

City Council



1049 State Avenue
Marysville, WA 98270

**Regular Meeting
Minutes
October 12, 2020**

Call to Order / Invocation / Pledge of Allegiance

Mayor Nehring called the meeting to order at 7:00 p.m. Pastor Aaron Thompson from Marysville Foursquare Church delivered the invocation. Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Council President Kamille Norton, Councilmember Jeff Vaughan, Councilmember Tom King, Councilmember Mark James, Councilmember Michael Stevens, Councilmember Steve Muller, Councilmember Kelly Richards

Staff: CAO Gloria Hirashima, Finance Director Sandy Langdon, Parks & Recreation Director Tara Mizell, Police Chief Erik Scairpon, Interim Chief Jeff Goldman, Human Resources Manager Teri Lester, Deputy City Attorney Burton Eggertsen, Interim Community Development Director Allan Giffen, Asst. Public Works Director Kari Chennault, Fire Chief Martin McFalls, CIO Connie Mennie, IS Manager Worth Norton, Systems Analyst Mike Davis

Approval of the Agenda

Motion to approve the agenda moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

Committee Reports

Councilmember King reported on the Fire Board meeting last week where they had a planning meeting and discussed the proposed 2021 budget. They also discussed future remodels and improvements to existing fire stations.

Council President Norton reported on the October 8 Public Safety Committee meeting. One open patrol position remains, and the department is very busy. Records department reported that there is about a 50% increase over last year on concealed pistol license processing, fingerprinting and gun purchases. There was also an update on training opportunities. Crime statistics look great again this month. All categories of crime were down compared to last year and compared to the four-year average.

Councilmember Vaughan reviewed the October 9 Finance Committee meeting where they received an update on the budget. Sales tax tracking is looking good in certain segments of the economy. There was also discussion regarding the COVID-19 grant and utility billing issues.

Presentations

A. Declaring October 2020 as National Disability Employment Awareness Month

Mayor Nehring read the proclamation recognizing October 2020 as National Disability Employment Awareness Month in the City of Marysville.

Audience Participation

None.

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

12. Approval of the September 14, 2020 City Council Meeting Minutes

Motion to approve the September 14, 2020 City Council Meeting Minutes moved by Council President Norton seconded by Councilmember King.

AYES: ALL

Consent

Councilmember Vaughan requested removal of item 3 from the Consent Agenda.

1. Approval of the September 23, 2020 Claims in the Amount of \$2,514,820.87 Paid by EFT Transactions and Check Numbers 143410 through 143533 with Check Number 142236 Voided
2. Approval of the September 30, 2020 Claims in the Amount of \$2,195,498.04 Paid by EFT Transactions and Check Numbers 143534 through 143635 with No Check Numbers Voided

7. Consider Approving the Centennial Trail Lease Agreement with Washington State Department of Transportation
8. Consider Approving the Buy/Sell Agreement with Mitigation Banking Services, LLC, for the Purchase of 1.289 Wetland Credits in the Amount of \$290,025.00, thereby mitigating unavoidable wetland impacts arising from the Centennial Trail Connector Project
13. Approval of the September 10, 2020 Payroll in the Amount of \$1,428,080.62 Paid by EFT Transactions and Check Numbers 33216 through 33236

Motion to approve Consent Agenda items 1, 2, 7, 8, and 13 moved by Council President Norton seconded by Councilmember Richards.

AYES: ALL

3. Consider Approving the Relinquishment of Slope Easement with Marysville School District for 67th Avenue Townhome Development and Record with the Snohomish County Auditor

Councilmember Vaughan explained he has ownership in a property adjacent to this property and would be abstaining from the vote in order to avoid any appearance of conflict of interest.

Motion to approve the Relinquishment of Slope Easement with Marysville School District for 67th Avenue Townhome Development and Record with the Snohomish County Auditor moved by Councilmember King seconded by Councilmember Stevens.

VOTE: Motion carried 6 - 0

ABSTAIN: Councilmember Vaughan

Review Bids

Public Hearings

14. Consider an Ordinance of the City of Marysville Adopting a Biennial Budget for the City of Marysville, Washington, for the Biennial Period of January 1, 2021 to December 31, 2022. Setting Forth in Summary Form the Totals of Estimated Revenues and Appropriations for Each Separate Fund and the Aggregate Totals of all such Funds Combined, and Established Compensation Levels as Proscribed by MMC 3.50.030. (Action Requested October 26, 2020)
15. Consider an Ordinance of the City of Marysville Levying Regular Taxes Upon all Property Real, Personal and Utility Subject to Taxation within the Corporate Limits of the City of Marysville, Washington for the Year 2021. (Action Requested October 26, 2020)
16. Consider an Ordinance of the City of Marysville Levying EMS Taxes Upon all Property Real, Personal and Utility Subject to Taxation within the Corporate

Limits of the City of Marysville, Washington for the year 2021. (Action Requested October 26, 2020)

Mayor Nehring introduced and summarized the budget. Finance Director Langdon made a PowerPoint presentation regarding the 2021/2022 Preliminary Budget. Department leadership reviewed budget requests for their departments.

Questions and Comments:

Council President Norton asked how many new homes the City would be serving for garbage in the central annexation. Finance Director Langdon replied that there would be approximately 7500 more homes served. Councilmember Richards asked for a geographical description of the central annexation. Assistant Director Chennault offered to provide a map of this later. CAO Hirashima generally described the area. Councilmember Richards recommended notifying residents of the central annexation about changes to their garbage collection in the future. Staff stated that the residents would be notified appropriately.

Councilmember Muller asked about the Hotel Motel Fund amount. Finance Director Langdon replied that it is down, but they didn't do any grants this year.

Councilmember King asked if there would be any problem with the City taking over Waste Management's routes. CAO Hirashima reviewed this matter and explained that the City reached an agreement with them.

Finance Director Langdon solicited suggestions for budget topic considerations besides the Health District per capita discussion. With regard to the Health District issue Councilmember Vaughan requested information about what other cities are doing.

Councilmember Richards asked about the wisdom of putting vehicle replacements on hold. Director Langdon explained that they would take a look at those that are most needed to make sure they don't fall behind.

Council President Norton asked for confirmation that this budget is not taking the 1%. Mayor Nehring confirmed that there would be no property tax increase.

The public hearing for all three budget items was opened at 7:43 and comments were solicited. Seeing none, the hearing was closed at 7:43 p.m.

New Business

4. Consider Approving the Recovery Contract with Alexander Reed, LLC for the King's Creek Short Plat Water Utility Construction Costs

Motion to authorize the Mayor to sign and execute Recovery Contract No. 300 with Alexander Reed, LLC for the King's Creek Short Plat Water Utility Construction Costs moved by Councilmember Richards seconded by Councilmember Muller.

AYES: ALL

5. Consider Approving the Recovery Contract with Alexander Reed, LLC for the King's Creek Short Plat Sewer Utility Construction Costs

Motion to authorize the Mayor to sign and execute the Recovery Contract No. 301 with Alexander Reed, LLC for the King's Creek Short Plat Sewer Utility Construction Costs moved by Councilmember Stevens seconded by Councilmember Richards.

AYES: ALL

9. Consider Approving an Ordinance Affirming the Planning Commission's Recommendation and Adopt the Commercial Permitted Uses, and Density and Dimensional Amendments

Interim Community Development Director Giffen reviewed this item explaining that it is basically a cleanup of the code. He responded to Council's request from last week to explore the potential of revisiting the Whiskey Ridge Subarea Plan to allow housing. In response to Councilmember Vaughan's question about what the cost might be to hire a consultant, he noted that it would be somewhere around \$35,000 depending on how much of the work staff could do.

Motion to adopt Ordinance No. 3159 Affirming the Planning Commission's Recommendation and Adopt the Commercial Permitted Uses, and Density and Dimensional Amendments moved by Councilmember Richards seconded by Councilmember James.

AYES: ALL

Councilmember Richards asked if the costs would be more if they wait until next year. Interim Community Development Director Giffen estimated it would be about the same.

Councilmember Vaughan noted that the question to answer is whether or not the Council wants to change direction with what has been planned for this area. He spoke to his concerns related to this. The Council reaffirmed its stance at the Council retreat this year to keep with the original plan, and he still agrees with not adding more housing to this area. He urged caution in moving forward.

Councilmember James agreed that they don't want to change, but noted that things have changed a lot since the Council retreat. He didn't see any harm in looking further at the matter. Commissioner Muller thought this would actually be a Planning Commission process. He suggested directing the Planning Commission to start looking at the issue internally. CAO Hirashima commented that some of the analysis should be done by a consultant, but the Planning Commission and staff could look at land use alternatives scenario.

Councilmember Richards concurred with Councilmember Vaughan about letting the plan run its course. Council President Norton also concurred with staying with the plan. CAO Hirashima explained that the natural course would be to allow a citizen-initiated

Comprehensive Plan Amendment which would probably be on a parcel-by-parcel basis. The City would be involved if the Council wanted to study a larger area to look at land use changes. She commented that it is generally better to look at things on an area-wide basis rather than a parcel here and a parcel there. Interim Community Development Director Giffen concurred.

Councilmember Stevens commented on his interest in learning the level of desire in the development community by the docket submittal and possibly revisiting the subject at that point. He asked if there is a sunset on the current plan where they would naturally review it. CAO Hirashima replied that there is not. The plan is in place until the Council wants to change it.

Councilmember King asked Chief McFalls about the Fire District's ability to serve that area if there was a higher amount of residential. Chief McFalls replied there would be some amount of partnership between Marysville and Lake Stevens fire departments.

Councilmember Richards agreed that they could wait until January or February to take action after the docket process.

No action was taken; the majority of the Council was in favor of letting the docket process run its natural course.

10. Consider Approving the Interagency Agreement with Washington Traffic Safety Commission for Impaired Driving, Distracted Driving and Motorcycle Safety

Interim Chief Goldman reviewed this item. Staff is recommending approval.

Motion to approve the Interagency Agreement with Washington Traffic Safety Commission for Impaired Driving, Distracted Driving and Motorcycle Safety moved by Councilmember Richards seconded by Council President Norton.

AYES: ALL

11. Consider Approving an Interagency Agreement with Washington Traffic Safety Commission for Pedestrian Safety

Interim Chief Goldman reviewed this item. Staff is recommending approval.

Motion to approve an Interagency Agreement with Washington Traffic Safety Commission for Pedestrian Safety moved by Councilmember King seconded by Councilmember James.

AYES: ALL

17. Consider Approving the Small Business Relief Program Amendment, Including Approving Final Grant Awards

Finance Director Langdon reported that the grants are doing very well, especially on the business side. Based on the requests coming in, staff is requesting Council consider distributing another \$300,000 to the business portion of the grant.

Motion to authorize the Mayor to initiate and administer the Small Business Relief Program Amendment, Including Approving Final Grant Awards moved by Councilmember James seconded by Councilmember Stevens.

AYES: ALL

Legal

Mayor's Business

None

Staff Business

CIO Mennie had no comments.

Interim Chief Goldman had no further comments.

Chief Scairpon thanked Council for their consideration of the two traffic safety grants tonight.

Asst. Director Chennault had no further comments.

Interim Director Giffen had no further comments.

Director Langdon had no further comments.

Director McFalls had no further comments.

Director Mizell had no comments.

HR Manager Lester had no further comments.

Deputy City Attorney Eggertsen stated the need for an Executive Session for 15 minutes to address two items - one pending litigation item and one property acquisition item with action requested on both.

CAO Hirashima thanked Council for the lively discussion on land use; it was very helpful for staff.

Call on Councilmembers

Councilmember Muller thanked staff for the preliminary work on the budget.

Councilmember Stevens expressed appreciation to staff and the Mayor for the budget.

Councilmember Richards thanked staff for the budget. He has heard of an uptick in undesirable activity around Shoultes Elementary. Chief Scairpon indicated they would look into that.

Councilmember Vaughan asked when the next Economic Development Committee meeting would be. Mayor Nehring noted it would be in November. Councilmember Vaughan also expressed appreciation for the good discussion tonight related to land use and indicated he would appreciate more opportunities for these types of discussion in the future.

Councilmember James thanked staff for their work on the budget. He also appreciated the land use discussion.

Councilmember King reported that he sat in on the City audit report last week where the City got a clean bill of health. He saw that the railing along the concrete wall was being installed on the first street bypass. He has heard many good comments regarding the bypass. The motorists seem to be getting used to the new configuration. The lighting is very impressive at night.

Council President Norton thanked staff for the prudent and restrained budget. She commented that she had spoken to the Mayor about adding possibly adding more community development issues to the Economic Development Committee so Council can have a chance to be more connected to land use and planning issues.

Adjournment/Recess

Council recessed at 8:30 p.m. for twelve minutes before reconvening in Executive Session.

Executive Session

Council reconvened at 8:42 p.m. in Executive Session for 15 minutes to address one pending litigation item and one property acquisition item with action requested on both items.

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

Reconvene

Council reconvened at 8:57 p.m.

Motion made by Councilmember Mueller, seconded by Councilmember James, to authorize the Mayor to sign the real estate purchase and sale contract for the Pavish property.

VOTE: Motion carried 6 - 0

ABSTAIN: Councilmember Richards

Motion made by Councilmember Richards, seconded by Councilmember Muller, to authorize the Mayor to approve and sign the settlement agreement with MMA, LLC.

AYES: ALL

Adjournment

Motion to adjourn moved by Councilmember Muller seconded by Councilmember James.

AYES: ALL

The meeting was adjourned at 9:02 p.m.

Approved this _____ day of _____, 2020.

Mayor
Jon Nehring