

**City Council**



**1049 State Avenue  
Marysville, WA 98270**

**Regular Meeting  
Minutes  
March 8, 2021**

**Call to Order**

Mayor Nehring called the March 8 City Council Meeting to order via Zoom at 7:00 p.m.

**Invocation**

Pastor John Mason from Mountainview Presbyterian Church gave the invocation.

**Pledge of Allegiance**

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 Kelly Richards, Councilmember Michael Stevens, Councilmember Steve Muller

Staff: Chief Administrative Officer (CAO) Gloria Hirashima, Finance Director Sandy Langdon, City Engineer Jeff Laycock, Police Chief Erik Scairpon, City Attorney Jon Walker, Parks & Recreation Director Tara Mizell, Interim Community Development Director Allan Giffen, Fire Chief Martin McFalls, Human Resources Manager Teri Lester, Jennifer Millett, Information Services Manager Worth Norton, Systems Analyst Mike Davis

**Approval of the Agenda**

**Motion** to approve the agenda moved by Councilmember Muller seconded by Councilmember Richards.

**AYES: ALL**

### **Presentations**

A. Proclamation: Declaring March 14, 2021 Bob Peterson Day

Mayor Nehring read the Proclamation declaring March 14, 2021 Bob Peterson Day in appreciation of his great service to our nation.

B. Snohomish Health District

Shawn Frederick, Snohomish Health District, gave a presentation regarding 2020 in review. He discussed agency improvements, the Environmental Health Division statistics, Prevention Services Division statistics and general community health information. Regarding the COVID-19 response, he discussed case rates and what the response will be moving forward including disease prevention/containment and vaccines.

Moving forward the Health District will resume work to implement its Strategic Plan which began prior to COVID-19. Mr. Frederick reviewed projected revenues and an updated six-year forecast. Looking ahead, the Health District will be focusing on COVID funding, sustainable funding, and increased revenue.

Councilmember James asked if the 501c3 idea has been successful in other locales. Mr. Frederick explained that this and other non-profit agency models were studied and seen to be successful.

Councilmember Richards referred to the COVID-19 Vaccine Dashboard slide and asked if the numbers for the Tribes were included in the numbers. Mr. Frederick indicated that they were.

Councilmember King expressed appreciation to the Health District for their professionalism in working with their vendors during the Strawberry Festival. He asked for more information about the swimming pool inspection program. Mr. Frederick explained that they inspect outside the pool, safety systems around the pool, as well as inside the pool.

### **Audience Participation**

None.

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

13. Approval of the February 22, 2021 City Council Meeting Minutes

**Motion** to approve the February 22, 2021 City Council Meeting Minutes as presented moved by Councilmember Stevens seconded by Councilmember Muller.

**AYES: ALL**

14. Approval of the February 19, 2020 City Council Special Meeting Minutes

**Motion** to approve the February 19, 2020 City Council Special Meeting Minutes as presented moved by Councilmember Muller seconded by Councilmember James.

**AYES: ALL**

### **Consent**

Councilmember Stevens asked to remove Consent Agenda items 8 and 9 and place them under New Business since he has a professional relationship through his firm with the developer.

**Motion** to remove Consent Agenda items 8 and 9 and place them under New Business moved by Councilmember Stevens seconded by Council President Norton.

**AYES: ALL**

1. Approval of the February 10, 2021 Misc. Payroll in the Amount of \$29,991.62 Paid by EFT Transactions and Check Numbers 33374 through 33375
2. Approval of the February 17, 2021 Claims in the Amount of \$3,352,892.43 Paid by EFT Transactions and Check Numbers 146497 through 146653
3. Approval of the February 25, 2021 Payroll in the Amount of \$1,453,575.61 Paid by EFT Transactions and Check Numbers 33376 through 33384
4. Approval of the February 24, 2021 Claims in the Amount of \$668,855.00 Paid by EFT Transactions and Check Numbers 146654 through 146783
5. Consider Approving the Supplemental Agreement No. 5 with HDR, Inc. for Phase 2 of the State Avenue (100th Street NE to 116th Street NE) Corridor Improvement Project in the Amount of \$298,543.93 and Extending the Term to June 30, 2022
6. Consider Approving the Amending the Grant Agreement with the Department of Ecology for the Downtown Stormwater Treatment Project
7. Consider Approving the Professional Services Agreement with BHC Consultants for the Design of the WWTP Near Term Improvement Project

**Motion** to approve Consent Agenda items 1-7 moved by Councilmember Richards seconded by Councilmember Stevens.

**AYES: ALL**

## Review Bids

## Public Hearings

## New Business

8. Consider Approving the Water Easement Relinquishment with WK Investments, LLC

Councilmember Stevens recused himself from discussion and action on this item since he has a professional relationship through his firm with the developer.

**Motion** to authorize the Mayor to sign and execute the Water Easement Relinquishment with WK Investments, LLC moved by Councilmember Muller seconded by Councilmember King.

**VOTE: Motion carried 6 - 0**

**RECUSED: Councilmember Stevens**

9. Consider Approving the Sewer Easement Relinquishment with WK Investments, LLC

Councilmember Stevens recused himself from discussion and action on this item since he has a professional relationship through his firm with the developer.

**Motion** to authorize the Mayor to sign and execute the Sewer Easement Relinquishment with WK Investments, LLC moved by Councilmember King seconded by Councilmember Muller.

**VOTE: Motion carried 6 - 0**

**RECUSED: Councilmember Stevens**

10. Consider Approving an Ordinance Consenting to the Change of Control of Astound Broadband LLC

City Attorney Walker explained that this item and item 11 related to consolidation in the cable and telecommunications industry.

**Motion** to approve Ordinance No. 3177 consenting to the Change of Control of Astound Broadband LLC moved by Council President Norton seconded by Councilmember Richards.

**AYES: ALL**

11. Consider Approving an Ordinance Consenting the Change of Control of WaveDivision I, LLC

**Motion** to approve Ordinance No. 3178 Consenting to the Change of Control of WaveDivision I, LLC moved by Councilmember Richards seconded by Councilmember Vaughan.

**AYES: ALL**

12. Consider Approving a Resolution to Increase Cedarcrest Golf Course Rates

**Motion** to adopt Resolution No. 2494 to increase Cedarcrest Golf Course Rates moved by Council President Norton seconded by Councilmember Muller.

**AYES: ALL**

15. Consider Approving an Ordinance Amending Chapter 6.27 MMC and Criminalizing the Possession of a Controlled Substance without a Prescription

**Motion** to approve Ordinance No. 3179 Amending Chapter 6.27 MMC and Criminalizing the Possession of a Controlled Substance without a Prescription moved by Councilmember Richards seconded by Councilmember James.

City Attorney Walker reviewed this statute related to possession of a controlled substance without a prescription. Police Chief Scairpon commented that the City has always led with compassion in this area with the embedded mental health professional program that helps to incentivize treatment as opposed to penalties. Even so, it is important to have tools in place to address dangerous drug use out in public or on the streets for individuals that refuse treatment.

Councilmember James further discussed background on the state law and his questions about the proposed item. He noted that he had had concerns about the terms "use of" and "possession of" and the recitals, but City Attorney Walker had assured him the verbiage provides context and also enhances the tools. Councilmember James also had asked what constitutes an emergency and what the reason was for needing this to become effective immediately. He explained it had to do with preventing a loss of momentum that the police and legal teams had built up in Marysville and their efforts to ultimately help people in crisis and addiction. He stressed the importance of Marysville's reputation of being both compassionate and tough on crime and stated he would be voting in support.

City Attorney Walker informed the Council that if the state legislature amends the state law so that it is constitutional he would recommend repealing this.

**AYES: ALL**

## **Legal**

### **Mayor's Business**

- He urged everyone to take a look at Chief Scairpon's interview with Brandi Kruse on yesterday's Divide Show.
- He updated Council on a call he was on with other mayors and Governor Inslee's staff to encourage Governor Inslee to consider moving forward with opening restaurants, gyms and other businesses with greater capacity. They also

encouraged the Governor to allow greater numbers for outdoor activities. They also asked that in any future phases Snohomish County would be able to stand on its own and not be coupled with King and Pierce counties.

## **Staff Business**

Chief Scairpon:

- He gave an update on the new embedded mental health program which has been delayed due to a licensing issue with the Department of Health.
- There should be an announcement soon about the candidate for Assistant Police Chief.
- He gave an update on Assistant Chief Goldman's status.

Finance Director Langdon had no comments.

Interim Community Development Director Giffen noted that the public comment period is open through March 29 for the Draft Downtown Master Plan. Staff and the consultant team will be making a presentation to the Planning Commission tomorrow night.

City Engineer Laycock:

- Ground was broken last week for the Centennial Trail Connector.
- State Avenue north of 100th will be shut down in the northbound direction next week for sewer work.

Fire Chief McFalls thanked Chief Scairpon for the updates.

Parks & Recreation Director Mizell gave an update from last week's tryouts at Cedar Fields. Games will be starting next week.

Human Resources Manager Lester had no comments.

City Attorney Walker had no comments.

CAO Hirashima had no comments.

## **Call on Councilmembers and Committee Reports**

Councilmember Vaughan reported on the recent Finance Committee meeting where they received a budget update. Things are tracking well. Sales tax total is up 12.1%. They received an update on the City Campus, utility billing, and the utility disconnection moratorium which has been extended to July 31.

Councilmember Stevens thanked staff for putting together Ordinance 3179. He believes this is important for the community.

Councilmember Muller reported on the March 5 Public Works Committee meeting. They are in the process of renewing existing water rights with the City of Everett for the water supply. There was also discussion about what will be done with solid waste recycle and land waste. They are exploring various options and hope to make a decision by May.

Councilmember Richards asked City Engineer Laycock about a timeline for State Avenue work up to 116th. City Engineer Laycock briefly reviewed the project and indicated he would put something together to share with Council. Councilmember Richards agreed that passing Ordinance No. 3179 was important for the City.

Councilmember James:

- He echoed comments in support of Ordinance 3179.
- He expressed thanks to Chief Scairpon for the update on Chief Goldman.
- He asked for more information about the delay in the new embedded mental health program. Chief Scairpon explained that one professional has been hired, but he cannot practice until he is licensed by the state to work for Compass Health in that capacity.
- Councilmember James said he enjoyed the Brandi Kruse interview with Chief Scairpon.

Councilmember King:

- He reported that the Center for Public Safety Excellence held a three-day seminar which the Fire Board participated in. There was good information on issues surrounding fire districts and regional fire authorities.
- Last Thursday was the monthly Sno-Isle Fire Commissioners meeting. There was a round table on how the fire districts have dealt with the COVID-19 vaccinations.
- The Centennial Trail is making good progress.
- He was pleased to hear the news about Cedar Fields.

Council President Norton:

- She reported on the February 25 Public Safety Committee meeting. There was a slight uptick in crime in certain areas of the city, but it is still down 15% compared to the four-year average. The jail is now fully staff. They started visitation and increasing the jail population. They are currently updating policies for the new jail which will be opening next year. The traffic unit has started. There was some discussion about the Ring Neighbors program which helps connect residents with the police department and with each other to share information about promote safer neighborhoods. Five patrol positions are open. They also received information about the embedded social worker program as well as the new mental health program.
- She thanked Council and staff for passing Ordinance 3179 in order to give police officers the tools they need to keep the city and streets safe.

## **Adjournment**

**Motion** to adjourn the meeting moved by Councilmember James seconded by Councilmember King.

**AYES: ALL**

The meeting was adjourned at 8:20 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Mayor  
Jon Nehring