor Nehring explained that this relates to the embedded social worker referred to in the budget amendments.

14. Consider Amendment No. 8 with Advantage Building Services for Janitorial Services which Increases the Contract by \$14,121.63 for a Total Amended Annual Contract Price of \$154,996.93 and Extend the Contract for an Eight Annual Term.

Director Nielsen explained that this would extend the contract and would add two buildings to the contract.

15. Consider the Renewal of the Interlocal for the Marysville Detective to Continue Participating with SNOCAT, the Local Regional Auto Theft Task Force.

Chief Smith explained that this is a renewal of an agreement with Snohomish Regional Auto Theft Task Force.

16. Consider the Right-of-Way Procedures, Waiver of Appraisal Procedure and Administrative Settlement Policy thereby updating the City's Right-of-Way

Procurement Policy consistent with the Washington State Department of Transportation Program Requirements.

Director Nielsen explained that this would update right-of-way procedures which haven't been updated since 2000.

Legal

Mayor's Business

Mayor Nehring had the following comments:

- Thanks to everyone who helped with Marysville for the Holidays.
- He announced that there would be a ribbon cutting on Tuesday at 4:30 at Menchies and on Wednesday at the new Edward Jones shop.

17. Community Transit Appointments (action will be taken at the December 11th meeting)

Staff Business

Chief Smith:

- He wished everyone Happy Holidays.
- Marysville for the Holidays was a fun event even though it was raining.
- He expressed appreciation to Council for their support to the citizens as well as staff.

Kevin Nielsen:

- There will be a pre-construction meeting with the decant facility.
- 1st Street will also be under construction this winter.
- 1st Street bypass and State Avenue are moving along well.
- Staff is looking at doing some stuff at 88th with matching grants from the County.

Dave Koenig reported that there would also be a Housing Hope ribbon cutting on Friday at 1:00 in the Twin Lakes area.

Jon Walker stated the need for an Executive Session to address two items regarding labor negotiations with no action expected; one item related to sale of real estate with no action; and one item with potential litigation with no action expected. The total Executive Session time was estimated to be 15 minutes.

Call on Councilmembers

Councilmember Stevens had no comments.

Councilmember Toyer had no comments.

Councilmember Vaughan had no comments.

Councilmember Seibert requested putting the Conservation District matter on the agenda for the next meeting.

Councilmember Muller reported that they received a lot of coats for the coat drive. He gave an update on Marysville for the Holidays.

Councilmember Norton commented that Marysville for the Holidays was a great event.

Adjournment

Council recessed at 8:28 p.m.

Reconvenement

Council reconvened in Executive Session at 8:35 p.m.

Executive Session

- A. Litigation – one item with no action expected
- B. Personnel – two items with no action expected
- C. Real Estate – one item with no action expected

Adjournment

The meeting was adjourned at 8:50 p.m.

Approved this _____ day of _____, 2018.

Mayor
Jon Nehring