

<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>	
Proclamation: Declaring May 15, 2018, as Peace Officers' Memorial Day and May 13-19, 2018, as Police Week in the City of Marysville.	Read
Proclamation: Declaring June 2018 Men's Health Month in the City of Marysville.	Read
<b>Audience Participation</b>	
<b>Approval of Minutes</b>	
Approval of the April 9, 2018 City Council Meeting Minutes.	Approved
Approval of the April 23, 2018 City Council Meeting Minutes.	Approved
<b>Consent Agenda</b>	
Approval of the April 20, 2018 Payroll in the Amount of \$1,056,496.45, Paid by EFT Transactions and Check Numbers 31475 through 31498.	Approved
Approval of the April 25, 2018 Claims in the Amount of \$763,006.73 Paid by EFT Transactions and Check Numbers 124144 through 124328 with Check Numbers 117971, 124028 and 124071 Voided.	Approved
Approval of the May 2, 2018 Claims in the Amount of \$1,873,012.21 Paid by EFT Transactions and Check Number 124329 through 124461 with No Check Numbers Voided.	Approved
Consider Approving the Interlocal Agreement between the City of Lake Stevens and the City of Marysville for Outdoor Video Services.	Approved
Consider Approving the Amendment of Utility Easement with Grace Academy.	Approved
Consider Approving the Professional Services Agreement with HDR Engineering, Inc., in the Amount of \$999,165.63 for Engineering Services to Develop 30% Design Documents for the Widening of 88th St NE, between State Ave and 67th Ave NE.	Approved
<b>Review Bids</b>	
Consider Awarding the Bid for the 2018 Striping Program Contract to Apply-A-Line in the Amount of \$94,218.88 and approve a Management Reserve of \$4,710.94 for a total Allocation of \$98,929.82.	Approved
Consider Approving the Addition of Quinn Ave Sidewalks (2nd to 4th) Project to the list of Transportation Benefit District Projects, Authorizing the use of TBD Funds as a Match towards the Project. Also Consider Awarding the Bid for Quinn Ave Sidewalks (2nd to 4th) Project to SRV Construction, Inc. in the Amount of \$205,483.20, Including Washington State Sales Tax and Approve a Management Reserve of \$24,516.80 for a Total Allocation of \$230,000.00.	Approved
<b>Public Hearings</b>	
<b>New Business</b>	
Consider approving both the "Release of Easement" Rescinding the 60-foot Easement Recorded under AFN 200410040255, and the 20-foot Ingress, Egress, and Utilities Replacement Easement; said documents	Approved

are to be Recorded Concurrently with the Preliminary Boundary Line Adjustment.	
Consider Approving an Ordinance Affirming the Planning Commission's Recommendation Adopting Amendments to the Marysville Municipal Code Sections 22C.010.280, 22C.160.140, 22C.160.170, 22C.180.020, 22C.180.030, 22D.020.040, 22G.060.090, 22G.080.020, 22G.080.030, and 22G.100.040.	Approved Ordinance No. 3093
Consider Approving an Ordinance Amending Chapter 6.06 of the Municipal Code Relating to Adoption of Statutes by Reference.	Approved Ordinance No. 3094
Consider Approving an Ordinance Adopting RCW 7.94.120 by Reference and Reflecting the Recodification of Crimes Relating to Firearms.	Approved Ordinance No. 3095
Consider Approving an Ordinance Relating to Contracting Indebtedness; Providing for the Issuance, Sale and Delivery of One or More Series of Limited Tax General Obligation Bonds in the Aggregate Principal Amount not to Exceed \$12,600,000 to Provide Funds Necessary to Pay or Reimburse Costs of Designing and Constructing Transportation Improvements, including the 1st Street Bypass, and other Capital Improvements within the City; Fixing or Setting Parameters with Respect to Certain Terms and Covenants of the Bonds; Appointing the City's Designated Representative to approve the Final Terms of the Sale of the Bonds; Creating a Special Fund for the Payment of the Bonds; and Providing for other Related Matters.	Approved Ordinance No. 3096
<b>Legal</b>	
<b>Mayor's Business</b>	
<b>Staff Business</b>	
<b>Call on Councilmembers</b>	
Consider waiving the normal Council rules in order to take action on the Health Board matter.	Approved
Make the first quarterly payment to the Snohomish Health District and to reestablish quarterly payments.	Approved
<b>Adjournment</b>	8:10 p.m.
<b>Reconvenement</b>	8:15 p.m.
<b>Executive Session</b>	8:15 p.m.
<b>Real Estate – one item with action taken</b>	Approved
<b>Personnel – one item with no action</b>	
<b>Adjournment</b>	8:25 p.m.

**Regular Meeting**  
May 14, 2018

**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. Ginger Baker of Eagle Wings Disability gave the invocation.

**Roll Call**

Chief Administrative Officer Hirashima gave the roll call. The following staff and councilmembers were in attendance.

**Mayor:** Jon Nehring

**Council:** Mark James, Tom King, Steve Muller, Kamille Norton (President), Michael Stevens, Rob Toyer, and Jeff Vaughan

**Absent:** None

**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 Assistant Director Tara Mizell, Community Development Director Dave Koenig, Fire Chief Martin McFalls, Public Relations Administrator Connie Mennie, and Recording Secretary Laurie Hugdahl.

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

**Committee Reports**

Steve Muller reported on the Public Works Committee which met on May 14. They received an update on the Edward Springs reservoir and state regulations on storm water and sewer. TIB has some excess money so Public Works is using it to get matching grant money for extra paving. China has restricted recycling regulations so prices will probably go up.

Councilmember Norton reported on the May 2 Public Safety Committee meeting where they received updates on the Police Staffing Study which is wrapping up. There was also a presentation from the LEOFF group. Sgt. Goolsby gave a delightful tour of the jail. Chief Smith gave a tour of the rest of the facility.

Councilmember Vaughan reported on the May 8 Snohomish Health District Board of Health meeting where they discussed moving to an electronic version of agenda packets and what to do with the Rucker Building. A number of citizens showed up to talk about the Health District's proposal to take on a needle exchange program. The public comment was in opposition to that program.

## Presentations

- A. Proclamation: Declaring May 15, 2018, as Peace Officers' Memorial Day and May 13-19, 2018, as Police Week in the City of Marysville.

Mayor Nehring read the proclamation declaring May 15, 2018, as Peace Officers' Memorial Day and May 13-19, 2018, as Police Week in the City of Marysville.

- B. Proclamation: Declaring June 2018 Men's Health Month in the City of Marysville.

Mayor Nehring read the proclamation declaring June 2018 Men's Health Month in the City of Marysville.

## Audience Participation

Lynn Shinnick, 17917 W. Country Club Drive, Arlington, WA (representing Marysville Pickle Ball Group) discussed the need for pickle ball courts in Marysville to provide healthy exercise and recreation for Marysville residents. She requested assistance from the City in showing the group how to move forward and to partner with the community.

Rick Bomar, 7212 Soper Hill Road, Marysville, WA, spoke about how he worked with the City of Edmonds to develop pickle ball courts in that community at Yost Park and helped to develop leagues and tournaments.

Councilmember Vaughan commented on the changing demographic in Marysville that might be interested in recreational opportunities like this. He requested more information from Parks and Community Development about this possibility.

Councilmember Stevens stated he is a huge pickle ball fan. He enjoys playing with friends.

Preston Dvoskin, 11120 46<sup>th</sup> Avenue NE, Marysville, WA 98271, stated that 28 people recently graduated from CERT. This was the best training class he has ever taken. He thanked the City for offering it. He expressed appreciation to Chief Smith for his service and for helping to keep the community safe.

Natasha Coumou, 917 Quinn Avenue, Marysville, WA, expressed concern about a bikini barista stand which is very close to a school in her neighborhood. Mayor Nehring stated that the Council shares her sentiments and noted there are some legal restrictions that the City faces in regulating these. Chief Smith also discussed this stand and stated that police are keeping an eye on it and have cited someone at the stand already. They intend to keep watching this situation. City Attorney Walker discussed regulations that limit city actions. He believes Marysville's code as it is now is adequate for the type of situations they have concerns about. He clarified that it is not illegal to wear a bikini in public.

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

1. Approval of the April 9, 2018 City Council Meeting Minutes.

**Motion** made by Councilmember King, seconded by Councilmember Toyer, to approve the April 9, 2018 City Council Meeting Minutes. **Motion** passed unanimously (6-0) with Councilmember Stevens abstaining.

2. Approval of the April 23, 2018 City Council Meeting Minutes.

**Motion** made by Councilmember Norton, seconded by Councilmember Stevens, to approve the April 23, 2018 City Council Meeting Minutes. **Motion** passed unanimously (6-0) with Councilmember Vaughan abstaining.

## **Consent**

3. Approval of the April 20, 2018 Payroll in the Amount of \$1,056,496.45, Paid by EFT Transactions and Check Numbers 31475 through 31498.
4. Approval of the April 25, 2018 Claims in the Amount of \$763,006.73 Paid by EFT Transactions and Check Numbers 124144 through 124328 with Check Numbers 117971, 124028 and 124071 Voided.
5. Approval of the May 2, 2018 Claims in the Amount of \$1,873,012.21 Paid by EFT Transactions and Check Number 124329 through 124461 with No Check Numbers Voided.
8. Consider Approving the Interlocal Agreement between the City of Lake Stevens and the City of Marysville for Outdoor Video Services.
9. Consider Approving the Amendment of Utility Easement with Grace Academy.
11. Consider Approving the Professional Services Agreement with HDR Engineering, Inc., in the Amount of \$999,165.63 for Engineering Services to Develop 30% Design Documents for the Widening of 88th St NE, between State Ave and 67th Ave NE.

**Motion** made by Councilmember James, seconded by Councilmember Muller, to approve Consent Agenda items 3, 4, 5, 8, 9, and 11. **Motion** passed unanimously (7-0).

## Review Bids

6. Consider Awarding the Bid for the 2018 Striping Program Contract to Apply-A-Line in the Amount of \$94,218.88 and approve a Management Reserve of \$4,710.94 for a total Allocation of \$98,929.82.

**Motion** made by Councilmember Muller, seconded by Councilmember King, to authorize the Mayor to approve the Bid for the 2018 Striping Program Contract to Apply-A-Line in the Amount of \$94,218.88 and Approve a Management Reserve of \$4,710.94 for a total Allocation of \$98,929.82. **Motion** passed unanimously (7-0).

7. Consider Approving the Addition of Quinn Ave Sidewalks (2nd to 4th) Project to the list of Transportation Benefit District Projects, Authorizing the use of TBD Funds as a Match towards the Project. Also Consider Awarding the Bid for Quinn Ave Sidewalks (2nd to 4th) Project to SRV Construction, Inc. in the Amount of \$205,483.20, Including Washington State Sales Tax and Approve a Management Reserve of \$24,516.80 for a Total Allocation of \$230,000.00.

**Motion** made by Councilmember King, seconded by Councilmember Norton, to approve the Addition of Quinn Ave Sidewalks (2nd to 4th) Project to the list of Transportation Benefit District Projects, Authorizing the use of TBD Funds as a Match towards the Project. Also Consider Awarding the Bid for Quinn Ave Sidewalks (2nd to 4th) Project to SRV Construction, Inc. in the Amount of \$205,483.20, Including Washington State Sales Tax and Approve a Management Reserve of \$24,516.80 for a Total Allocation of \$230,000.00. **Motion** passed unanimously (7-0).

## Public Hearings

### New Business

10. Consider approving both the "Release of Easement" Rescinding the 60-foot Easement Recorded under AFN 200410040255, and the 20-foot Ingress, Egress, and Utilities Replacement Easement; said documents are to be Recorded Concurrently with the Preliminary Boundary Line Adjustment.

Councilmember King recused himself from this item. Director Koenig reviewed this item.

**Motion** made by Councilmember James, seconded by Councilmember Stevens, authorize the Mayor to execute both the "Release of Easement" Rescinding the 60-foot Easement Recorded under AFN 200410040255, and the 20-foot Ingress, Egress, and Utilities Replacement Easement; said documents are to be Recorded Concurrently with the Preliminary Boundary Line Adjustment. **Motion** passed unanimously (7-0).

Councilmember King rejoined the meeting.

12. Consider Approving an Ordinance Affirming the Planning Commission's Recommendation Adopting Amendments to the Marysville Municipal Code Sections 22C.010.280, 22C.160.140, 22C.160.170, 22C.180.020, 22C.180.030, 22D.020.040, 22G.060.090, 22G.080.020, 22G.080.030, and 22G.100.040.

Director Koenig reviewed these items.

Councilmember Muller asked if the amendment to allow more than 12 per parcel is being interpreted correctly. He thought that this was already allowed, and just 12 units per pod were allowed. Director Koenig explained that they were removing "per development" to clarify it. Councilmember Muller referred to Accessory Dwelling Units and clarified that the concern wasn't slumlords; they just didn't want to create a duplex type situation in a residential neighborhood.

**Motion** made by Councilmember Norton, seconded by Councilmember Stevens, to approve Ordinance No. 3093. **Motion** passed unanimously (7-0).

13. Consider Approving an Ordinance Amending Chapter 6.06 of the Municipal Code Relating to Adoption of Statutes by Reference.

City Attorney Walker explained that this relates to adopting statutes by reference.

**Motion** made by Councilmember Muller, seconded by Councilmember Toyer, to approve Ordinance No. 3094. **Motion** passed unanimously (7-0).

14. Consider Approving an Ordinance Adopting RCW 7.94.120 by Reference and Reflecting the Recodification of Crimes Relating to Firearms.

City Attorney Walker explained that this is primarily concerned with Extreme Risk Protection Orders. This would adopt the statute that makes it a crime for someone either to possess guns while subject to an order or to represent or make false statements to try to get an order.

Councilmember James asked if this is stricter than the state statute. City Attorney Walker explained that it is not; it would just adopt the state statute.

**Motion** made by Councilmember King, seconded by Councilmember Norton, to approve Ordinance No. 3095. **Motion** passed unanimously (7-0).

15. Consider Approving an Ordinance Relating to Contracting Indebtedness; Providing for the Issuance, Sale and Delivery of One or More Series of Limited Tax General Obligation Bonds in the Aggregate Principal Amount not to Exceed \$12,600,000 to Provide Funds Necessary to Pay or Reimburse Costs of Designing and Constructing Transportation Improvements, including the 1st Street Bypass, and other Capital Improvements within the City; Fixing or Setting Parameters with Respect to Certain Terms and Covenants of the Bonds;

Appointing the City's Designated Representative to approve the Final Terms of the Sale of the Bonds; Creating a Special Fund for the Payment of the Bonds; and Providing for other Related Matters.

**Motion** made by Councilmember Stevens, seconded by Councilmember Toyer, to approve Ordinance No. 3096. **Motion** passed unanimously (7-0).

## **Legal**

## **Mayor's Business**

Mayor Nehring had the following comments:

- He, Councilmember James and Tara Mizell attended Snohomish County Tourism Kickoff this afternoon. It was neat to see the organization and strategic planning behind this partnership.
- He attended the new market aircraft meeting with Council Executive Dave Somers' Committee. This is looking very promising for the MIC.
- He thanked the Historical Society for inviting the Council to dinner and an update on their great efforts this evening. He expressed appreciation for the work they are doing.

## **Staff Business**

Chief Smith reported that the Police Department is getting ready for the Strawberry Festival and the routine issues they deal with when the weather gets nicer.

Sandy Langdon gave a reminder of the Finance Committee meeting this Wednesday.

Jon Walker stated the need for an Executive Session to discuss two items: one lease and a discussion related to collective bargaining estimated to last 10 minutes with action expected on lease matter.

Dave Koenig had no comments.

Martin McFalls invited the Council to an open house and new engine dedication on Wednesday afternoon from 4-6 p.m. at Fire Station 62.

Tara Mizell stated that there would be some listening groups for each area of the division of the county.

Kevin Nielsen had no comments.

Connie Mennie had no comments.

Gloria Hirashima reminded the Council that the Marysville-Lake Stevens Joint Council Meeting would be held tomorrow night. She reviewed the agenda for that meeting.



## Call on Councilmembers

Jeff Vaughan:

- He appreciated the tour that Chief Smith gave them of the Public Safety building. He congratulated them on the creative use of space.
- He followed up on his report of the Health Board Meeting. Ultimately there was no action from the Board. It appears that the matter is dead for the moment. He proposed that the City make their first quarter payment to the Health District as a measure of good faith.

Mark James:

- There was a really successful Chamber business mixer on Thursday at the Opera House.
- He attended the Snohomish County Tourism Summit today.

Tom King:

- He attended the 40<sup>th</sup> Anniversary event of the Marysville Soroptomists Club last week along with Councilmember James and his wife. He commended the Opera House as a venue for events.
- He has been traveling all over the state with the Strawberry Festival float which has received some awards. Last weekend they went to Sequim and got a very warm welcome. This Saturday they are going to the Lilac Festival in Spokane.
- He attended the dinner at the Historical Society tonight. He commended them for the work they do.

Michael Stevens reiterated his love of pickle ball.

Rob Toyer thanked Councilmember Vaughan for keeping the Council apprised of the Health Board issue.

Steve Muller also expressed appreciation to Councilmember Vaughan for his representation.

Kamille Norton asked if the Council needed to take action on the Health Board payments. City Attorney Walker stated that they would if they wished to make a payment.

**Motion** made by Councilmember Norton, seconded by Councilmember Vaughan, to waive the normal Council rules in order to take action on the Health Board matter.

**Motion** passed unanimously (7-0).

**Motion** made by Councilmember Norton, seconded by Councilmember Toyer, to make the first quarterly payment to the Snohomish Health District and to reestablish quarterly payments. **Motion** passed unanimously (7-0).

## Adjournment

Council recessed at 8:10 p.m.

**Reconvenement**

Council reconvened at 8:15 p.m. in Executive Session to discuss two items: one lease and collective bargaining to last 10 minutes with action expected on lease matter.

**Executive Session**

- A. Litigation
- B. Personnel – one item
- C. Real Estate – one item

**Motion** made by Councilmember Muller, seconded by Councilmember Toyer, to authorize the Mayor to sign the first amendment to the real estate purchase and sale contract for 1510 1<sup>st</sup> Street. **Motion** passed unanimously (7-0).

**Adjournment**

The meeting was adjourned at 8:25 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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