

City Council



1049 State Avenue
Marysville, WA 98270

**Work Session
February 7, 2022**

Call to Order

Mayor Nehring called the meeting 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 Tom King, Councilmember Mark James, Councilmember Kelly Richards, Councilmember Michael Stevens, Councilmember Steve Muller, Council President Kamille Norton

Absent: Councilmember Jeff Vaughan

Staff: Finance Director Sandy Langdon, Chief Administrative Officer (CAO) Gloria Hirashima, Information Services Director Worth Norton, IS Manager Brian Tuley, Development Services Manager Ken McIntyre, Community Development Director Haylie Miller, System Analyst Mike Davis, Public Works Services and Utilities Director Karen Latimer, Police Chief Erik Scairpon, Deputy City Attorney Burton Eggertsen, Emergency Preparedness Manager Sarah LaVelle, Public Information Officer (PIO) Connie Mennie, Parks Director Tara Mizell, Assistant Parks Director Dave Hall, Assistant Police Chief Jim Lawless, Fire Chief Martin McFalls, Deputy City Clerk Genevieve Geddis

Motion to excuse the absence of Councilmember Vaughan moved by Councilmember Muller seconded by Councilmember Richards.

AYES: ALL

Approval of the Agenda

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

AYES: ALL

Mayor Nehring commented on two written items of communications that had been received:

- Barbara Dickson had some input on the ATV issue for Council's information as they consider this matter.
- Nicole Cleland provided comments regarding animal control; Chief Scairpon has already responded Ms. Cleland about her concerns.

Presentations

A. Community Development Project Example

Director Miller shared a project update in response to Council's desire to be more informed about projects in the community. Staff will be bringing updates to the group on a quarterly basis. She reviewed details of a Planned Residential Unit Development (PRD) called Jeannine's Landing located north of 172nd Street and west of I-5 in the Lakewood development area. Extensive information on this project was included in Council's packet.

Councilmember Muller asked about on-street parking provisions that are allowed in this development. Director Miller explained they received reduced parking on Road A. On the east side of the development between lots 21 and 28 there is parking between driveways; the applicant provided 10 on-street parking stalls. Development Services Manager McIntyre further explained the modifications that were made. It's a standard-width road with parking on both sides of the road. The developers try to stagger driveways as much as possible to help with parking.

Council President Norton asked for a list of density incentives. Director Miller indicated she would provide that to Council.

Councilmember King asked what kind of street lighting is in the development. Mr. McIntyre replied it is the traditional PUD lights. The decorative streetlights will be placed on the arterials on the south of 172nd, but not north.

Councilmember Richards noted it looks like Road B will be extended eventually. He asked if they might run into issues with not having enough room for two lanes with parking on both sides of the street. Mr. McIntyre reviewed scenarios with this. He explained it is a typical road standard that is used in the area for these types of developments. Different jurisdictions have different ways of handling it. Some allow parking on both sides of the street and have a narrower width for travel in the middle. Some will sign for parking only on one side of the street.

Councilmember Stevens asked how information is conveyed to homeowners about what can be constructed on their property such as porches or outbuildings. Director Miller noted that most of the time the City finds out about it from neighbors reporting other neighbors. The easements are shown clearly on the recorded documents, and it is on the owner to read through the title. The CCNRs can help with this also. Notes could be added to the plat map, but this might be too much detail. Director Miller suggested more proactive outreach to people selling the homes asking them to provide a fact sheet to homebuyers about add-ons, ADUs, or other structures and informing them to contact the City first.

Councilmember James asked about the expected home cost in this development. Director Miller replied they would be selling for approximately \$750,000. Councilmember James referred to the narrow streets and parking on both sides of the street and asked if these are kid-friendly and safe for young families. Director Miller commented that is a question that could apply to any development in the community. She noted that narrow streets often tend to slow down drivers.

Councilmember Stevens reported on a similar development near his house. He has noticed that even though there is a playground, most of the people are empty nesters or adults with no children.

Director Miller also reviewed a zoning inquiry on the Lakeway Neighborhood which has a mix of mixed use zones. The Planning Department has been getting a lot of inquiries for multi-family only projects or some other creative options. She asked for confirmation from the Council that they still want this to be primarily a commercial area. Councilmember Muller noted that the City only controls the property north of 154th. Most of the property south of that is controlled by the Tribes.

Director Miller then gave a follow up on land use noticing signs. Staff has created an internal policy to place signs in logical locations as requested by Council at the retreat. Councilmember Muller suggested providing a QR code specific to the project. Director Miller agreed.

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

1. Approval of the January 10, 2022 City Council Meeting Minutes

Consent

2. Approval of the January 19, 2022 Claims in the Amount of \$386,676.42 Paid by EFT Transactions and Check Numbers 152826 through 152893 with Check Number 152716 Voided
3. Approval of the January 20, 2022 Claims in the Amount of \$2,032,566.86 Paid by EFT Transactions and Check Numbers 152894 through 152986

4. Approval of the January 25, 2022 Payroll in the Amount of \$1,496,703.87 Paid by EFT Transactions and Check Numbers 33788 through 33806
5. Approval of the January 26, 2022 Claims in the Amount of \$252,867.44 Paid by EFT Transactions and Check Numbers 152987 through 153074 with Check Numbers 152497, 152618, 152848, and 152888 Voided

There were no comments or questions regarding these items.

Review Bids

6. Consider the Contract Award for the Downtown Stormwater Treatment Project

Director Latimer explained this is a placeholder for a bid that will be coming to Council next week. The bids open on this week for the Downtown Stormwater Treatment Project which will treat about 460 acres that come from downtown before being discharged into the slough. There is a bid alternate to allow a couple different types of treatment media. There is also sole sourcing of certain materials and equipment that are consistent with what the City already uses throughout the lift stations. The engineer's estimate is \$10,400,000.

Councilmember Muller recommended that councilmembers take a look at the project on the PowerPoint via the link that had been provided, if they haven't already, because it is very attractive. Director Latimer concurred.

7. Consider the Contract Award for the Comeford Park and Restroom Project

Director Latimer explained this is also a placeholder for a bid that will open on Wednesday. This is for a redo of Comeford Park including a new restroom, new connection through the new Delta Plaza, new event seating adjacent to the plaza, enhanced circulation throughout the area, new concrete walkways, new lighting, landscaping and associated utilities. The engineer's estimate is \$1.5 million.

Public Hearings

New Business

8. Consider the Snohomish County Human Services Grant in the Amount of \$15,000.00

Assistant Parks Director Hall explained this is a continuing contract with Snohomish County Human Services. The grant is \$15,000 and helps cover program specialists to help man the desks.

9. Consider the HVAC Maintenance & Repair Services Contract Supplemental Agreement No. 4 with D.K. Systems in the Amount of \$75,000.00

Director Latimer explained this would extend a previous contract with D.K. Systems for HVAC Maintenance & Repair Services.

Councilmember James asked if the contract had been adjusted to factor in that the equipment at the new civic campus would be new and likely under warranty. Director Latimer stated she would check on that.

Councilmember Richards asked if they would even need HVAC for this building because they would be vacating it by fall. Director Latimer replied that this covers all the buildings in the city.

10. Consider the Axon Enterprise, Inc. Contract for Interview Room Cameras for the Public Safety Building and Jail in the Amount of \$90,687.51

Chief Scairpon and Assistant Chief Jim Lawless discussed the Axon Enterprise interview room cameras for the Public Safety building and jail. This will help make sure they have a seamless digital evidence solution for interviewing suspects and victims of crimes within the building and at the jail. The costs are spread over five years. The Department is bringing this forward with consideration of using narcotics seizure funds for the first year of expense for this project and then requesting General Fund support going forward. After five years the City will own the equipment and will likely reduce the future cost of the system down to storage and licensing costs.

11. Consider the Julota Software as a Service License Agreement Contract

Chief Scairpon reviewed this item which is used in conjunction with the Washington Association of Sheriffs & Police Chiefs (WASPC) Mental Health Impact Grant. The Julota system allows for WASPC to evaluate the success of that grant program and to report the results back to the state legislature which supplies the grant funds. It will be used by the internal mental health staff as well as the Compass staff that work on that team. There is no cost to the City for this agreement.

12. Consider the Tyler Technologies Quote for Additional Hours for Advanced Scheduling Implementation in the Amount of \$5,180.00

Director Langdon explained this system helps Public Works and the Police Department to do scheduling and online time sheets.

13. Consider the Marysville Tourism Promotion Grant in the Amount of \$2,500.00

PIO Mennie explained this is a Snohomish County grant that will go to help pay for the City to obtain visitor demographics. It is part of a larger effort that is being started this year to create a countywide visitor analytics co-op. The City is matching funds out of staff time.

Councilmember King asked if this is a one-time grant or if it will be annual. PIO Mennie thought they would test the success after the first year to see how valuable it is and if they want to continue.

Council President Norton asked how they are collecting the data. PIO Mennie said it is basically geofencing through cell phones. The information will help the City better target marketing materials.

14. Consider a Resolution to Adopt the Updated Hazard Mitigation Plan

Emergency Preparedness Manager Sarah LaVelle explained this resolution would formally adopt the updated Hazard Mitigation Plan. The Plan identifies and prioritizes actions to help reduce risk from natural and human-caused disasters. She reviewed the process for updating the five-year Plan and the general contents.

15. Consider an Ordinance Amending Marysville Municipal Code Title 22A, the Administration of the Unified Development Code (UDC)

Director Miller explained this item was brought to the City Council in October. It relates to some administrative changes to the zoning code that allow for a little more flexibility in zoning determinations and administrative decisions by the director. It also provides for some additional flexibility regarding modification of use regulations listed in the code.

16. Consider an Ordinance Addressing Wheeled All-Terrain Vehicles (WATVS) Operating on City Streets

Assistant Chief Lawless discussed the draft ordinance for Wheeled All-Terrain Vehicles (WATVS) operating on city streets. The ordinance addresses the majority of concerns that were heard related to this. It is similar to and modeled off what has been successful in Lake Stevens.

Councilmember James referred to the list of what would be required of the vehicles. He doesn't see muffler/sound on there, but it is one of the concerns that was raised. Assistant Chief Lawless noted there is a provision within the ordinance that requires spark suppressors and exhaust systems. Chief Scairpon noted that the requirements of Chapter 46.09 are incorporated. He indicated they could check to see if mufflers are included in that. Council President Norton pointed out that item 11 on the list somewhat addresses this.

Council President Norton asked if the intent is that only the driver and one passenger be allowed. She noted that some of these vehicles have a back row. Assistant Chief Lawless referred to a section which talks about multiple persons and seats designed for two persons. He stated that the intent was not to have multiple people in a seat designed for one person. Some of the vehicles are equipped with seats to carry more than one person, and that would be allowed. Council President Norton referred to Prohibited Areas and asked if North Smokey Point Blvd. should also be added. Chief

Scairpon explained it would already be included because the speed limit is over 35 mph, but they could also list it out if desired by the Council.

Council President Norton gave some background on what other cities have done such as a one-year pilot program and requiring all passengers under 16 to have a helmet regardless of whether or not they have a seatbelt. These might be considered for safety. In regards to the written public comments from Ms. Dickson, Council President Norton said she responded to her and let her know the code addresses pretty much all of her concerns.

Councilmember Richards asked if golf carts are addressed here. Staff replied that they are not. Councilmember Richards suggested they consider looking at those. Councilmember Richards asked if they are required to have insurance. Asst. Chief Lawless replied they have to maintain insurance including liability. Councilmember Richards asked if the vehicles are required to be licensed. Chief Scairpon replied they will be required to be licensed through the Department of Licensing and have a license on the WATV.

Councilmember James asked about crossover traffic from Lake Stevens and Tulalip. He also commented that electric WATVs would not need to have the same requirements for things like mufflers and spark arresters. Asst. Chief Lawless said he would look at incorporating some language to address that.

Councilmember Muller asked for further clarification about registration requirements. They are required to get an ATV license which isn't a road license. He did not think Washington allowed open-wheeled vehicles to be licensed. Chief Scairpon referred to RCW 46.09.442 which deals with wheeled all-terrain vehicles, metal tags for on road and off-road registration. He stated that these types of vehicles are already within the community.

Council President Norton commented that it requires a significant cost to the owners to get these to the point where they are able to be street legal. Most owners are pretty committed to using them appropriately. She has spent a lot of time in a state that allows these and has not noticed any issues with them. She also talked to a few neighboring jurisdictions that have legalized these to see if they have had any issues or complaints, but they say it has gone smoothly.

Councilmember James commented that in communication with the public it could be helpful to distinguish between ATVs and ORVs (Off Road Vehicles).

Council President Norton asked if there was any interest in the helmet requirement for children. Asst. Chief Lawless explained that right now they are required to have a roll cage and a seat belt. If they don't have both of those they would be required to wear a helmet. Also, no one five years of age or younger would be allowed in the vehicle. Councilmember James asked if there is any data to suggest they should restrict this

even further if they have seatbelts and a roll cage. He thought what they had was pretty safe. Councilmember Stevens agreed.

Councilmember Stevens said he likes the idea of a pilot program. Asst. Chief Lawless suggested saying it was a one-year pilot program, and if there are no objections during that time then it grandfathers into a permanent ordinance without having to bring it forward again.

Mayor's Business

Mayor Nehring thanked everyone who participated in the legislative meetings which went very well. The City's priorities were well received.

Staff Business

Director Norton introduced and welcomed Brian Tuley as the new IS Supervisor.

Chief Scairpon provided an update on the rollout of the Police Department's body-worn cameras. They have been deployed to all the patrol staff and most of the custody staff. The program is running smoothly so far and has already been very valuable.

Call on Councilmembers and Committee Reports

Councilmember James asked if the agenda is set for the retreat. Mayor Nehring replied that the agenda is set, and a packet will be coming to Council by the end of the day on Wednesday. If anything needs to be added please contact staff as soon as possible. The retreat will start at 9:30 a.m. on Thursday.

Councilmember King commented he thought the meeting with representatives on Zoom went well. He attended the Mayor's State of the City last Thursday and appreciated the questions from the audience on Zoom. He is looking forward to the new restrooms at Comeford Park being ready for the Strawberry Festival parade.

Councilmember Stevens said he had the honor of attending the Father-Daughter dance last weekend. It was great to have that event back. He asked if they need to let people know about geofencing data being collected via cellphones at the parks. Staff replied that the information is already being collected wherever people go, but they will confirm if any special permission is needed.

Councilmember Richards also went to the State of the City. It was informative and everyone seemed to appreciate it. He noticed that most of the graffiti got cleaned up at Fred Meyer, but there is still some at the 7-11. He commented on the numerous abandoned shopping carts around town. He suggested coming up with a way for citizens to report them (like they are able to report graffiti) so the carts can be collected and returned to the appropriate location.

Councilmember Muller said he enjoyed the recent nice weather with a bike ride around the city and saw many people enjoying the trails and parks. It was good to see people out and about. He took a tour around the new building, and it is looking great.

Adjournment

The meeting was adjourned at 8:28 p.m.

Approved this _____ day of _____, 2022.

Mayor
Jon Nehring