

City Council



**501 Delta Ave
Marysville, WA 98270**

**Regular Meeting
December 9, 2024**

Call to Order

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

Invocation

Pastor Aaron Thompson of Marysville Foursquare Church 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: City Administrator Jennifer Stapleton, Deputy City Attorney Burton Eggertsen, Parks & Recreation Director Tara Mizell, Finance Director Jennifer Ferrer-Santa Ines, IT Director Stephen Doherty, Network Systems Administrator Chris Brown, Community Development Director Haylie Miller, Risk and Program Manager Leah Tocco, Asst. Chief Jim Lawless, Engineering Services Director Jeff Laycock

Approval of the Agenda

Mayor Nehring explained that item A, the presentation planned from Strategies 360, would need to be rescheduled.

Motion to approve the agenda minus presentation item A moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

Presentations

A. Strategies 360 Legislative Update

This item was postponed to January.

Public Comment

Nikki Ray, 3910 100th Place NE, Marysville, commented on the proposed development in the neighborhood of 35th Avenue NE. In addition to concerns about safety and traffic, she and her husband are concerned about well water contamination or damage due to the development.

Consent

1. November 27, 2024, Claims in the Amount of \$1,444,217.20 Paid by EFT Transactions and Check Numbers 173924 through 174084 with Check Number 173177 Voided

112724.rtf

Motion to approve Consent Agenda item 1 moved by Councilmember Muller seconded by Councilmember Condyles.

AYES: ALL

Public Hearings

2. 2024 Comprehensive Plan

Memo re 2024 Comprehensive Plan Update

Exhibit 1 - 2024 Comprehensive Plan with Appendices

Exhibit 2 Ordinance for 2024 Comprehensive Plan and Appendices

Exhibit 3 - Ordinance Title 22 Unified Development Code Amendments

Exhibit 4 - Ordinance Downtown Master Plan Amendments

Exhibit 6 - RH2 Water and Sewer Technical Memo

Exhibit 7 - Puget Sound Regional Council Comment Letter, VISION 2050 Compliance Checklist, and Associated Documents

Exhibit 8 - Washington State Department of Commerce GMA Checklist, Comment Letter, and City Email Responses

Exhibit 9 - Master Builders Association Comment Letter and Response

Exhibit 10 - Other Public Comments

Exhibit 11 - Transportation Plan - unabridged

Director Miller summarized background information related to the Comprehensive Plan. She reviewed the proposed elements, especially changes, including Introduction; Land Use; Housing; Economic Development; Public Services; Parks & Recreation; Environmental; Transportation; Utilities; and Capital Facilities. She thanked everyone involved in working on this massive project, especially Principal Planner Angela Gemmer, Planning Commission, and other staff and agencies. She highlighted two minor changes to the Transportation Plan. Verbiage was added to the Transportation Plan policies T-2.4 and T-5.1 that reduced vehicle miles traveled to be consistent with the full Transportation Plan. Staff also noticed an issue with footnote numbering which will be corrected. Staff is asking that those two changes be adopted and that Council approve for staff to administratively correct any numbering issues.

The public hearing was opened at 7:16 p.m. Public comments were solicited. Seeing none, the public hearing was closed at 7:17 p.m.

Motion to affirm the recommendation of the Planning Commission and adopt the 2024 Comprehensive Plan and associated amendments to the Downtown Master Plan and Title 22 Unified Development Code, by Ordinance along with the two changes as recommended by staff and the change to the footnotes moved by Councilmember Condyles seconded by Councilmember Muller.

AYES: ALL

New Business

3. An Ordinance Relating to the City's Comprehensive Plan; Amending the Comprehensive Plan by the Adoption of the Lake Stevens and Lakewood School Districts' 2024 - 2029 School District Capital Facilities Plans as a Subelement of the City's Comprehensive Plan and Establishing the Adoption of Said Capital Facilities Plans and the Collection and Imposition of School Impact Fees, Pursuant to the City's Annual Comprehensive Plan Amendment and Update Process, and Repealing Ordinance No. 3241

2024 - 2029 School District CFPs - Memo and Exhibits

Ordinance - 2024 - 2029 School District CFPs

Principal Planner Angela Gemmer introduced this item regarding the school districts' capital facilities plans. Lakewood and Lake Stevens submitted capital facilities plans. Only one district, Lake Stevens, is requesting impact fees this year. She reviewed Lake Stevens' proposed fees.

Motion to adopt Ordinance No. 3330 moved by Councilmember King seconded by Councilmember James.

AYES: ALL

4. [2025 Liability and Crime Policies Renewal Proposal](#)

[Marysville 12.5.24 - 12.9.24 City Council](#)

[City of Marysville-24_25 ACIP Crime Proposal.pdf](#)

Risk Manager Leah Tocco introduced this item. Brian White and Ann Shackleford, brokers from Alliant made the presentation regarding the liability insurance market. They highlighted market conditions, jurisdictional challenges, legal system abuse, domestic capacity, loss trends, renewal hurdles, best and worst case pricing scenarios, and next steps. Ms. Tocco compared this to hypothetical costs of WCIA liability policies.

Councilmember King asked if police accreditation would help with rates. Mr. White noted that this is important for noting the risk with regard to law enforcement.

Councilmember Muller asked for more details about the 5x5 model. Mr. White reviewed how the layers in the tower function. Councilmember Muller asked if there are breaks for the self-insured. Mr. White noted that it can.

Councilmember Norton thanked them for the presentation.

Motion to authorize the Mayor to sign and execute the Liability Insurance program with Alliant for 2025 in an amount not to exceed \$1,260,331 and the Crime Policy renewal for \$3,696 moved by Councilmember King seconded by Councilmember Norton.

AYES: ALL

5. [An Ordinance Amending the 2023-2024 Biennial Budget and Providing for the Increase/Decrease of Certain Expenditure Items as Budgeted for in Ordinance No. 3239.](#)

[120924 Budget Amendment Memo.docx](#)

[120924 BA Ordinance LR.docx](#)

Director Ferrer-Santa Ines reviewed this item. General questions and answers followed.

Motion to adopt Ordinance No. 3331 moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

6. [An Ordinance Amending Title 6 of the Municipal Code, Adopting State Criminal Offenses and Penalties, and Recodifying Certain Criminal Offenses](#)

[Title 6 MMC Amendment.docx](#)

Deputy City Attorney Eggertsen reviewed this item. He explained this is mainly a housekeeping item to remain consistent with state law.

Motion to approve Ordinance No. 3332 moved by Councilmember Muller seconded by Councilmember James.

AYES: ALL

7. [A Resolution Establishing January 13, 2025, as the Date Upon which a Public Hearing Shall be Held Before the Marysville City Council to Consider the Vacation of an Unopened Alleyway Adjacent to 1605 172nd Street NE](#)

[Lakewood_Vacation_Resolution.docx](#)

[01 Vacation Petition - Lakewood Heights.pdf](#)

[02 Vacation Vicinity Map - Lakewood Heights.pdf](#)

[03 Vacation Exhibits - Lakewood Heights.pdf](#)

[04 Vacation Appraisal - Lakewood Heights.pdf](#)

Director Laycock reviewed this item related to right-of-way vacation near 172nd Street for a property anticipating some future development. This would set a public hearing date for January 13.

Motion to adopt Resolution No. 2562 moved by Councilmember James seconded by Councilmember Condyles.

AYES: ALL

8. [Supplemental Agreement No. 3 to the Little League-Cedar Field Lease Agreement](#)

[Little League Lease Agreement- Supplemental No. 3.pdf](#)

Director Mizell reviewed this item.

Motion to authorize the Mayor to sign and execute Supplemental Agreement No. 3 with Little League moved by Council President Stevens seconded by Councilmember Norton.

AYES: ALL

9. [Recommended 2025 Community Beautification Grant Awards](#)

[2025 CBG_Recommended Funding_Final.pdf](#)

City Administrator Stapleton reviewed the recommendations for awards of the 2025 Community Beautification Grants. Ten applications were received; four were recommended for funding.

Motion to approve the 2025 applicant awards for Community Beautification Program funding in the amount of \$21,518.02 moved by Councilmember Muller seconded by Councilmember Richards.

AYES: ALL

10. [Recommended 2025 Hotel/Motel Tourism Grants](#)

[2025 Application Scoring Sheet.pdf](#)

[2025 Tourism Grant_Recommended Funding_Final.pdf](#)

Councilmember King recused himself. Director Stapleton reviewed the Hotel/Motel Tourism Grant award recommendations related to tourism promotion. Nine applications were received; seven grant awards were recommended.

Motion to approve the Hotel/Motel Tourism Grant award recommendations made by the City of Marysville Tourism Grant Committee in the amount of \$177,848 moved by Councilmember Richards seconded by Councilmember Condyles.

VOTE: Motion carried 6 - 0

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

Councilmember King returned to the meeting.

11. [RCO Grant Agreement Project Number 20-1721A](#)

[20-1721_Agreement_-_Ebey_Waterfront_Trail_Acquisition_-_unsigned__003_.pdf](#)

Director Mizell reviewed this item.

Motion to authorize the Mayor to sign and execute the Recreation and Conservation Office Agreement for reimbursement for \$300,000 for the Ebey Waterfront Trail moved by Councilmember Norton seconded by Councilmember Muller.

AYES: ALL

[Mayor's Business](#)

Mayor Nehring had the following comments:

- Thanks to everyone involved with Merrysville for the Holidays. He was grateful that the rain ended in time for the parade. He commended Parks, Public Works, Community Development, Police and Fire for all their work on this. The public really enjoyed it. Thanks to Council for their support of this year after year.
- Bettie Kissinger sent a nice thank you card to the Council regarding her husband's memorial.
- He summarized key achievements in the City in 2024 and expressed appreciation to everyone who was a part of it.
- Merry Christmas, Happy Holidays, and a Happy New Year.

Staff Business

Deputy City Attorney Eggertsen stated the need for an executive session to cover five items regarding potential litigation for an estimated 25 minutes with action expected.

Call on Councilmembers and Committee Reports

Councilmember Condyles:

- Thanks to Director Miller and her team for their excellent work on the Comprehensive Plan.
- Thanks to Tara Mizell and her team for all their work for Merrysville for the Holidays.
- The museum has a new sign. Thanks to Planning Department to get that sign put up.
- Happy New Year and Merry Christmas to everyone.

Councilmember James:

- The Chamber Gala on December 5 was a very nice event.
- Merrysville for the Holidays was fantastic.
- Thanks to Director Miller and her department for their work on the Comprehensive Plan.
- Happy New Year and Merry Christmas to all.

Councilmember King:

- He reported on the recent Public Works Committee meeting and the Government Affairs Committee meeting with the school district.
- Merrysville for the Holidays was great.
- He thanked the city merchants for their event.
- He expressed appreciation to the City for approving the Hotel Motel grant funds for Strawberry Festival.

Council President Stevens:

- He praised staff for the great Comprehensive Plan and noted that it is very beautiful.

- He was disappointed to miss the Merryville for the Holidays but heard it was great.

Councilmember Richards:

- Great job to Director Miller and all staff for the Comprehensive Plan.
- He reported on the Public Works Committee meeting.
- He attended a Narcan training and highly recommended it.
- Merryville for the Holidays was great.
- Regarding legislative priorities, he recommended talking about changing the requirement for public notices to online only rather than having to publish in newspapers.
- Merry Christmas and Happy Holidays to all.

Councilmember Muller:

- Congratulations to all staff for the Comprehensive Plan, the budget and everything accomplished this year. People notice and appreciate what the City does.
- Merryville for the Holidays was great. He enjoyed all the lights and all the people who come from all over.
- He wished everyone a safe and enjoyable holiday season.

Councilmember Norton:

- Great job to Director Miller and her staff for the Comprehensive Plan.
- She appreciated being able to see the membrane replacement at the Stilly Water Treatment Plant.
- Great job to staff on the Merryville for the Holidays. Public Works vehicles looked fantastic all lit up. The park lights look great.
- It's been a great year. She is grateful to work with all of them.
- Merry Christmas and Happy New Year to all.

Adjournment/Recess

Council recessed into Executive Session 8:26 p.m. for 25 minutes to discuss five items regarding potential litigation with action expected.

Executive Session

- A. Litigation – five items, RCW 42.30.110(1)(i)
- B. Personnel
- C. Real Estate

Reconvene

The regular meeting was reconvened at 8:53 p.m.

Motion to approve the settlement agreement with BHC Consultants in relation to the WWTP Near-Term Tertiary Treatment Improvement Project moved by Councilmember Richards seconded by Councilmember Condyles.

AYES: ALL

Motion to approve the Property Damage Release with Scott and Sandra Walter in exchange for payment of \$50,000 from State Farm Insurance moved by Councilmember James seconded by Councilmember Muller.

AYES: ALL

Motion to approve the settlement agreement with Elena Sergiichuk in the amount of \$17,500 and to authorize the City Attorney's office to take the necessary actions to effectuate that agreement moved by Councilmember Muller seconded by Council President Stevens.

AYES: ALL

Motion to approve the settlement agreement with Vassyl Sergiichuk in the amount of \$17,500 and to authorize the City Attorney's office to take the necessary actions to effectuate that settlement moved by Councilmember Richards seconded by Councilmember Muller.

AYES: ALL

Motion to approve the settlement agreement with Vassyl Sergiichuk and Elena Sergiichuk on behalf of their minor child with the initials M.S. in the amount of \$17,500 and to authorize the City Attorney's office to take the necessary actions to effectuate that settlement moved by Councilmember Condyles seconded by Councilmember James.

AYES: ALL

Adjournment

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

The meeting was adjourned at 8:56 p.m.

Approved this 13th day of January, 2025