June 12, 2019

The regular meeting of the Everett City Council was called to order at 6:30 p.m., June 12, 2019, in the City Council Chambers of the William E. Moore Historic City Hall, Council President Bader presiding. Upon roll call, it was found that Mayor Franklin and Council Members Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, and Tuohy were present.

Council Member Tuohy led the Pledge of Allegiance.

The minutes of the June 5, 2019, City Council meeting were approved as printed. Council Members Roberts and Bader abstained from the vote.

MAYOR

Fire Chief Dave DeMarco introduced new Everett firefighters Michael Erickson, Mark Kresser, Charles “Chas” Langford, and Adam Nichols.

COUNCIL

Council Member Murphy commented on his attendance at the Sorticulture Garden Arts Festival over the weekend, and he thanked City staff for their great work on this event.

Council Member Vogeli reported on her attendance at the South Forest Park Neighborhood meeting last evening. She also reminded the public that the deadline to submit applications for the Monte Cristo Awards is June 30.

Council Member Roberts also commented on his attendance at the Sorticulture event last weekend and the Port Gardner Neighborhood meeting. He announced that the General Government Subcommittee is scheduled to meet next Wednesday, at 5:15 p.m., in the council chambers. Council Member Roberts commented on a letter sent to the Puget Sound Regional Council regarding climate action, and he stated that on June 6, the PSRC Growth Policy Board announced they would include a climate element in their 2050 update.
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Council Member Tuohy reported that she and Council Member Murphy toured Clare’s Place on Friday. She also commented on her attendance at Sorticulture over the weekend. Council Member Tuohy reported that on Tuesday, she and Council Member Stonecipher toured the City Water Filtration Plant located at Lake Chaplain.

Council Member Stonecipher reported on her attendance at the Port Gardner Neighborhood meeting on Monday. She stated that because of information shared at that meeting about a proposed supportive housing project, Council has been provided with a copy of a proposed ordinance, which she and Council Member Tuohy prepared. Council Member Stonecipher introduced the following proposed emergency ordinance:

AN ORDINANCE Establishing a Moratorium on Supportive Housing located in the R-S, R-1, R-2, R-1(A) and R-2(A) Zones in accordance with RCW 36.70A.390 to Allow the City to Conduct a Review of this Use in those Zones, and Declaring an Emergency to Exist

Council Member Moore recused himself from any discussion on this item based upon his employment with Everett Public Schools.

Council Member Moore left the council chambers at 6:40 p.m.

Council Member Stonecipher stated the effect of the proposed ordinance would provide a time-out that would allow Council time to review the issues of supportive housing located in the City’s R-S, R-1, R-2, R-1(A) and R-2(A) residential zones. She stated that during this six-month period, the permitting and new construction of supportive housing would not occur. Council Member Stonecipher stated that her concerns are not with the proposed project per se, and she will continue to support supportive housing, but she does have concerns about the zoning code change that Council adopted on June 8, 2016, and the process that has been recently unfolding that has illuminated the extent of the changes made.

Discussion ensued regarding the effects that could result from development under the current zoning code, such as development without a robust public process, density in areas that cannot be supported by the current infrastructure, current
parking standards that may not meet the needs of some projects, and the loss of open space and park land.

Discussion took place regarding the public process.

City Attorney Iles confirmed that part of the public process is the obligation to have a public hearing within 60 days.

Allan Giffen, Planning, reviewed the role of the Planning Commission in the process.

President Bader stated that Council is being asked to consider the adoption of an ordinance establishing a moratorium on supportive housing located in the R-S, R-1, R-2, R-1(A) and R-2(A) zones in accordance with RCW 36.70A.390 to allow the City to conduct a review of this use in those zones, and declaring an emergency to exist. He stated that because this was an emergency ordinance, all three readings would occur at the same time. He requested Council Member Stonecipher add that this is the first, second, third and final reading of the ordinance.

Moved by Council Member Stonecipher, seconded by Council Member Tuohy, that an emergency exists and this is declared to be the first, second, third and final reading of the Ordinance, and the City Clerk is directed to call the roll for the final disposition of the ordinance.

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

Ordinance No. 3686-19 adopted.

Council Member Moore returned to the council chambers at 6:53 p.m.

President Bader provided a liaison report on his attendance at the Animal Shelter Advisory Board meeting held in May. He also reported on his tour of the Gospel Mission on Saturday.
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ADMINISTRATION UPDATE ON PRIOR BUSINESS

Lyle Ryan, Administration, had no comments.

CITY ATTORNEY

City Attorney Illes requested a 15-minute executive session concerning a legal matter, pursuant to RCW 42.30.110 (1)(i)(3), with no announcement to follow.

CITIZEN COMMENTS

The following Everett residents commented about the proposed development on the Norton Avenue playfield.

Lindsey Jungbluth
Tim Ellis, Everett
Mary Dean, Everett
Carol Duvall, Everett
Karrie Williams, Everett
Susan Mausshardt
Ted Mausshardt

President Bader instructed Mr. Renfro to maintain a civil tone in light of previous outbursts before the Council. President Bader stated that Mr. Renfro had appeared before the Council over 30 times in the last three years making allegations that were unsupported by facts. He asked Mr. Renfro to limit his comments to matters he had not previously brought to the attention of the Council that he could support with evidence.

Sean Renfro, Everett, spoke about an ongoing police issue.
COUNCIL BRIEFING AGENDA:

COUNCIL BILL 1906-32

FIRST READING:

AN ORDINANCE concerning the City’s Shoreline Public Access Plan, repealing Ordinance No.2692-03 adopting the 2003 Shoreline Public Access Plan


Presented by Karen Stewart, Community, Planning and Economic Development

Council Member Murphy asked if there was anything in the plan that addressed potential public access on the former Kimberly-Clark property.

Allan Giffen, Planning, stated this was not currently addressed in the plan, but an exhibit to the public access plan could be added before Council takes action in July.

Council Member Murphy stated he would like to see this provision added.

Adopt Resolution adopting the Annual Transportation Improvement Program (TIP) Update for 2020-2025.

Presented by Richard Tarry, Public Works

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. 7384 acknowledging the payment of audited and approved claims against the City of Everett in the amount of $3,125,375 for the period of May 25, 2019, through May 31, 2019.

RESOLUTION – PAYROLL

To adopt Resolution No. 7385 authorizing payroll claims against the City of Everett in the amount of $4,331,597.24 for the period ending May 25, 2019.

RESOLUTION – ELECTRONIC TRANSFER CLAIMS

To adopt Resolution No. 7386 authorizing electronic transfer claims against the City of Everett in the amount of $6,557,625.51 for the period of April 1, 2019, through April 30, 2019.

AGREEMENT AMENDED – EVERETT STATION WATER INTRUSION REPAIRS AND BRICK RESTORATION

To authorize the Mayor to sign Change Order No. 1 with Alpine Waterproofing and Masonry Restoration, LLC in the amount of $46,550.00 plus Washington State sales tax.

AGREEMENT AMENDED – ENVIRONMENTAL CONSULTING SERVICES FOR A PORTION OF FORMER KIMBERLY-CLARK MILL SITE

To authorize the Mayor to sign Amendment No. 5 to the Professional Services Agreement with Floyd and Snider, Inc. for environmental consulting services for a portion of the former Kimberly-Clark Mill site at an additional cost of $78,070.

APPLICATION – PUBLIC FIREWORKS DISPLAY ON JULY 4

To authorize the Western Display Fireworks, Ltd. application for a public fireworks display on July 4, 2019, on a barge 840 feet east of Jetty Island.
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Roll was called with all council members voting yes.

Motion carried.

**ACTION ITEMS:**

**AGREEMENT — PROPERTY PURCHASE IN CITY WATER TRANSMISSION LINE CORRIDOR**

Moved by Council Member Tuohy, seconded by Council Member Roberts, to authorize the Mayor to execute Real Estate Purchase and Sale Agreement with Hunt and Finley for purchase of property in the City of Everett Water Transmission Line Corridor in the amount of $48,000.

Roll was called with all council members voting yes.

Motion carried.

President Bader announced the City Council would recess for a five-minute break, after which time the Council would go directly into Executive Session for a period of 15 minutes to discuss a legal matter.

The City Council recessed at 7:29 p.m., reconvened, and adjourned at 7:49 p.m.

[Signature]
City Clerk

Read and approved as printed.

[Signature]
Council President