

August 3, 2016

The regular meeting of the Everett City Council was called to order at 6:30 p.m., August 3, 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 Moore led the Pledge of Allegiance.

The minutes of the July 27, 2016, City Council meeting were approved as printed. Council Members Roberts, Moore, and Stonecipher abstained from the vote.

#### MAYOR

Mayor Stephanson commented on the National Night Out event held Tuesday in various neighborhoods and the resounding positivity from the attendees regarding the event.

#### COUNCIL

Council Member Franklin, who attended National Night Out, echoed the Mayor's comments and read an e-mail from a citizen about the positive impact the event made. She provided a liaison report for the Community Streets Initiative meeting held Wednesday morning and encouraged everyone to watch the Safe Streets video on the City's website. She also encouraged citizens to attend Mutt Strutt on Saturday, August 13, to help benefit the Animal Shelter.

Council Member Tuohy, who also attended National Night Out, stated she went to a few neighborhoods and some citizens commented on positive improvements they've seen in the City. She also provided an update on construction at the corner of Hoyt Avenue and Pacific Avenue.

Council Member Moore complimented everyone who volunteered and organized National Night Out and City staff who supported it.

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Council Member Bader also thanked those who organized the National Night Out event.

Council Member Roberts expressed his thanks to National Night Out organizers and to the first responders and the Police Department. He stated that Council will schedule a meeting of the General Government Subcommittee to discuss the Charter Review Committee's recommendations.

President Murphy commented on his attendance at National Night Out and thanked all the staff who put it together.

#### 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 10 minutes, concerning a legal matter pursuant RCW 42.30.110.1(i)(c).

#### CITIZEN COMMENTS

Alan Miller, Everett, commented on a neighborhood trash issue.

Debra Bryant, Administration, said she would get Mr. Miller's contact information and put him in contact with Code Enforcement.

Jackie Minchew, Everett, spoke about a variety of natural disasters in the Country and legislation in other cities regarding oil and coal and the impact on climate change.

Joyce Nicol, Everett, who sent an e-mail to Council, expressed a concern regarding trees and shrubbery that intrudes on neighboring properties and the responsibility of homeowners to mitigate unsafe conditions.

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Debra Bryant, Administration, stated that Ms. Nicol has been referred to City staff, and the Tree Committee will reach out to her.

Council Member Stonecipher questioned the responsibility of homeowners in an event like a tree falling onto a neighbor's property.

City Attorney Iles stated that there is a line between what the City regulates and when citizens need to utilize the civil process for an outcome.

Debra Bryant, Administration, stated she would work with Legal to provide a clarification to Council regarding the ordinances and the civil process.

**COUNCIL BRIEFING AGENDA:**

*Authorize the call for bids for Phase 1 and 2 of the Grand Avenue Park Bridge Construction.*

Presented by Heather Griffin, Public Works

Discussion ensued regarding funding, the elevator and the need for public access at all times.

Alan Miller, Everett, expressed his concern over safety and graffiti.

Heather Griffin stated that Public Works went with a specific coating to deter graffiti and City departments involved can help report any incidents.

**PROPOSED ACTION ITEMS:**

**COUNCIL BILL 1607-31**

**SECOND READING:**

AN ORDINANCE annexing property located East of the existing city limits, South of 12<sup>th</sup> St. NE and West of Union Slough, known as the Smith Island Municipal Annexation

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COUNCIL BILL 1607-32

SECOND READING:

AN ORDINANCE establishing zoning for the Smith Island Municipal Annexation Area, amending Exhibit A to Ordinance No. 1671-89 (as amended)

COUNCIL BILL 1607-33

SECOND READING:

AN ORDINANCE adopting the Snohomish County Shoreline Management Program Resource and Aquatic Designations and Program Policies and Regulations as Interim Designations for the Smith Island Municipal Annexation Area, amending Ordinance No.'s 2600-02-, 2021-94, and 1671-89 (as amended)

COUNCIL BILL 1607-34

SECOND READING:

AN ORDINANCE relating to Noise, amending Ordinance 534-78 as amended (Chapter 20.08 EMC) and repealing sections under Section 16

Katrina Lindahl, Everett, expressed concerns regarding updated wording in the ordinance that would require an entire community to complain to fix a noise issue.

Considerable discussion ensued and City Attorney Iles stated the Legal Department would review the wording and respond to Council.

CONSENT ITEMS:

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

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RESOLUTION - CLAIMS

To adopt Resolution No. 7014 acknowledging the payment of audited and approved claims against the City of Everett in the amount of \$1,955,031.31 for the period of July 16, 2016, through July 22, 2016.

STREET CLOSURE- BLOCK PARTY

To authorize the closure of a portion of 10<sup>th</sup> Street, between Rucker Avenue and Grand Avenue on August 13, 2016, from 4 p.m. to 11 p.m., for a block party sponsored by a local neighborhood.

STREET CLOSURE- CHURCH PICNIC

To authorize the closure of a portion of California Street, between Baker Avenue and Virginia Avenue, on August 13, 2016, from 9: 30 a.m. to 4 p.m., for a church picnic sponsored by Second Baptist Church.

STREET CLOSURE- 10K RUN

To authorize the closure of various streets on October 8, 2016, from 6 a.m. to 12 p.m., for a 10K sponsored by Everett Sausage Fest (Immaculate Conception and Our Lady of Perpetual Help School Booster Club).

Roll was called with all council members voting yes.

**Motion carried.**

**ACTION ITEMS:**

COUNCIL BILL 1607-30

THIRD AND FINAL READING:

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**AN ORDINANCE creating a Special Construction Fund entitled “South Branch Library Expansion Project,” Fund 342, Program 023 in an estimated amount of \$600,000.00**

Moved by Council Member Moore, seconded by Council Member Franklin, that this is declared to be the third and final reading of Council Bill No. 1607-30, and the city clerk is directed to call the roll for the final disposition of the ordinance.

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

**Ordinance No. 3505-16 adopted.**

**AGREEMENT AMENDED –DIKING MANAGEMENT IMPROVEMENT**

**Moved by Council Member Bader, seconded by Council Member Franklin, to authorize the Mayor to sign Amendment No. 1 to the Management Agreement with Diking Improvement District No. 5.**

Roll was called with all council members voting yes.

**Motion carried.**

**AGREEMENT – DIKE REPAIR DESIGN**

**Moved by Council Member Tuohy, seconded by Council Member Stonecipher, to authorize the Mayor to sign a Professional Services Agreement with Otak, Inc. for the Diking Improvement District No. 5 Dike repair design in the amount of \$240,000 to be reimbursed by the District.**

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Roll was called with all council members voting yes.

**Motion carried.**

**AGREEMENT – ENVIRONMENTAL SITE ASSESSMENTS**

Moved by Council Member Roberts, seconded by Council Member Franklin, to authorize the Mayor to sign the Williams Investments I LLC Property Access Agreement to conduct environmental site assessments under the Environmental Protection Agency Brownfield Community-Wide Assessment Grant Project at 2514-2526 Wetmore Avenue.

Roll was called with all council members voting yes.

**Motion carried.**

**AGREEMENT – ENVIRONMENTAL SITE ASSESSMENTS**

Moved by Council Member Franklin, seconded by Council Member Moore, to authorize the Mayor to sign the Rick Lapinski Property Access Agreement to conduct environmental site assessments under the Environmental Protection Agency Brownfield Community-Wide Assessment Grant Project at 3132 Rucker Avenue.

Roll was called with all council members voting yes.

**Motion carried.**

**AGREEMENT – SNOHOMISH COUNTY FIRE DISTRICT #4 FIRE  
TRAINING FACILITY USE AGREEMENT**

Moved by Council Member Franklin, seconded by Council Member Tuohy, to authorize the Mayor to sign the Snohomish County Fire District #4 Fire Training Facility Use Agreement allowing the use of

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**the Snohomish County Fire District #4 Fire Training facility for training and services until December 31, 2020.**

Roll was called with all council members voting yes.

**Motion carried.**

EXECUTIVE SESSION

The City Council meeting recessed for an executive session at 7:19 p.m., reconvened, and adjourned at 7: 31 p.m.

  
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City Clerk designee

Read and approved as printed.

  
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Council President