

July 13, 2016

The regular meeting of the Everett City Council was called to order at 6:30 p.m., July 13, 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, Stonecipher, and Tuohy were present.

Council Member Roberts led the Pledge of Allegiance.

The minutes of the June 29, 2016, City Council meeting were approved as printed. Council Members Roberts and Stonecipher abstained from the vote.

#### MAYOR

Mayor Stephanson spoke about the Historic Weyerhaeuser Mansion relocation opening ceremony held earlier today. The Mayor announced that the South Branch Library expansion project will be presented to the Council next week. He also thanked Council Member Tuohy for her work as a liaison to the Library Board.

#### COUNCIL

Council Member Bader provided a liaison report on his attendance at the Puget Sound Regional Council Growth Management Policy Board meeting last week.

Council Member Stonecipher spoke about recent articles in the Los Angeles Times regarding extensive distribution of OxyContin to Everett, which has created Everett's heroin epidemic, and stated that Purdue Pharma collected extensive evidence suggesting illegal trafficking of OxyContin, but did not share it with law enforcement. Council Member Stonecipher requested a report from the Everett Police Department regarding this issue. She also asked Legal Department to take a look at the situation and consider legal actions against the pharmaceutical company.

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City Attorney Iles stated that the Legal Department is already looking into the issue.

Debra Bryant, Administration, stated that she will work with the police chief and report back to the Council.

President Murphy mentioned that the topic of heroin addiction was discussed at the Snohomish Health District Board meeting this month.

Council Member Roberts reported on his attendance at The Fixing America's Surface Transportation (FAST) Act Advisory Group meeting held in Olympia. He provided an overview of the General Government Subcommittee meeting held earlier today and outlined future meetings.

Council Member Tuohy announced that the Library Board meeting is scheduled for next week.

Council Member Franklin spoke about the Historic Weyerhaeuser building relocation project opening ceremony held earlier today. She concurred with Council Member Stonecipher's comments on the issue regarding OxyContin. Council Member Franklin also announced that the Public Safety Innovations Community Forum will be held on July 19, 2016.

President Murphy provided a liaison report on his attendance at the Snohomish Health District Board meeting. He also announced that Dr. Gary Goldbaum, health officer and director of the Snohomish Health District, will be present at the August 10, 2016, City Council meeting to brief council members and the public about a potential proposal relating to the Snohomish Health District funding.

#### ADMINISTRATION UPDATE ON PRIOR BUSINESS

Debra Bryant, Administration, asked Planning Director Allan Giffen to provide and update on the City's climate action work.

Allan Giffen, Planning, provided a brief overview of the work process and the current status of the climate change analysis.

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CITY ATTORNEY

City Attorney Iles requested an executive session, anticipated to last no longer than 10 minutes, concerning a legal matter pursuant to RCW 42.30.110(1)(i)(c) with no announcement to follow.

CITIZEN COMMENTS

Willie Russell, Everett, spoke about the heroin problem in Everett. He expressed his frustration with the operation of the Everett Police Department and invited all council members to take a look at the Washed Mission work.

Bruce (Doug) Young, Everett, was called to speak but declined.

**COUNCIL BRIEFING AGENDA:**

COUNCIL BILL 1607-28

FIRST READING:

AN ORDINANCE approving the appropriations of the 2016 revised City of Everett Budget and amending Ordinance No. 3487-16  
Presented by Susy Haugen, Finance

Council Member Stonecipher suggested that the Budget and Finance Subcommittee should take a deeper look at the Xfinity Arena's projects and potential funding sources for these projects.

Council Member Moore stated he will place this item on the next Budget and Finance Subcommittee meeting agenda.

Council Member Stonecipher commented on a capital projects planning process and the need for a strategic approach.

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Mayor Stephanson named grant funding as one of the reasons for capital project prioritization. He also mentioned that he is looking forward to updating the vision process beginning in September 2016.

Council Member Roberts expressed his interest in how the envisioning plan is intended to roll out.

Debra Bryant, Administration, stated that she will check with the staff and report back to the Council.

COUNCIL BILL 1607-29

FIRST READING:

AN ORDINANCE regarding deferred payment of impact fees for single-family homes and an exemption for payment of impact fees for low-income housing, amending Ordinance 3389-14 (EMC Chapter 18.36, Small Project Impact Fee), Ordinance 3387-14(EMC Chapter 18.40, Transportation Mitigation) and Ordinance 3396-14 (EMC Chapter 18.44 School District Impact Fees) as amended

Presented by David Stalheim, Planning

Council Member Moore recused himself from participating in any discussion and decision making involving this item. He stated that he is an Everett School District employee, and there could be a conflict of interest.

Council Member Moore left the council chambers at 7:38 p.m.

Council Member Stonecipher suggested including an inflation factor to the ordinance language to keep up with inflation.

Debra Bryant, Administration, stated she will do the background work and report back to the Council.

Mark Smith, Everett, spoke in support of the proposed ordinance.

Council Member Moore returned to the council chambers at 7:49 p.m.

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**CONSENT ITEMS:**

**Moved by Council Member Moore, seconded by Council Member Franklin, to approve the following consent items:**

**RESOLUTION - CLAIMS**

**To adopt Resolution No. 7005 acknowledging the payment of audited and approved claims against the City of Everett in the amount of \$3,140,657.07 for the period of June 25, 2016 through July 1, 2016.**

**RESOLUTION – PAYROLL**

**To adopt Resolution No. 7006 acknowledging payment of audited and approved payroll claims against the City of Everett in the amount of \$3,864,883.77 for the period ending June 25, 2016.**

**STREET CLOSURE – 5K/10K RUN/WALK**

**To authorize the closure of a portion of West Mukilteo Boulevard, between Mukilteo Lane and Shore Avenue, on August 27, 2016, 7:45 a.m. to 9:45 a.m., for a 5K/10K run/walk, sponsored by Mukilteo Lighthouse Festival.**

Roll was called with all council members voting yes.

**Motion carried.**

**PUBLIC HEARING – COUNCIL BILL 1606-27:**

President Murphy opened a public hearing regarding Council Bill No. 1606-27, a proposed ordinance adopting and modifying changes to the Everett City Charter as recommended by the Charter Review Committee, adding new changes, and directing the submittal of these changes to the Snohomish County Auditor for placement on the ballot for November 8, 2016, for consideration by the voters of the City of Everett.

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Council Member Roberts provided an update on the work related to the language of the ordinance completed by the General Government Subcommittee earlier today. He stated that some of changes to the language of the ordinance introduced included: the required minimum number of the council meetings per calendar year, a location of the City Council regular meeting, and rules and reasons regarding cancelling a council meeting.

Considerable discussion ensued.

President Murphy invited public comment.

J.T. Dray, Everett, spoke about the Charter Review Committee's recommendation to establish a committee separate from the Transportation Advisory Committee (TAC) that would be devoted exclusively to Everett Transit.

Considerable discussion ensued regarding a current structure of the TAC committee, improvements to the TAC's work process, and the revenue and expenditures of Everett Transit.

Council Member Roberts stated that the General Government Subcommittee will discuss the Charter Review Committee's recommendation regarding a separate committee for Everett Transit.

Jeremy Hartsell, Snohomish, suggested taking into consideration the perspective of Everett Transit customers in the decision-making process.

Jackie Minchew, Everett, spoke about the district election process in the city of Everett.

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

Roll was called with all council members voting yes.

**Motion carried.**

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COUNCIL BILL 1606-27

THIRD AND FINAL READING:

**AN ORDINANCE adopting and modifying changes to the Everett City Charter as recommended by the Charter Review Committee, adding new changes, and directing the submittal of these changes to the Snohomish County Auditor for placement on the ballot for November 8, 2016, for consideration by the voters of the City of Everett**

Moved by Council Member Roberts, seconded by Council Member Franklin, that this is declared to be the third and final reading of Council Bill No. 1606-27, and the city clerk is directed to call the roll for the final disposition of the ordinance as amended.

Council Member Stonecipher requested a final copy of the ordinance be provided to the Council.

City Attorney Iles stated he will provide the final copy to all council members.

AYES: Roberts, Moore, Murphy, Franklin, Bader,  
Stonecipher, Tuohy  
NAYS: None  
EXCUSED: None

**Ordinance No. 3502-16 adopted.**

**ACTION ITEMS:**

AGREEMENT AMENDED – DESIGN AND CONSTRUCTION SUPPORT  
SERVICES FOR THE LEGION GOLF COURSE STORM  
WATER DETENTION PROJECT

**Moved by Council Member Roberts, seconded by Council Member Franklin, to authorize the Mayor to sign Amendment No. 1 to the Professional Services Agreement with Murray, Smith & Associates, Inc. to provide design and construction support services for the**

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**Legion Golf Course Storm Water Detention Project in an amount not to exceed \$395,766.00.**

Roll was called with all council members voting yes.

**Motion carried.**

SETTLEMENT – TAYLOR - MONTZ V. CITY OF EVERETT

**Moved by Council Member Bader, seconded by Council Member Franklin, to approve the lawsuit settlement of Taylor-Montz v. City of Everett, Cause. No. 15-2-06013-7, in the amount of \$60,000.00.**

Roll was called with all council members voting yes.

**Motion carried.**

RESOLUTION – SCOTT SELF CONTAINED BREATHING APPARATUS

**Moved by Council Member Bader, seconded by Council Member Tuohy, to adopt Resolution No. 7007 declaring the listed Scott Self Contained Breathing Apparatus equipment surplus and authorizing its sale by sealed bid.**

Roll was called with all council members voting yes.

**Motion carried.**

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EXECUTIVE SESSION

The City Council meeting recessed for an executive session at 8:30 p.m., reconvened, and adjourned at 8:41 p.m.

*Anna Pankevich*

Deputy City Clerk

Read and approved as printed.

*Jason Tompkins*

Council President