

February 10, 2016

The regular meeting of the Everett City Council was called to order at 6:30 p.m., February 10, 2016, in the City Council Chambers of the William E. Moore Historic City Hall, Council President Murphy presiding. Upon roll call, it was found that Mayor Stephanson and Council Members Roberts, Moore, Murphy, Franklin, Bader, and Stonecipher were present. Council Member Tuohy was excused.

Council Member Bader led the Pledge of Allegiance.

The minutes of the February 3, 2016, City Council meeting were approved as printed.

President Murphy announced that the Council Briefing Agenda Item No. 1 had been pulled from the agenda and would be coming back at a later date. He invited anyone in the audience who wished to speak on this item to do so under citizen comments.

MAYOR

Mayor Stephanson announced the retirement of Deborah Wright, Executive Administrator of Neighborhoods and Community Services, effective Friday, February 12, 2016. The Mayor thanked Ms. Wright for her excellent work and many years of service to the citizens of Everett, the Everett City Council, the Mayor and Administration. He stated there would be a retirement gathering on Friday at the Everett Senior Center.

Chief Dan Templeman introduced new Police Officer Kerby Duncan.

OATH – POLICE OFFICER

Moved by Council Member Franklin, seconded by Council Member Roberts, to concur with the appointment of Kerby Duncan as a new police officer.

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Roll was called with all council members voting yes, except Council Member Tuohy who was excused.

Motion carried.

The City Clerk administered the oath of office and Mayor Stephanson presented the Officer Duncan with his badge.

COUNCIL

Council Member Moore commented on Ordinance No. 3443-15 relating to land use regulations for recreational and medical marijuana. He stated that last week's proposed ordinance establishing a moratorium on the establishment of additional retail marijuana stores was not actually an emergency and suggested this issue go through another process.

Council Member Moore suggested two phases: A) Immediately refer the existing ordinance back to the Planning Commission and request the Commission make a determination if an interim cap should be placed on the number of medical marijuana stores; and B) At some time in the future, request that the Planning Commission review the following five areas: 1) determine if current land use regulations offer a disproportionate number of allowable sites for retail medical marijuana stores in the south end of Everett, 2) determine to what extent quantity and density of stores affects economic development, 3) re-engage service providers regarding their concerns, 4) evaluate land use requirements within Ordinance 3443-15, and 5) reconsider Tier 2 and Tier 3 production facilities.

Council Member Stonecipher expressed concern about the procedural process as the proposal was not on the agenda and the public had not been notified. She was also concerned about the amount of taxpayer resources that would be spent by referring the issue back to the Planning Commission. Council Member Stonecipher asked that the issue be included in a written format for consideration by the Council at the next regularly scheduled meeting.

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President Murphy stated he had been informed by the City Attorney that the proposal did not require a vote of the Council. City Attorney Iles stated that this was consistent with the rules and procedures of the Council and that a formal motion was not required.

Council Bader expressed support for Council Member Moore's proposal.

Council Member Roberts stated the establishment of additional retail marijuana stores was the result of the legislature's desire to incorporate medical marijuana sales within retail marijuana sales, with the intent to actually reduce the total number of outlets within a regulated structure. He expressed concern that a moratorium could result in the lack of patient access to medical marijuana, as well as an increased workload for Planning Department staff.

Council Member Franklin stated this was an important issue and not without impact to the community. She stated she was in support of a review by the Planning Commission to include a recommendation back to the Council.

President Murphy stated that while he supports the immediate review by the Planning Commission, he could not support the second phase until input is provided by Planning Department staff and all council members are present to weigh in.

Council Member Stonecipher questioned by what criteria the Planning Commission is being asked to make a determination, and stated this action requires public process and must be advertised on the Council agenda. She asked that the record show that she does not support sending the ordinance back to the Planning Commission.

President Murphy requested City staff take the existing ordinance back to the Planning Commission for action at the next regularly scheduled meeting.

Council Member Moore stated he would provide Council with his talking points.

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ADMINISTRATION UPDATE ON PRIOR BUSINESS

Debra Bryant, Administration, had no report.

CITY ATTORNEY

City Attorney Iles requested an executive session, anticipated to last no longer than 15 minutes, concerning two litigation matters pursuant to RCW 42.30.110(1)(i)(b)(c) with no announcement to follow.

CITIZEN COMMENTS

Jackie Minchew, Everett, spoke about the Porter Ranch gas well leak in the San Fernando Valley and the role of ExxonMobil in global warming.

COUNCIL BRIEFING AGENDA:

2016 Tourism Strategy – This item was pulled from the agenda.

COUNCIL BILL 1602-05

FIRST READING:

AN ORDINANCE creating a Special Construction Fund entitled "Duplex - Phone and Data Room Remodel Project", Fund 342, Program 021," authorizing the design and remodel of the existing Duplex Phone and Data Room

Presented by Scott Pattison, Facilities

COUNCIL BILL 1602-06

FIRST READING:

AN ORDINANCE creating a Special Construction Fund entitled "Police Headquarters Masonry Restoration Project," Fund 342,

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Program 020, authorizing the design and restoration of the existing masonry at Police Headquarters

Presented by Scott Pattison, Facilities

COUNCIL BILL 1602-07

FIRST READING:

AN ORDINANCE creating a Special Construction Fund entitled "South Precinct Roof Replacement Project," Fund 342, Program 022, authorizing the roof replacement at the South Precinct

Presented by Scott Pattison, Facilities

PROPOSED ACTION ITEMS:

COUNCIL BILL 1601-03

SECOND READING:

AN ORDINANCE terminating the Amended Development Agreement with Rockefeller Avenue LLC for property on the east side of Rockefeller Avenue between 26th Street and Everett Avenue, amending Section 1-5 of Ordinance No. 2847-05

COUNCIL BILL 1601-04

SECOND READING:

AN ORDINANCE creating a Special Improvement Project entitled "Forest Park Swim Center Improvements Project," Fund 354, Program 048, to accumulate all costs for the improvement project

CONSENT ITEMS:

Moved by Council Member Roberts, seconded by Council Member Bader, to approve the following consent items:

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RESOLUTION - CLAIMS

To adopt Resolution No. 6946 acknowledging the payment of audited and approved claims against the City of Everett in the amount of \$3,011,741.01 for the period of January 23, 2016, through January 29, 2016.

RESOLUTION - PAYROLL

To adopt Resolution No. 6947 acknowledging payment of audited and approved payroll claims against the City of Everett in the amount of \$3,628,936.00 for the period ending January 23, 2016.

Roll was called with all council members voting yes, except Council Member Tuohy who was excused.

Motion carried.

PUBLIC HEARING:

President Murphy opened a public hearing regarding a proposed resolution declaring the sale and transfer of City-owned property in the 1800 block of Chestnut to be in the best interest of the City, and authorizing its sale and conveyance, and authorizing the Mayor to sign the quit claim deed and take all other actions necessary to complete the transfer of the property.

President Murphy invited public comment. There was no response.

Moved by Council Member Roberts, seconded by Council Member Moore, to close the public hearing.

Roll was called with all council members voting yes, except Council Member Tuohy who was excused.

Motion carried.

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RESOLUTION – SALE AND TRANSFER OF CITY-OWNED PROPERTY

Moved by Council Member Roberts, seconded by Council Member Stonecipher, to adopt Resolution No. 6948 declaring the sale and transfer of City-owned property in the 1800 block of Chestnut to be in the best interest of the City, and authorizing its sale and conveyance, and authorizing the Mayor to sign the quit claim deed and take all other actions necessary to complete the transfer of the property.

Roll was called with all council members voting yes, except Council Member Tuohy who was excused.

Motion carried.

ACTION ITEMS:

AGREEMENT – E-LEARNING SUBSCRIPTIONS

Moved by Council Member Bader, seconded by Council Member Franklin, to authorize the Mayor to sign the Sales Order with Terms and Conditions with Pluralsight, for e-Learning subscriptions in the amount of \$9,828.00 including Washington State sales tax.

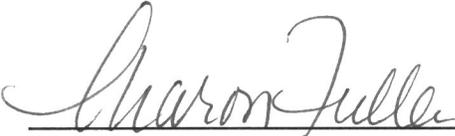
Roll was called with all council members voting yes, except Council Member Tuohy who was excused.

Motion carried.

EXECUTIVE SESSION

The City Council meeting recessed for an executive session at 7:33 p.m., reconvened, and adjourned at 7:52 p.m.

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City Clerk

Read and approved as printed.



Council President