

August 16, 2017

The regular meeting of the Everett City Council was called to order at 6:30 p.m., August 16, 2017, in the City Council Chambers of the William E. Moore Historic City Hall, Council President Tuohy 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 Murphy led the Pledge of Allegiance.

The minutes of the August 9, 2017, City Council meeting were approved as printed. Council Member Murphy abstained from the vote.

MAYOR

APPOINTMENT/ REAPPOINTMENT

Moved by Council Member Franklin, seconded by Council Member Moore to concur with the following appointment:

Everett Housing Authority

Reappointment of Michele Rastovich to Position 5 for a five-year term expiring October 6, 2022.

Roll was called with all council members voting yes.

Motion carried.

Mayor Stephanson read a statement in response to the Charlottesville tragedy. He invited the public to attend the Snohomish County NAACP Rally Against Hate at the Snohomish County atrium on Sunday, August 20, at 11 a.m.

COUNCIL

Council Member Moore thanked the Mayor for his statement. He also

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commented on his attendance at the Washington State University (WSU) Everett ribbon cutting ceremony.

Council Member Franklin thanked the Mayor for his statement. She also congratulated the Mayor on the Boeing Scholarship endowment for WSU Everett named in his honor.

Council Member Bader echoed the comments provided by Council Members Moore and Franklin.

Council Member Stonecipher congratulated the Mayor on the WSU opening and scholarship. She also asked staff to provide a financial and accounting breakdown for the low-barrier housing.

Debra Bryant, Administration, stated staff would provide that to Council.

Council Member Roberts congratulated the Mayor on the WSU ribbon cutting. He also thanked the Mayor for his Charlottesville statement. He stated he planned to attend the Snohomish County NAACP rally.

President Tuohy thanked the Mayor for his statement. She additionally congratulated him on WSU. She encouraged citizens to take part in the upcoming weekend events, and thanked Everett Transit for adding a special weekend route for activities at the Everett Marina.

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 a legal matter pursuant to RCW 42.30.110.1(i) with no announcement to follow.

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CITIZEN COMMENTS

Sean Renfro, Everett, spoke about police internal investigations.

Sharita Burton, Everett, spoke about creating a positive narrative about the city of Everett.

Sid Hensley, Everett, asked Council to consider a camping and sidewalk ordinance.

Bruce Young, Everett, spoke about crime, transportation, and a recent theft.

Debra Bryant, Administration, stated she would put someone from the Police Department in contact with Mr. Young regarding the recent theft he experienced.

Cheryl Hensley, Everett, spoke about homelessness, theft, and drug addicts in her neighborhood.

Gary Watts, Everett, spoke about continuing crime problems on Smith Ave.

COUNCIL BREIFING AGENDA:

Authorize the Mayor to sign Amendment No. 1 to the Washington Multi-City Business License and Tax Portal Agency Interlocal Agreement by and between Bellevue, Everett, Seattle and Tacoma
Presented by Susy Haugen, Finance

COUNCIL BILL 1708-36

FIRST READING:

AN ORDINANCE approving the appropriations of the 2017 revised City of Everett Budget and amending Ordinance No. 3544-17
Presented by Susy Haugen, Finance

Discussion ensued regarding the allocation of costs for different supportive housing projects and overall labor costs.

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COUNCIL BILL 1708-37

FIRST READING:

AN ORDINANCE relating to Special Business Licenses and Regulations and repealing Ordinance in Accordance with Section 1 of this Ordinance

Presented by Susy Haugen, Finance

PROPOSED ACTION ITEMS:

COUNCIL BILL 1708-35

SECOND READING:

AN ORDINANCE closing a Special Improvement Project entitled "Evergreen Way (SR99) – Airport Road to 112th Street Pedestrian Safety" Fund 303, Program 092, as established by Ordinance No. 3250-11

CONSENT ITEMS:

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

RESOLUTION - CLAIMS

To adopt Resolution No. 7153 acknowledging the payment of audited and approved claims against the City of Everett in the amount of \$781,391.16 for the period of July 29, 2017, through August 4, 2017.

RESOLUTION – ELECTRONIC TRANSFER CLAIMS

To adopt Resolution No. 7154 acknowledging payment of audited and approved electronic transfer claims against the City of Everett in the amount of \$7,624,898.34 for the period of June 1, 2017, through June 30, 2017.

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JOB COMPLETE – WATER MAIN REPLACEMENT “Q” PROJECT

To accept the Water Main Replacement “Q” Project as complete and authorize the Mayor to sign the Certificate of Completion with Faber Construction Corporation, Inc. allowing the release of retainage in the amount of \$37,575.30.

STREET CLOSURE – EVERETT FOOD TRUCK FESTIVAL

To authorize the closure of Wetmore Avenue between Everett Avenue and California Street and California Street between Port Gardner Parking Garage and Colby Avenue on August 26, 2017, from 9 a.m. to 8 p.m., for the Everett Food Truck Festival sponsored by Live in Everett.

Roll was called with all council members voting yes.

Motion carried.

PUBLIC HEARING – COUNCIL BILLS 1707-31 AND 1707-32:

President Tuohy opened a public hearing regarding Council Bill Nos. 1707-31 and 1707-32: Council Bill 1707-31, a proposed ordinance relating to Lewd Conduct, amending Ordinance No. 1145-85 as amended. Council Bill 1707-32, a proposed ordinance concerning the regulation of Quick Service Facilities, including Barista Stands.

Lacey Offutt, Prosecutor’s Office, provided an overview of Council Bill 1707-31.

Ramsey Ramerman, Legal, provided an overview of Council Bill 1707-32.

Lieutenant James Duffy provided a statement on behalf of the Police Department regarding the proposed ordinances.

The following individuals spoke in opposition of the proposed ordinances: Gary Griffith, Everett; Denver Reedy, Everett; Ed Archer, Edmonds; Jolene

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Nelson, Lynnwood; Steven Schiffman, Everett; Schuyler Lifschultz, Seattle; Liberty Ziska, Everett; Amelia Powell, Seattle; Mandy Allen; Everett.

Jasmine Diedrich, Snohomish, spoke in favor of the proposed ordinance.

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

Roll was called with all council members voting yes.

Motion carried.

Discussion ensued regarding previous case law and enforcement methods for the proposed ordinances.

EXECUTIVE SESSION

The City Council recessed for an executive session and a break at 8:04 p.m., and reconvened at 8:24 p.m.

COUNCIL BILL 1707-31

THIRD AND FINAL READING:

AN ORDINANCE relating to Lewd Conduct, amending Ordinance No. 1145-85, as amended (Chapter 10.24 EMC)

Moved by Council Member Bader, seconded by Council Member Franklin, that this is declared to be the third and final reading of Council Bill No. 1707-31.

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

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

Ordinance No. 3559-17 adopted.

COUNCIL BILL 1707-32

THIRD AND FINAL READING:

AN ORDINANCE concerning the regulation of Quick Service
Facilities including Barista Stands

**Moved by Council Member Bader, seconded by Council Member
Franklin, that this is declared to be the third and final reading of
Council Bill No. 1707-32.**

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

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

Ordinance No. 3560-17 adopted.

ACTION ITEMS:

AGREEMENT– EVERETT POLICE MANAGEMENT ASSOCIATION

**Moved by Council Member Murphy, seconded by Council Member
Bader, to authorize the Mayor to sign the collective bargaining
agreement with Everett Police Management Association for January 1,
2018, through December 31, 2020.**

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Roll was called with all council members voting yes.

Motion carried.

AGREEMENT – MASSMUTUAL 457 (B) PLAN

Moved by Council Member Bader, seconded by Council Member Franklin, to authorize the Mayor to sign the updated City of Everett MassMutual 457(b) Plan document.

Roll was called with all council members voting yes.

Motion carried.

AGREEMENT AMENDED – BUSINESS IMPROVEMENT AREA
EXPANSION

Moved by Council Member Roberts, seconded by Council Member Murphy, to authorize the Mayor to sign Amendment No. 1 to the professional services agreement with BDS Planning and Urban Design for the Business Improvement Area expansion to extend the agreement completion date to February 28, 2017, at no additional cost to the City.

Roll was called with all council members voting yes.

Motion carried.

RESOLUTION – VEHICLE AND EQUIPMENT SURPLUS

Moved by Council Member Franklin, seconded by Council Member Moore, to adopt Resolution No. 7155, declaring the listed vehicles and equipment surplus and authorizing their sale at public auction.

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Roll was called with all council members voting yes.

Motion carried.

RESOLUTION – DISPOSAL OF TOTALED 2017 PETERBILT 567
CHASSIS WITH VACTOR SUCTION EXCAVATION UNIT

Moved by Council Member Moore, seconded by Council Member Franklin, to adopt Resolution No. 7156, declaring the 2017 Peterbilt 567 Chassis with Vactor Suction Excavation Unit totaled and authorizing its disposal by turning it over to the insurance company as part of the claim settlement.

Roll was called with all council members voting yes.

Motion carried.

AGREEMENT – LOW INCOME DISCOUNT UTILITIES PROGRAM

Council Member Bader stated that while he does not believe there is any conflict of interest with his employment, he would like to recuse himself from any discussion related to this item

Council Member Bader left council chambers at 8:29 p.m.

Moved by Council Member Franklin, seconded by Council Member Roberts, to authorize the Mayor to sign the professional services agreement with Catholic Community Services for administration of the Low Income Discount Utilities Program in the amount of \$115,817.

Roll was called with all council members voting yes, except Council Member Bader, who was recused.

Motion carried.

Council Member Bader returned to Council Chambers at 8:30 p.m.

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AGREEMENT AMENDED – NORTH BROADWAY BUS STOP SAFETY
IMPROVEMENTS

Moved by Council Member Franklin, seconded by Council Member Moore, to authorize the Mayor to sign the GCB2316 State Capital Construction Grant Amendment for North Broadway bus stop improvements with the Washington State Department of Transportation.

Sharita Burton, Everett, spoke about including art installations and greenspace to the improvement project.

Roll was called with all council members voting yes.

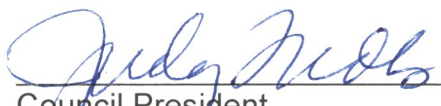
Motion carried.

The City Council meeting adjourned at 8:33 p.m.



City Clerk designee

Read and approved as printed.



Council President