

City Council



**501 Delta Ave
Marysville, WA 98270**

Regular Meeting Minutes

March 25, 2024

Call to Order

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

Invocation

Chaplain Dan Hazen gave the invocation.

Pledge of Allegiance

Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Councilmember Condyles, Councilmember James, Councilmember King, Council President Stevens, Councilmember Richards, Councilmember Muller, Councilmember Norton

Staff: Chief Administrative Officer (CAO) Gloria Hirashima, City Attorney Jon Walker, Community Development Director Haylie Miller, Parks & Recreation Director Tara Mizell, Public Works Director Jeff Laycock, Human Resources Director Megan Hodgson, Finance Director Jennifer Ferrer-Santa Ines, IT Director Stephen Doherty, Network Systems Administrator Chris Brown, Police Dept. Chaplain Dan Hazen, Police Chief Erik Scairpon, Community Information Officer Connie Mennie (via Zoom), IT Services Supervisor Jeremiah Nyman (via Zoom)

Approval of the Agenda

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

AYES: ALL

Presentations

None

Public Comment

None

Approval of Minutes

1. [March 4, 2024 City Council Work Session Minutes](#)

WS 03042024.docx

Motion to approve the March 4, 2024 City Council Work Session Minutes moved by Councilmember King seconded by Councilmember Condyles.

VOTE: Motion carried 6 - 0

AYES: Councilmember Condyles, Councilmember James, Councilmember King, Council President Stevens, Councilmember Muller, Councilmember Norton

ABSTAIN: Councilmember Richards

2. [March 11, 2024 City Council Meeting Minutes](#)

CC 03112024.docx

Motion to approve the March 11, 2024 City Council Meeting Minutes moved by Council President Stevens seconded by Councilmember Norton.

AYES: ALL

Consent

3. March 13, 2024 Claims in the Amount of \$1,907,630.46 Paid by EFT Transactions and Check Numbers 168548 through 168809

031324.rtf

4. March 20, 2024 Claims in the Amount of \$1,215,312.88 Paid by EFT Transactions and Check Numbers 168810 through 168983 with Check Numbers 167947, 168550 and 168593 Voided

032024.rtf

Motion to approve the Consent Agenda moved by Councilmember Condyles seconded by Councilmember Richards.

AYES: ALL

Review Bids

Public Hearings

5. Community Development Block Grant - Program Year 2024 Annual Action Plan

Executive Summary PY2024.pdf

Citizen Advisory Committee Recommendation PY2024 AAP.pdf

Director Miller reviewed the Program Year 2024 Annual Action Plan and recommended approval as recommended by the Citizen Advisory Committee for the CDBG grant funds.

Councilmember Norton asked if there were any applicants that did not receive funding. Director Miller explained that it was the same applicants they receive each year. There is a lot of paperwork involved in this process which may be a deterrent.

The public hearing was opened at 7:10 and comments were solicited. There were none. The public hearing was closed at 7:10 p.m.

Councilmember Muller asked how they are calculating the administration charges. Director Miller thought it was based on the average time they are spending on it in order to cover costs. Councilmember James added that they used to charge the maximum, but the committee gave direction to lower it to 15% so they can give more to the recipients.

Motion to approve the Program Year 2024 Annual Action Plan, as recommended by the Citizen Advisory Committee, authorize the Mayor to sign and execute any agreements necessary to carry out the disbursement of CDBG grant funds identified in the Annual Action Plan, provide a summary of, and response to any comments received during the public hearing into the Program Year 2024 Annual Action Plan, and direct staff to forward Program Year 2024 Annual Action Plan to the U.S. Department of Housing and Urban Development moved by Councilmember Norton seconded by Councilmember King.

AYES: ALL

New Business

6. FBI Lease Renewal for Marysville Tanks RF Site - FBI Standard Rider and ASEI

FBI_STANDARD_RIDER_02.15.23_RM_Marysville Tanks.pdf

[ASEI_FBI_Maysville Tanks.docx](#)

[1216 - USDoJ - Communication Site Sublease - City Executed.pdf](#)

CAO Hirashima reviewed FBI-specific forms that were added to the packet.

Motion to authorize the Mayor to sign and execute the FBI Standard Rider and ASEI in association with the Communications Site Sublease/License with the US Department of Justice / Federal Bureau of Investigations moved by Councilmember Muller seconded by Councilmember Condyles.

AYES: ALL

7. [City of Marysville Utility Easement for Sather Farms, LLC.](#)

[SATHER C SEWER MAIN EASEMENT \(002\).pdf](#)

[SATHER FARMS SEWER MAIN EASEMENT.pdf](#)

[Map.JPG](#)

Director Miller reviewed the utility easement for the sewer main.

Motion to authorize the Mayor to sign and execute the City of Marysville Utility Easement between Sather Farms LLC and the City of Marysville moved by Council President Stevens seconded by Councilmember Richards.

AYES: ALL

8. [Amendment to existing access easement for North Precinct.](#)

[Amended Easement](#)

[Easement_Amendment_Map.pdf](#)

Director Miller reviewed this item.

Motion to authorize the Mayor to sign and execute the amended easement moved by Councilmember Norton seconded by Councilmember James.

AYES: ALL

9. [A Resolution authorizing the City Treasurer to allocate income derived from the investment of excess and inactive funds to the General Fund.](#)

[Resolution - Allocation of income from investments.docx](#)

Director Ferrer Santa-Ines reviewed this item regarding retaining earned interest derived from the investment of funds to the General Fund. The utility accounts would have the most impact if this were approved. She plans to look at how Marysville's utility

fees compare with neighboring jurisdictions and bring forward a separate proposal to adjust fees. By law, the utility accounts should be recovering the full cost of running a utility business.

Councilmember Muller noted that some of the money, if retained in utility funds, could help offset potential cost differentials. Will budget amendments potentially be necessary if they make this take all of the revenue? Director Ferrer Santa-Ines reiterated the need to look at adjusting utility rates to mitigate the impact to water and sewer. She explained that some of the funds will need to be retained in certain funds (impact fees, Real Estate Excise Tax), and some of it could be retained in the General Fund. Councilmember Muller asked for more information about the impact this will have on utility funds. Director Laycock commented that he wasn't sure what the impacts would be yet. Bids have been coming in fairly competitively, and the department is working within its means. The rates study will be more telling. Director Ferrer Santa-Ines explained this would be a monthly allocation, and Council can revisit this at any time.

Council President Norton commented that the Finance Committee discussed this briefly last week. A general sentiment was wanting to understand the impacts, but also a recognition that they could change rates in utility funds to cover the costs and make them self-sustaining, so those funds are not negatively impacted. On the other hand, it's very difficult to raise General Fund revenues without raising property taxes.

Motion to approve Resolution No. 2552 moved by Councilmember Richards seconded by Councilmember Norton.

AYES: ALL

10. [MCC Roof Mounted Utility Interactive Photovoltaic System](#)

[Bid Tab.pdf](#)

[Combined Draft_PW5_Exhibit-Proposal.pdf](#)

CAO Hirashima reviewed this item related to a grant to install solar.

Councilmember Muller asked about an educational part of this like the YMCA has. CAO Hirashima indicated she would follow up on that. Councilmember King noted that the PUD lobby building also has something similar.

Motion to authorize the Mayor to sign and execute the contract with Western Solar in the amount of \$122,038.66 moved by Councilmember Muller seconded by Councilmember King.

AYES: ALL

11. [Purchase Agreement with Univar Solutions USA, LLC for Sodium Hypochlorite Supply & Delivery](#)

City of Marysville WA-Purchase Agreement Univar Solutions-Sodium Hypochlorite-2024 Shawnasey Signed.pdf

Director Laycock reviewed this agreement related to adding sodium hypochlorite for use at the water and wastewater plants.

Motion to authorize the Mayor to execute the purchase agreement for the supply and delivery of sodium hypochlorite for use at City water and wastewater treatment plants, to Univar Solutions USA, LLC in the amount of \$266,003.20 including Washington State Sales Tax moved by Councilmember Norton seconded by Councilmember James.

AYES: ALL

Legal

Mayor's Business

- The Easter Egg Hunt will be happening on Saturday. He thanked all the community partners and staff that make this possible.
- Jennings Nature Park will be opening up on Thursday afternoon with a ribbon cutting.

Staff Business

City Attorney Walker stated the need for an Executive Session to address five items expected to take 30 minutes with action expected on two items:

- 1 item regarding the purchase of real estate with no action expected
- 2 items regarding sale of real estate with action expected on one
- 1 pending litigation with no action expected
- 1 potential litigation with action expected

Call on Councilmembers and Committee Reports

Councilmember James said he went to the Everett State of the City event held at the old Everett Mall. The mall is being remodeled and is expected to be a destination again.

Councilmember King:

- The State Ave project between 100th and 116th looks great. Pulling the utility poles out of the east side made a big difference.
- The Solid Waste Advisory Committee met and discussed House Bill 2301, a planned rate study, and an expected rate increase next year.
- The Parks Board recently met and got an update on the Ebey boat launch, upcoming ribbon-cuttings at Jennings Nature Park, ribbon-cutting at Strawberry Fields playground, and new portable toilets planned for Jennings Nature Park.
- He reviewed the results of recent Tribal elections.
- Thanks to Chief Scairpon and Director Mizell for meeting with the Strawberry Festival today for planning.

Council President Stevens had no comments.

Councilmember Richards had no comments.

Councilmember Muller mentioned some new legislation related to allowing alcohol in strip clubs. City Attorney Walker commented that they are looking into that.

Councilmember Norton:

- She reported on the March 19 Public Safety Committee meeting and gave reports on crime, jail stats, the mandatory minimum ordinance, and staffing levels.
- Finance Committee received a presentation from Alliant regarding self-insurance. Since 2020, the City has saved \$1.6 million by being self-insured. The Committee also reviewed sales tax numbers.
- She reported that a Marysville team competed in a state mock trial competition and did very well. A local senior also received "Best Attorney".

Adjournment/Recess

Council recessed into Executive Session at 7:51 for an anticipated 30 minutes to address five items. One item regarding the purchase of real estate with no action expected, two items regarding the sale of real estate with action expected on one, one item regarding pending litigation with no action expected and one regarding potential litigation with action expected.

Executive Session was extended five minutes at 8:21 p.m. and another five minutes at 8:26 p.m.

Executive Session

- A. Litigation: RCW 42.30.110(1)(i); two items
- B. Personnel:
- C. Real Estate: RCW 42.30.110(1)(b); one item & RCW 42.30.110(1)(c); two items

Reconvene

Council reconvened the regular meeting at 8:31 p.m.

Motion to authorize the Mayor to sign and execute the Purchase and Sale Agreement with the Housing Authority of Snohomish County for 1094 Cedar Avenue moved by Councilmember Condyles seconded by Councilmember Muller.

AYES: ALL

Motion to authorize the City Attorney to file and prosecute a lawsuit against Scott Walter and his insurer State Farm Insurance to seek restitution for damage to a traffic light at 136th Street moved by Councilmember Muller seconded by Councilmember Norton.

AYES: ALL

Adjournment

Motion to adjourn at 8:33 p.m. moved by Councilmember Muller seconded by Councilmember Richards.

AYES: ALL

The meeting was adjourned at 8:33 p.m.

Approved this 22nd day of April, 2024.