

March 17, 2021

President Stonecipher announced that the Council is still abiding by Governor Inslee's Safe Start guidelines, and as a result, City Council meetings will continue to be held remotely with all meetings scheduled at 6:30 p.m. each Wednesday, except the fourth Wednesday of the month when the meeting is scheduled at 12:30 p.m. She stated public comments may be emailed to council@everettwa.gov prior to the meeting. President Stonecipher stated that live public comment will be accepted one-half hour before the start of the meeting by calling 1.425.616.3920, Conference ID: 696 294 421#. If citizens have difficulty calling in or connecting, please contact dwilliams@everettwa.gov. Individuals may also call 1.425.616.3920 to listen to the Council meetings, Conference ID 724 887 726#. Citizens are encouraged to view meetings live on Comcast Channel 21, Frontier Channel 29, and on the City website at www.everettwa.gov/council.

The regular meeting of the Everett City Council was called to order at 6:34 p.m., March 17, 2021, President Stonecipher presiding. Upon roll call, it was found that Mayor Franklin and Council Members Roberts, Murphy, Vogeli, Bader, Stonecipher, and Tuohy were present. Council Member Moore was excused.

MAYOR

Mayor Franklin had no comments.

COUNCIL

Council Member Bader asked the City attorney to bring forward a proposed ordinance for Council consideration that specifies that it is illegal for a person to knowingly possess drugs with intent to use.

Council Member Murphy seconded the motion.

City Attorney David Hall stated that the Legal department will bring forward a proposal.

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Council Member Roberts reported on his attendance at the Puget Sound Regional Council Transportation Policy Board meeting. He also stated that Peter Rogoff, Sound Transit, is tentatively scheduled to brief the City Council on April 28.

Council Member Vogeli wished everyone a happy Saint Patrick's Day. She also reported on her attendance at the Lowell Neighborhood meeting. Council Member Vogeli asked City staff to reach out to the Lowell Neighborhood Association regarding the removal of a fallen tree on a park pedestrian path. She also reported on her attendance at the transit and transportation collaborative leadership meeting. Council Member Vogeli acknowledged the recent shooting in Atlanta, Georgia, and called for everyone to dismiss hate.

Council Member Murphy wished everyone a happy Saint Patrick's Day. He reported on his attendance at the Delta Neighborhood Meeting. Council Member Murphy also spoke about a collaborative leadership arrangement with the Police department.

Council Member Tuohy reported on her attendance at the Library Board meeting.

ADMINISTRATION UPDATE ON PRIOR BUSINESS

Becky McCrary, Planning and Community Development, provided a brief update on the Housing Action Plan.

CITY ATTORNEY

City Attorney David Hall had no comments.

PUBLIC COMMENT

The following individuals submitted comments related to the proposed no-sit no-lie ordinance via email:

- Mark Nysether

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- Angela Di Filippo
- Penelope Protheroe
- Paula Townsell
- Brock Howell
- Ed Petersen
- Joseph Alonzo
- Jeannie Hicks
- Grace Hutson-Miller
- Irene Sandell
- Kari Quaas
- Everett Station District Alliance
- Carol Kujawa
- Gloria Jones
- Amanda Amoruso
- Kimberly Busteed
- Ashley Sims
- Rose Ness
- Liz Stenning
- Craig Skotdal
- Cheryl Bennett
- Greg Tisdell
- Joanne Wolfe
- Lisa Phillips
- Mark Robinson
- Colin DeForrest

Penelope Protheroe, President of Angel Resource Connection submitted an email petition on behalf of the homeless on Smith Avenue to strike the proposed no-sit no-lie ordinance.

The following individuals provided phone comments prior to the meeting related to the proposed no-sit no-lie ordinance:

- Duane

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- Elicia

The following people provided live comments about the proposed no-sit no-lie ordinance:

- Robert Lund
- David Haines
- Shannon Reynolds
- Penelope Protheroe
- Shola Bolonduro
- Bill Miller
- Craig Skotdal
- Jennifer Cross
- Gary Kenna
- Natalia Tunes
- Angela Di Filippo
- George Fox
- Bryan Partington
- Kevin Dahlen
- Laura Reed
- Kevin Biale
- Leslie Brown
- Kaitlyn Tearson
- Lousianna Hernandez
- Taylor Stefanski

CONSENT ITEMS:

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

RESOLUTION - CLAIMS

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To adopt Resolution No. 7620 authorizing claims against the City of Everett in the amount of \$1,804,521.01 for the period of February 27, 2021, through March 5, 2021.

JOB COMPLETE - WPCF FEN CHLORINATION BUILDING UPGRADE PROJECT

To accept the Water Pollution Control Facility FEN Chlorination Building Upgrade Project as complete with IMCO General Construction, Inc. and authorize the Mayor to sign the Certificate of Completion and release of Retention Bond.

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

Motion carried.

ACTION ITEMS:

AGREEMENT - PROPERTY LOCATED AT 2719 PACIFIC AVENUE

Moved by Council Member Vogeli, seconded by Council Member Tuohy, to authorize the Mayor to sign the Termination of Restrictions and Requirements for the property located at 2719 Pacific Avenue.

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

Motion carried.

COUNCIL BILL 2102-07

THIRD AND FINAL READING:

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AN ORDINANCE requiring the Finance Director to notify City Council of any report to the State Auditor's Office concerning Loss of Funds, adding a New Chapter to Title 3 of the Everett Municipal Code

Moved by Council Member Murphy, seconded by Council Member Bader, that this is declared to be the third and final reading of Council Bill No. 2102-07.

The City Clerk was directed to call the roll for the final disposition of the ordinance.

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

Ordinance 3798-21 adopted.

COUNCIL BILL 2102-06

THIRD AND FINAL READING:

AN ORDINANCE Prohibiting Certain Conduct within Designated Rights of Way

Moved by Council Member Bader, seconded by Council Member Murphy, that this is declared to be the third and final reading of Council Bill No. 2102-06 as amended.

Council members and Mayor Franklin thanked those who commented on the proposed ordinance.

Council Member Bader expressed his support for the pallet shelter program and other programs that the City provides to support the unhoused population. Council Member Bader also spoke about the need for the no-sit no lie ordinance to accomplish the balanced approach to the problem.

Council Member Roberts spoke about the housing crisis. He noted that the pallet shelter project is a pilot project and the necessity that the project is successful.

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Council Member Roberts added that a no-sit no-lie ordinance is necessary for the success of the project. He provided a reminder that the ordinance was amended last week to take effect in conjunction with the pilot shelter project and that he asked that the ordinance be evaluated along with the pallet shelter project. He stated he was opposed to the no-sit no-lie ordinance and believed it can lead to litigation. Council Member Roberts stated that the issues on Smith Avenue are not just related to housing the homeless, but also to the criminal and behavioral activities that affecting the community. He also spoke about the need for protection of those in the community who this ordinance will serve. Council Member Roberts stated that the Everett Gospel Mission supports the no-sit no-lie ordinance and that he would reluctantly support the proposed ordinance because it will help to make the pallet shelter project successful.

Council Member Vogeli stated that the homeless situation is an emergency. She reminded council members that earlier this year she asked for an expedited permit process for a temporary shelter to help the businesses on Smith Avenue. Council Member Vogeli mentioned a call to action by some non-profit organizations and religious institutions. She listed some examples of crimes and stated that she doesn't think that sitting and lying is a crime. Council Member Vogeli shared that she learned that the City is cleaning up the area twice a week and asked about the cost to the City. Council Member Vogeli wondered if there are more cost-effective ways such as installing port-a-potties and dumpsters. She also shared that businesses are being fined for the graffiti, trash, and unkept properties and suggested a review of the ways these funds are spent. Council Member Vogeli suggested to look for a community organization that would be willing to manage a work group to help with the clean up. Council Member Vogeli recognized that the area is unsafe and actions are needed.

Council Member Murphy asked for confirmation that the proposed ordinance would stand up to the legal challenge based on all the comments received.

City Attorney David Hall stated that the proposed ordinance is constitutional and he didn't see anything that changes his analysis.

Council Member Murphy addressed complex issues related to homelessness and mental health. He also acknowledged the significant progress the City has made in that area, which includes the Streets Initiative Task Force, the Housing Hope

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project on Broadway Avenue, the Cocoon House Facility, and Clare's Place off Evergreen Way. Council Member Murphy also recognized that the problems on Smith Avenue have worsened over the past few years. He stated that he believes that the Council needs to take more aggressive actions and expressed his hope that CARES Act funding will provide for more opportunities for housing options. Council Member Murphy expressed his support for the pilot pallet shelter project and underlined a need for a balanced approach to the homelessness issues, which include a commitment to the business community to create a safe and secure place for their workers and customers. He stated that businesses and workers in Everett are important part in creating an economic activity that helps to pay for a large portion of the services provided by the City. Council Member Murphy urged his colleagues to join him in supporting the proposed no-sit no-lie ordinance.

Council Member Tuohy stated that the goal for the pallet program is to provide a safe space to those who are living on the streets. She stated that it will be a positive change for this area and for the homeless population. Council Member Tuohy expressed appreciation to the faith-based and service organizations who provide meals and clothing. She stated that coordinated resource sites are needed to better serve the homeless population and asked for an update on what is available in the community. Council Member Tuohy acknowledged the need to address homelessness and impact mitigation in this area due to a criminal element. She expressed her support for the pallet program and for the proposed ordinance.

President Stonecipher, in response to earlier comments regarding the need for outreach, stated that outreach efforts for the homeless populations are being made on a regular basis. She also commented on the vulnerability of the homeless population and a criminal activity and agreed with the balanced approach. President Stonecipher stated that the Council can always revisit this topic. She also spoke about a need to address the business community's concerns.

Mayor Franklin spoke about a need to support the unhoused population and their protection. She stated it is a rare opportunity to have the available state funding, the City's unused property adjacent to the mission, and Everett Gospel Mission willingness to manage the program. She recognized a need for housing. Mayor Franklin also stated that the ordinance is needed to increase safety in the area and

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to reduce criminal activity, and to provide for a connection to the services, care, and support that people need. She reminded the community that there are no perfect solutions for addressing growing challenges with homelessness, but every step makes a difference.

Council Member Vogeli spoke about the Gospel Mission strategic plan. She suggested Council to support the search to acquire more land to expand. Council Member Vogeli also stated that she supports the pallet shelter project, but she doesn't support the no-sit no-lie ordinance.

The City Clerk was directed to call the roll for the final disposition of the ordinance as amended.

AYES: Roberts, Murphy, Bader, Stonecipher, Tuohy

NAYS: Vogeli

EXCUSED: Moore

Ordinance No. 3799-21 adopted.

The minutes of the March 10, 2021, City Council meeting were approved as printed.

Council Member Vogeli inquired about a forum for discussing her earlier suggestions related to housing.

President Stonecipher suggested bringing these ideas forward on another agenda or bringing forward a motion, and with the support of another council member, the Council could begin working on this idea with Administration and Legal.

Council Member Roberts suggested having a discussion with the Everett Gospel Mission and finding collaborative ways.

President Stonecipher announced that the next meeting of the Council is scheduled for Wednesday, March 24, at 12:30 p.m. She encouraged citizens to submit comments to council@everettwa.gov prior to the meeting. Additional meeting information can be found on the City website.

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The City Council meeting adjourned at 8:20 p.m.



City Clerk Designee

Read and approved as printed.



Council President