

City Council



**1049 State Avenue
Marysville, WA 98270**

**April 12, 2021
Regular Meeting
Minutes**

Call to Order

Mayor Nehring called the meeting to order at 7:00 p.m.

Invocation

Steve Rosier from Marysville Foursquare 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, Assistant Police Chief Jim Lawless, Interim Public Works Director Kari Chennault, City Attorney Jon Walker, Parks & Recreation Director Tara Mizell, Interim Community Development Director Allan Giffen, Community Development Director Haylie Miller, Human Resources Manager Teri Lester, Community Information Officer Connie Mennie, Fire Chief Martin McFalls, Information Services Manager Worth Norton, Systems Analyst Mike Davis

Approval of the Agenda

Motion to approve the agenda moved by Council President Norton seconded by Councilmember Stevens.

AYES: ALL

Presentations

A. Legislative Update: Representatives Lovick and Berg

Representatives Lovick and Berg gave an update on what is happening with the state legislature. Representative Lovick stated that most of the focus has been on the pandemic and criminal justice issues. He commended the City on its choice of Police Chief and discussed details about work they have been involved with including economic recovery. Representative Lovick stressed that the voices of the community are being heard at the state level. He acknowledged that they are all dealing with difficult times. At the state level they are trying to improve community relations and accountability with regards to law enforcement.

Representative Berg commented on the great progress that has been made so far even though they have been working virtually. She was able to write a bill which passed the Senate to eliminate the reduced lunch copays. She is also very passionate about the menstrual equity bill she worked on which will provide hygiene products for free in the bathrooms of K-12, college, and technical institution students. Other bills they have worked on have to do with graduation waivers and a variety of graduation pathways to support students. She also serves as the Vice Chair of Finance and noted that they passed a bill eliminating any potential taxes on any pandemic relief received by small businesses. The Senate also agreed with the House on the Working Family Tax Credit.

Mayor Nehring thanked them both for their work and for their representation of Marysville. He also thanked them for their support of House Bill 1386. He asked for an update on the Capital Budget and, if possible, how well the Ebey Waterfront Trail and the City of Lakes Stevens and Marysville trail connector projects might be funded. Representative Lovick indicated he would follow up on that.

Representative Berg discussed the Snohomish County Food and Farming Project which, although it will not be located in Marysville, will impact Marysville residents. This will be a place for farmers to bring their wares, process them, and sell them at a year-round farmers market. This was funded in the Capital Budget. She commented that her heart is with the students of Marysville and stressed the need to keep the lines of communication open.

Audience Participation

Doug Shafer, 8206 Wayne Avenue, Stanwood, WA 98292, President of Marysville Pickleball Club, discussed the importance of and growing popularity of pickleball. He spoke in support of the eight proposed pickleball courts in Jennings Court on behalf of the 210 members of the Marysville Pickleball Club.

Michael Oliphant, 5718 52nd Avenue NE, Marysville, WA 98270, voiced his support for a well-designed bicycle pump track in Marysville. His family is very active with biking, but often has to leave Marysville to ride. He commented that creating a bike pump track would create a great place for families and kids to spend time and have a great return on investment as local families stay in Marysville and others are drawn to the City.

Frankie Nelson, 7001 67th Place NE, Marysville, WA 98270, spoke in support of a bicycle pump track noting that they drive up to Bellingham or other locations a couple times a week. Having a track in Marysville would provide an opportunity for all ages to recreate.

Approval of Minutes

1. Approval of the March 8, 2021 City Council Minutes

Motion to approve the March 8, 2021 City Council Minutes moved by Councilmember Stevens seconded by Councilmember Richards.

AYES: ALL

2. Approval of the March 22, 2021 City Council Minutes

Motion to approve the March 22, 2021 City Council Minutes moved by Council President Norton seconded by Councilmember James.

AYES: ALL

Consent

3. Approval of the March 17, 2021 Claims in the Amount of \$2,665,745.55 Paid by EFT Transactions and Check Numbers 147068 through 147238
4. Approval of the March 24, 2021 Claims in the Amount of \$1,225,738.82 Paid by EFT Transactions and Check Numbers 147239 through 147376 with Check Numbers 143320, 145870, and 146848 Voided
5. Approval of the March 25, 2021 Payroll in the Amount of \$1,623,029.61 Paid by EFT Transactions and Check Numbers 33401 through 33410
6. Approval of the March 31, 2021 Claims in the Amount of \$220,303.66 paid by EFT Transactions and Check No.'s 147377 through 147453
15. Approval of the April 9, 2021 Payroll in the Amount of \$1,472,158.14 Paid by EFT Transactions and Check Numbers 33411 through 33427
16. Approval of the April 7, 2021 Claims in the amount of \$4,322,933.75 paid by EFT Transactions and Check No.'s 147454 through 147609 with Check Numbers 133893, 135418, 141567 Voided

8. Consider Approving the Revised Emergency Management Performance Grant COVID-19 Supplemental Agreement with Washington State Military Department
9. Consider Approving the Professional Services Agreement with Parametrix, Inc. for Design and Permitting Services for the Geddes Remediation Project
10. Consider Approving the Puget Sound Energy Easement Agreement for Providing Gas Service to the New Civic Center

Motion to approve Consent Agenda items 3, 4, 5, 6, 8, 9, 10, 15, and 16 moved by Councilmember Richards seconded by Councilmember Muller.

AYES: ALL

Review Bids

Public Hearings

7. Consider Approving an Ordinance Amending the Marysville Municipal Code to Allow “Mini-Storage” as a Conditional Use Under Limited Circumstances in the Community Business and General Commercial Zones

Interim Director Giffen introduced this proposed code amendment which would allow on a limited basis mini storage by a Conditional Use process in the Community Business and General Commercial zones. This would be subject to limitations based upon being properties that do not front an arterial street and that have access challenges.

The public hearing was opened at 7:31 p.m. Mayor Nehring solicited comments.

Aaron Metcalf thanked the city staff and the Planning Commission for recommending the amendment of the Unified Building Code to allow mini storage as a Conditional Use in the two zones. The two things that were discussed a lot were allowing some flexibility in the design of the mini storage and the emphasis of making sure the architecture and the landscaping have great curb appeal for the project. As a proponent of this amendment he agrees with that emphasis. Since the market for mini storage is very competitive, he recommended flexibility of having all sorts of uses in that project (large and small units, heated storage, RV and boat parking) to allow one-stop shopping.

Councilmember Richards asked if they really want this allowed in the Cascade Industrial Center. Interim Director Giffen noted that the General Commercial Zone is a small part of the Cascade Industrial Center. Staff has initiated a review of whether part of that area should be rezoned to Light Industrial because a number of those parcels are not well-suited for retail-type commercial uses. In the current Light Industrial zoning the only properties where mini storage would be permitted would be properties that front on Smokey Point Blvd. If this is changed to Light Industrial, it would actually reduce the amount of property that might be available.

Council President Norton referred to properties that are near the tracks and visible from State Avenue. She expressed concern about the oversize storage and asked for confirmation that this would not be visible from the street. Interim Director Giffen affirmed that the standard recommended would not allow for visibility of outdoor storage by abutting streets or surrounding properties. It would have to be entirely screened by buildings and by the placement of the storage within the development. The amount of outdoor storage would also be limited to not more than 50% of the building footprint(s) so that it is not the dominant use on the site.

Council President Norton referred to example pictures in the packet materials and asked if access to units and storage would only be from inside the facility. Interim Director Giffen confirmed that the current code already has that limit on not being visible or accessible from the perimeter of the site.

Council President Norton noted the proximity to the two hotels on 116th and asked if there has been any consideration of what this would look like from above. Interim Director Giffen explained that is one of the reasons for the standards about outdoor storage not being visible from surrounding properties or public streets. The design standards for mini storage were slightly modified by the Planning Commission to create a better aesthetic standard. The recommendation by the Planning Commission would be to require three stories minimum, but with a design-based approach someone could propose a development with fewer than three stories. The Conditional Use process would allow the City to add additional requirements to ensure there is not an aesthetic impact on surrounding properties.

Motion to approve Ordinance No. 3180 amending the Marysville Municipal Code to Allow “Mini-Storage” as a Conditional Use Under Limited Circumstances in the Community Business and General Commercial Zones moved by Councilmember Stevens seconded by Councilmember King.

AYES: ALL

New Business

11. Consider Approving an Ordinance Amending the 2021-2022 Biennial Budget and Providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 3160

Finance Director Langdon had the following clarifications/corrections:

- The correct number of pickleball courts being proposed should be eight.
- \$50,000 was added to the Parks Recreation Seasonal to assist with the projects that are included in this packet.

Mayor Nehring noted that a comparison with other cities for the employee-citizen ratio was also provided to the Council as requested. He pointed out that Marysville is still second to the highest ratio (behind Federal Way) even if these amendments are approved.

Councilmember King asked if all eight pickleball courts would be at Jennings Park. Director Mizell affirmed they would and described the potential location near the Little League field.

Council President Norton asked if the pickleball courts would be able to be reserved. Director Mizell confirmed that they would be. Council President Norton asked if the Jennings Park parking lot would be the same size. Director Mizell confirmed it would be the same. Council President Norton asked about the criteria for siting a pump track. Director Mizell explained they plan to locate it at a site the City already owns. Some possible locations are Rainier Vista and Jennings Park. Council President Norton referred to the cameras at the Opera House and asked if there have been problems there. Director Mizell replied there have been transient issues in the area. The cameras also would be for employee safety.

Council President Norton asked for clarification about the mental health professionals request. Mayor Nehring explained the two mental health professionals would be funded under a grant that the Police Department is pursuing. The City is also considering pulling the current embedded social worker "in house" as a city employee. If the Police grant doesn't happen the savings of pulling the current embedded social worker in house would be used to help pay the cost of the mental health professionals. It is intended to be a wash with either grants or savings.

Council President Norton asked what the AMI repairs would cover. Interim Director Chennault explained that some of the meters are not reading property and need to be replaced so they can be read automatically. Council President Norton asked how many meters would be replaced. Interim Director Chennault indicated she could follow up with that information in an email.

Councilmember Richards referred to the high number of Parks projects and asked about getting grants for them. Director Mizell replied a lot of the projects, such as the pump track and the pickleball court, are holdovers from two budgets ago. The playground for the north Marysville area for 2022 is a new project, but they can look at getting grants for that. The redesign of Comeford Park is something that has been anticipated once the Civic Campus is completed. The back parking lot is something they have been talking about for many years. Mayor Nehring commented that the City is very successful at getting grants so there is a possibility that it could happen.

Councilmember James said he was excited about the pickleball courts and the pump track. These are pretty popular activities that could attract significant numbers of people to the City. He asked if the parking lot at Jennings Park would be adequate with this in addition to the parking needs of the ballfields. Director Mizell replied that Little League has switched to other facilities so they are not using that field and parking lot. There is also the main parking lot where people could park and walk down. This will be something staff will continue to monitor, but they are not anticipating any problems. Councilmember James asked if the pump track would be the same size as the one in Bellingham. Director Mizell replied that it would be similar.

Councilmember James asked about the current grants for the mental health professionals. Mayor Nehring explained the current grant is for just six months, but they can reapply.

Council President Norton asked Director Langdon about sales tax growth in the forecast. Director Langdon replied that October had a 15% decrease that did not occur in 2020. For 2021 they removed that decrease and added an additional \$2M to the budget for sales tax revenue. For the future, they forecast another \$1 million for the next two years recovery and 3% on out. Council President Norton expressed concern about getting so close to the line of the Reserve Fund. Director Langdon explained the difference between 10% is transferred into the Reserve Fund. Mayor Nehring added that the federal CARES Act funds or any other stimulus funds have not been factored in for 2021. She also did not include any proposed businesses that the City has permits on.

Councilmember Muller asked about both the community perception and the reality of bringing on so many new hires when the community is still trying to recover from the impacts of COVID. CAO Hirashima commented they expect it will take a while to fill the spots because they want to ensure they get the right candidates for the jobs. Also, a lot of the police positions are related to the building opening and will take time to fill. She noted it is important to get the process started in order to have most of the positions filled by the time they move to the new building. Mayor Nehring agreed that it could take time to fill open positions. Councilmember Muller asked how attrition of an aging population would fit into this. CAO Hirashima explained that the pandemic has had a huge impact on the workforce, and they have seen a large number of transitions to retirement over the past year. She expects that about 25% of the current workforce across the City will retire in the next 5-7 years.

Councilmember Vaughan expressed appreciation to staff for putting this together. He also appreciates the efficiency Marysville staff has had for a long time, but he doesn't think they should be in a hurry to try to equalize the staff-citizen ratio with other cities. He was uncomfortable about the fact that in the years prior to 2020 less than 50% of the gross revenue was going to labor, but under these proposed changes it would be more than 60% in 2021 and beyond. This is significantly higher than where they have been in the past decade or so. While he recognizes the needs in the City he is uncomfortable with the labor percentage. He agrees that filling the positions will take quite a while so the impacts may not be felt for a while. He is concerned about the City being overcommitted in the future. He agrees with Councilmember Muller that they need to be mindful about the public perception of these actions as well when so many people are struggling economically.

Mayor Nehring commented that even if this is approved, the citizen-employee ratio will be 356 citizens to every one employee. The other ten comparable cities range from 186 to 260 citizens to every employee with the exception of Federal Way, which is on par with Marysville. Even if all these positions are filled by the end of 2022 Marysville will

still be well below (20-50%) nine of the ten comparable cities. They will be catching up to pre-recession, but still very lean, staffing levels. Regarding labor cost percentages, he noted that in the time that he has been Mayor they have never had all the positions filled. With all the retirements and constant turnover it is unlikely they will ever have all the positions filled. CAO Hirashima compared staffing levels in 2009 to staffing levels in 2020. She noted that even though Marysville has more than double the population they did in 2009 they only have forty more positions. She stressed they are at a point where employee morale levels are extremely low.

Motion to adopt Ordinance No. 3181 amending the 2021-2022 Biennial Budget and providing for the Increase of Certain Expenditure Items as Budgeted for in Ordinance No. 3160 moved by Councilmember Stevens seconded by Councilmember Muller.

AYES: ALL

12. Consider Approving the Professional Services Agreement with WHPacific, Inc. in the Amount of \$213,789.75 for the Citywide Intersection Improvements, State Avenue – 3rd St. to 80th St. Project

Interim Director Chennault reviewed this Professional Services Agreement for construction management of a project already awarded by Council. This would be funded in full by a federal HSIP grant.

Councilmember King asked about the timeframe for completion. Interim Director Chennault explained they want to get moving as quickly as possible in the next couple weeks.

Motion to authorize the Mayor to sign and execute the Professional Services Agreement with WHPacific, Inc. in the Amount of \$213,789.75 for the Citywide Intersection Improvements, State Avenue – 3rd St. to 80th St. Project moved by Councilmember Richards seconded by Councilmember Stevens.

AYES: ALL

13. Consider Approving the Acceptance of the Olympic View Park Project with Matia Contractors, Starting the 60 day Lien Filing Period for Project Closeout

Interim Director Chennault explained this is a request for project acceptance. The project is complete. There was an extension on the grant through the Recreation Conservation Office. The project was completed under the amount allocated by Council.

Motion to authorize the Mayor to accept the Olympic View Park Project with Matia Contractors, Starting the 60 day Lien Filing Period for Project Closeout moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

14. Consider Approving the Memorandum of Understanding Establishing a New Appendix A to the Contract Agreement with Teamsters Local Union No. 763

CAO Hirashima reviewed this item related to the Teamsters' approval of their current contract with a wage increase of 1.75% effective 1/1/21 and 2% effective 1/1/22.

Motion to authorize the Mayor to sign the Memorandum of Understanding Establishing a New Appendix A to the Contract Agreement with Teamsters Local Union No. 763 moved by Councilmember Muller seconded by Councilmember Stevens.

AYES: ALL

Legal

Mayor's Business

- HB 1386 passed on Saturday night. Now it goes to Reconciliation. Capital asks are still in the mix.
- He appreciates everyone coming out for tours and ribbon cutting events over the past month or so.

Staff Business

Director Miller had no comments.

Chief McFalls extended thanks to Council for their great work and continued leadership.

Community Information Officer Mennie had no comments.

Human Resources Manager Lester had no comments.

Director Mizell thanked Council for their support for the Parks projects.

Director Langdon had no comments.

Interim Director Chennault had no comments.

Asst. Chief Lawless thanked the Council and Administration for support of the police positions.

City Attorney Walker stated the need for an Executive Session item regarding sale of real estate expected to last 15 minutes with no action expected.

CAO Hirashima thanked Council for their support of the budget amendments.

Call on Councilmembers and Committee Reports

Councilmember Stevens proposed starting a city pickleball team.

Councilmember Vaughan said he might also be interested in pickleball.

Councilmember Muller thanked everyone for their hard work moving the City forward.

Councilmember Richards said he attended the pallet shelter tour which was informative. He hopes they can make something work up here.

Councilmember James:

- He agreed the pallet shelter tour was very interesting.
- It was an honor to be at the Court's MAP graduation that happened. It is a great program.
- He is ready for pickleball.

Councilmember King:

- He said he watched the MAP (Mental Health Alternatives Program) graduation; it is really rewarding to see somebody complete that program.
- The pallet tour operation is very impressive. He also hopes it works out in Marysville.
- He was at Jennings Park with his daughter and noticed how well-maintained it is.

Council President Norton:

- She reported on the March 25 Public Safety Committee where they received an update on Police Department budget. Crime statistics are still down compared to the four-year average. The Department is still very busy. There were four open patrol positions at the time of the meeting.
- She also reported on the April 6 Finance Committee meeting. Sales tax revenues total were up 13% over last year at this time. Construction sales tax was down 19.2% but taking construction out, sales tax was up 18.5%. The Committee also discussed COVID grant recipients and utility billing shutoff information.
- She stated she would also be interested in pickleball.
- She expressed appreciation for the Council and staff who have always tried to be very conservative in spending and being wise fiscal stewards of public money.

Adjournment/Recess

Council recessed at 8:40 p.m. and reconvened in Executive Session to address one real estate item expected to take 15 minutes with no action.

Executive Session

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

Reconvene

Adjournment

Motion to adjourn the meeting moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

The meeting was adjourned at ____

Approved this _____ day of _____, 2021.

Mayor
Jon Nehring