

City Council



1049 State Avenue
Marysville, WA 98270

**Work Session
September 7, 2021**

Call to Order

Mayor Nehring called the September 7, 2021 City Council Work Session to order at 7:00 p.m.

Pledge of Allegiance

Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Councilmember Jeff Vaughan, Councilmember Tom King, Councilmember Mark James, Councilmember Kelly Richards, Councilmember Steve Muller

Staff: Chief Administrative Officer (CAO) Gloria Hirashima, Finance Director Sandy Langdon, City Attorney Jon Walker, Community Development Director Haylie Miller, Information Services Director Worth Norton, Human Resources Manager Teri Lester, Utility Manager Karen Latimer, City Engineer Jeff Laycock, Parks & Recreation Director Tara Mizell, Police Chief Erik Scairpon, Fire Chief Martin McFalls, Community Information Officer (CIO) Connie Mennie, Deputy City Attorney Burton Eggertsen, Planning Manager Chris Holland, Systems Analyst Mike Davis

Absent: Council President Kamille Norton, Councilmember Michael Stevens

Motion to excuse the absence of Councilmembers Kamille Norton and Michael Stevens moved by Councilmember Richards seconded by Councilmember Vaughan.

AYES: ALL

Approval of the Agenda

Motion to waive normal rules in order to take action on items 4, 5, 6, and 22 moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

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

AYES: ALL

Presentations

A. Downtown Master Plan Briefing (To Occur on September 7, 2021 Only)

Planning Manager Chris Holland made the presentation regarding the Downtown Master Plan. Highlights of the Plan include an expanded boundary; a Planned Action ordinance which will be adopted concurrently; a proposal to increase the residential capacity; new zones proposed; design regulations in the code; amendments to many sections of the Marysville Municipal Code; a proposal to amend the Multifamily Housing Property Tax Exemption to change the boundary to coincide with the DMP boundary and reducing the eligible project size from 20 to 10 units; and amendments to the sign code.

The goal of the form based code is to be an effective tool to implement the Downtown Master Plan, be easy to use and provide a good balance of predictability and flexibility. The Permitted Use matrix and Density and Dimensional Chart have been simplified. He pointed out that a minimum density of 45 units has been proposed on lots greater than 20,000 sf in the Downtown Core zone and the Mid-Rise Multifamily zone. He reviewed types of through-block connections which could be allowed. Design standards include block frontage requirements and active ground floor standards. Site planning standards include setbacks, opens space requirements, pedestrian aspects and design, service areas, and mechanical equipment. Building design standards build upon existing design standards and include building massing and articulation, building materials, and blank wall treatment.

A public hearing is planned next week before the Planning Commission. Staff hopes to bring this back before the Council on September 27 in order to meet the October 15 deadline for the grant money from the Department of Commerce.

Councilmember King asked if there has been any interest from developers in the downtown area. Planning Manager Holland replied that it has been just small infill projects so far.

Councilmember James asked if there are any other local cities using the form based code. Planning Manager Holland replied that Everett has used a form of this as well as other jurisdictions. He noted that Marysville also adopted a form based code, 88MU, years ago for 88th and State Avenue.

Councilmember Richards asked if parking and traffic have been factored in with the density increase. Planning Manager Holland reviewed parking requirements, but noted that there is a proposed slight reduction in the downtown area because of the Swift bus line. Any development that comes through the City is required to go through a traffic concurrency analysis.

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

1. Approval of the July 26, 2021 City Council Meeting Minutes
2. Approval of the August 3, 2021 Special City Council Meeting Minutes
3. Approval of the August 20, 2021 Special City Council Meeting Minutes

Consent

4. Approval of the July 28, 2021 Claims in the Amount of \$1,309,111.51 Paid by EFT Transactions and Check Numbers 149552 through 149674 (Action Requested 9/7/2021)

Motion to approve the July 28, 2021 Claims in the Amount of \$1,309,111.51 Paid by EFT Transactions and Check Numbers 149552 through 149674 moved by Councilmember King seconded by Councilmember Muller.

AYES: ALL

5. Approval of the August 4, 2021 Claims in the Amount of \$740,117.64 Paid by EFT Transactions and Check Numbers 149675 through 149803 (Action Requested 9/7/2021)

Motion to approve the August 4, 2021 Claims in the Amount of \$740,117.64 Paid by EFT Transactions and Check Numbers 149675 through 149803 moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

6. Approval of the August 10, 2021 Payroll in the Amount of \$1,482,713.81 Paid by EFT Transactions and Check Numbers 33583 through 33606 (Action Requested 9/7/2021)

Motion to approve the August 10, 2021 Payroll in the Amount of \$1,482,713.81 Paid by EFT Transactions and Check Numbers 33583 through 33606 moved by Councilmember Muller seconded by Councilmember King.

AYES: ALL

7. Approval of the August 11, 2021 Claims in the Amount of \$955,389.93 Paid by EFT Transactions and Check Numbers 149804 through 149975

8. Approval of the August 18, 2021 Claims in the Amount of \$478,764.59 Paid by EFT Transactions and Check Numbers 149976 through 150055
9. Approval of the August 25, 2021 Claims in the Amount of \$1,297,823.92 Paid by EFT Transactions and Check Numbers 150056 through 150250
10. Approval of the August 25, 2021 Payroll in the Amount of \$1,443,581.95 Paid by EFT Transactions and Check Numbers 33607 through 33626 with Check Number 112258 Voided

Review Bids

11. Consider the Rejection of the Opera House Exterior Repair and Painting Bid in the Amount of \$219,108.25

Utility Manager Latimer reviewed this item. Staff is recommending rejection of this bid and going out to bid again later this year in order to get more responses.

12. Consider the Comeford Reservoir Recoat Contract with Mericka Group, LLC in the Amount of \$447,911.40, and a Management Reserve of \$44,791.14, for a Total Allocation of \$492,702.54

Utility Manager Latimer reviewed background on this item. This project would include taking off the coating down to the bare steel, putting some coating back on, adding a couple lanyards to tie off, adding a hatch on the roof to get inside, adding holiday lighting, and disposing of the materials that come off the tank. She noted that the annual cost to keep the tank safe is about \$20,000-30,000 a year.

Councilmember James asked if Council could discuss the color that goes back on. Utility Manager Latimer explained they do have options for the colors.

Public Hearings

13. Consider an Ordinance Vacating the Unopened Public Right-of-Way and Waive Compensation for Said Vacation (Public Hearing to be held September 13, 2021)

Planning Manager Holland reviewed this item. There were no comments or questions.

New Business

14. Consider Scheduling a Public Hearing to Consider Adoption of Amendments to the Marysville Municipal Code Title 22C Concerning Enhanced Services Facilities

Director Miller reviewed the background on this code related to Enhanced Service Facilities (ESFs). Changes to the map based on the Economic Development Committee recommendations have been incorporated into the map. There also was discussion

about buffering to schools and daycares. Those have been shown on the map for information. Staff is proposing Council consider a buffer of 300 feet as a starting point for discussion. Staff is also recommending that a large area of General Commercial at the north end of the map be removed because staff is proposing rezoning that area to Light Industrial. She discussed how intersections of properties with the boundary line would be addressed. Staff is requesting that staff schedule a public hearing on this item on October 11.

Director Miller reviewed Exhibit 7 which shows the changes in downtown area based on the new zones. She asked Council preferences about allowing ESFs in the new zones.

Councilmember James asked if they could ever see one of these ESFs in a multifamily building. Director Miller replied that the way the code is written now it could happen in some areas. Councilmember James expressed concern about that. He also asked for clarification about the southern boundaries. Director Miller reviewed those.

Councilmember James requested that the maps be printed out. Councilmember James asked about recourse neighbors would have about placement of one of these facilities. Director Miller explained that the code requires a public notification to neighbors. If more than five people comment it goes to the Hearing Examiner. Councilmember James noted that this might be a moot point in a commercial area because there wouldn't be many neighbors.

Councilmember Muller commented that the City has to provide this zone. If the City gets too restrictive it can be challenged. Director Miller agreed. She noted it is an Essential Public Service Facility, and the City is required to provide for them. If the area is too small and too restrictive it could be an issue.

15. Consider the Auto Theft Task Force Interlocal Agreement with Snohomish County

Chief Scairpon reviewed the agreement for the Snohomish County Auto Theft Task Force. This has been a very effective crime fighting tool for the City and the region. This allows for the City to receive reimbursement from State funds for a detective provided to the task force.

Councilmember James asked about the general flow of stolen vehicles in the City. Chief Scairpon briefly reviewed what typically happens and highlighted the benefit of working with a regional team.

16. Consider the Licensing Agreement with Snohomish County Sheriff's Office for use of the Sheriff's Office Gun Range

Chief Scairpon reviewed the agreement with the Sheriff's Office to use their gun range.

17. Consider the Agreement with North Whidbey Sportsmen's Association for use of the North Whidbey Sportsmen's Association Gun Range

Chief Scairpon reviewed this business agreement to use another gun range on Whidbey Island.

18. Consider the Agreement with JA Brennan for Design Services at Comeford Park

Director Mizell reviewed this item to finish Civic Center design in the plaza area, to redo the restroom and to replace the lighting in Comeford Park.

Councilmember King commended Parks staff for the job they do in keeping the restrooms clean at that park. He asked if they will be keeping the original building. Director Mizell commented that the plan is to rebuild it. Councilmember King asked if they are considering the type of people that use that restroom. Director Mizell noted that they are looking with the architect at many options to figure out what will be best in that environment.

Councilmember Richards asked if they can add any parking to the park. Director Mizell deferred to CAO Hirashima. CAO Hirashima commented that it will be a pretty limited parking situation there. This contract will add seating around the plaza.

19. Consider the Memorandum of Agreement for a Demonstration Garden with Washington State University

Director Mizell reviewed this agreement to continue a partnership with WSU for a demonstration garden.

20. Consider the Strategic Energy Management Funding Agreement with Snohomish County PUD No. 1

Utility Manager Latimer reviewed the opportunity to partner with Snohomish County PUD and the drinking water system to look at energy saving opportunities.

21. Consider an Ordinance Authorizing the City to Use Eminent Domain to Acquire Property for the 80th Street NE Non-Motorized Project

City Attorney Walker reviewed reasons for considering the use of eminent domain to acquire property for the 80th Street Non-Motorized project.

Councilmember Richards expressed concern about reduced parking on 80th. City Engineer Laycock replied that it would remove all of the parking on 80th Street between State Avenue and 47th. He acknowledged that there will be some people who will be displaced with the current on-street parking.

22. Consider the Agreement with Washington State Employment Security Department for AmeriCorps Member Placement (Action Requested 9/7/2021)

CAO Hirashima explained this agreement is for the City's AmeriCorps Volunteer who will continue to work on the City's Emergency Management Program for an additional year.

Motion to authorize the Mayor to sign and execute the Agreement with Washington State Employment Security Department for AmeriCorps Member Placement moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

Legal

Mayor's Business

- Thanks to Council for the attending the short-notice Council meetings in the month of August, some nice ribbon-cuttings and other community events.
- The City's 9/11 20th Anniversary Memorial Event will be happening on Saturday at the library. Thanks to Chief McFalls for doing work on that every year.

Staff Business

Worth Norton commended one of the City's volunteers, Kyle Burgess, who is working on capacity in the operations radio equipment. He recently scaled the Sunnyside Water Tower to identify a point-to-point with the County so now there will be an emergency backup point-to-point with the County.

Director Miller had no further comments.

Director Mizell thanked Public Works for allocating funds to complete a long-term project at the golf course. Parks has received wonderful feedback about the Centennial Trail connector. They are making progress on the pickleball courts, and people are very excited for them. There are a lot of events happening at the Opera House this month.

CIO Mennie reported that there will be a live broadcast of the 9/11 ceremony. It will also be recorded for later viewing.

Chief Scairpon reported that the school resource officers and patrol officers are ready for the first day of school tomorrow.

Director Langdon commended Finance staff for putting together the budget document which received a Governmental Finance Officers Association (GFOA) budget award.

Chief McFalls commented that they have received tremendous support from countless people throughout the City related to 9/11. He expressed appreciation to the City on behalf of a grateful fire department for their continued support of the 9/11 memorial event.

Utility Manager Latimer shared that Marysville Water Department was selected to receive funding to do advanced testing for a toxic substance.

City Engineer Laycock reported that overlays are on schedule this year. Beacons will be flashing again due to schools being back in session. The spray park will be shut down for the end of summer season.

City Attorney Walker had no further comments.

CAO Hirashima had no further comments.

Call on Councilmembers and Committee Reports

Councilmember Vaughan reported that the Finance Committee met earlier today: They took a look at revenues and expenditures. Things are going according to plan. Sales tax revenue is up almost 23%. Construction sales tax is down about 10%. They also discussed utility billing shutoff data. Staffing and open vacancies were reviewed. Overall, things look good.

Councilmember Muller reported that the Economic Development Committee met tonight. The Economic Alliance Snohomish County made a presentation regarding their plans moving forward with new leadership. He asked if the cross country event would still be happening at the golf course. Director Mizell replied that as of now they are still planning on it. He commented that Civic Campus is looking awesome.

Councilmember Richards said he enjoyed having August off even though there were a few meetings and some great ribbon-cuttings and events. Thanks to Chief Scairpon for the ride-along which was a great experience.

Councilmember James also enjoyed events during August. He congratulated Finance for the GFOA award. He asked if there would be a Christmas parade this year. Mayor Nehring replied that they are planning one. Councilmember James spoke in support of the temporary sign code and restrictions which impact candidates.

Councilmember King also enjoyed the ribbon-cuttings, ground breakings, and the all-city garage sale. He commended the paving progress. He noted that he has noticed a lot of streetlights out. He asked if they are considering upgrading to LEDs. City Engineer Laycock replied they are looking into LEDs and will follow up with the lights.

Adjournment

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

AYES: ALL

The meeting was adjourned at 8:30 p.m.

Approved this _____ day of _____, 2021.

Mayor
Jon Nehring