



CITY COUNCIL MINUTES

April 7, 2009

15728 Main Street, Mill Creek, WA 98012 425-745-1891

Terry Ryan, Mayor
Rosemary Bennetts, Mayor Pro Tem
Donna Michelson
Mary Kay Voss
Mark Harmsworth
Mike Todd
Mark Bond

April 7, 2009
Regular City Council Meeting
6:00 p.m.

CALL TO ORDER

Mayor Ryan called the meeting to order at 6:00 p.m.

ROLL CALL

Roll was called by the City Clerk with all Councilmembers present.

Mayor Ryan made a note for the record that the meeting tonight would not be as relaxed as study sessions are usually conducted. He will pass the wireless microphones to each Councilmember that wants to speak. Also, there will be an executive session tonight at the end of the meeting for approximately 15 minutes to discuss potential litigation.

AUDIENCE COMMUNICATION

Matt Buchanan
2516 147th Place SE
Mill Creek, Washington 98012

Mr. Buchanan shared some thoughts about the senior center. He is not comfortable with the City providing any funding.

Dennis Teschlog
2516 147th Place SE
Mill Creek, Washington 98012

Mr. Teschlog submitted a letter to the Council. He questioned how any funds for a senior center will be handled. He stated that he believes the foundation needs a stable funding source and would ask the Council to pursue the park district.

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Candie Lambert
1930 150th Place SE
Mill Creek, Washington 98012

Ms. Lambert read an email into the record that she previously sent to the Council on March 15, 2009. She thought that comments that were provided in the Mill Creek View newspaper regarding the senior center were unfair.

Mary Ann Heine
1035 156th Avenue NE
Bellevue, Washington

Ms. Heine spoke on behalf of the Mill Creek Community Association. She responded to claims made by Dennis Teschlog in a prior meeting regarding the MCCA property as the location for a senior center. She showed the Council an old plat map that shows the property was originally earmarked for a community center. She also stated that MCCA does have a right to lease the property.

Max Rigelman
15416 20th Drive SE
Mill Creek, Washington 98012

Mr. Rigelman spoke as a member of the Senior Center Foundation. He encouraged anyone who is interested in the foundation to contact him. They are happy to answer questions and hope that citizens will get involved with the process.

Pam Pruitt
14429 28th Drive SE
Mill Creek, Washington 98012
Cottonwood Division

Ms. Pruitt submitted a letter to the Council. She stated to the Council that they have an important policy decision to make in regards to the senior center. If funds are used from the reserves, she asked Council to explain how the money will be replaced.

Lisa Johnson
14430 20th Drive SE
Mill Creek, Washington 98012

Ms. Johnson stated that it's not the same economic time as it was 3 years ago. She relayed to the Council that they should save the money in the reserve fund for City operating costs.

STUDY SESSION

Public business is conducted at a study session. Citizens are welcome and encouraged to attend study sessions, but participation by citizens shall be permitted only upon the consensus of a majority of the Councilmembers present.

Senior Center Discussion (Continued)

(Timothy W. Burns, City Manager)

At the February 24th meeting, Council directed the City Manager to contact Snohomish County staff to discuss the viability of constructing a senior center facility at McCollum Park, and to solicit the County's interest in pursuing a partnership to build such a facility. The City Manager reviewed a summary of the meeting between city and county staff. He further reported that the Mill Creek Seniors, through Lee Harper, have accepted the offer to use Suite 210 and two small offices in the City Hall Annex building. The lease will be for 3 years with 3 – 1 year renewal options. The cost will be a net zero. Further, a new lease agreement was negotiated with the Huntron tenant and this will give the City Hall Annex building additional parking spaces. Representative Dunshee deleted the \$25,000 request in the state (House verison) budget for renovation of the space at the City Hall Annex Building. Council and staff can contact Representative Dunshee for comment on this. Lastly, he stated that forming a park district is a lengthy process and the County has offered staff assistance but no monetary support.

Council and staff engaged in a discussion.

After some lengthy discussion, Mayor Ryan offered a compromise to direct the City Manager to work with County staff to pursue creation of a Metropolitan Park District to fund development of a Senior Center to be located within the MUGA and develop a final plan by April 2010 with approval on the November 2010 or April 2011 ballot and make quarterly progress reports to the Council.

Council discussed the compromise and the fact that it is not site specific.

The Council took a break from 8:06 p.m. to 8:20 p.m.

MOTION: Mayor Ryan made a motion to extend the meeting to 9:30 p.m., Councilmember Voss seconded the motion. The motion passed unanimously.

City Manager Burns recommended to the Council to delay Mayor Ryan's compromise/motion until the first part of May. This would give the staff time to meet and develop a timeline, course of action and final plan strategies. The majority of the Council agreed with this.

MOTION: Councilmember Harmsworth made a motion for the City to not give any general fund money directly to the Senior Center Foundation for capital dollars for a senior center, Mayor Ryan seconded the motion.

MOTION: Councilmember Voss moved to call the question, Councilmember Michelson seconded the motion. The motion failed 2-5-0 with Councilmember Todd, Councilmember Harmsworth, Councilmember Bond, Mayor Pro Tem Bennetts and Mayor Ryan opposed.

MOTION VOTE: The motion (restated: to not give any general fund money directly to the Senior Center Foundation for capital dollars for a senior center) failed 3-4-0 with Councilmember Todd, Councilmember Michelson, Councilmember Voss and Councilmember Bond opposed.

Resolution Directing Staff to Invoke Jurisdiction with the Boundary Review Board (If adopted, would take Resolution #2009-426)

(Bill Trimm, Community Development Director)

The City of Mill Creek established its Municipal Urban Growth Area boundary (MUGA) in 2004 to define areas that identify with the City of Mill Creek. The MUGA western boundary is I-5. The City of Lynnwood established its eastern MUGA boundary to Larch Road, which is located east of I-5 and within the City of Mill Creek's identified MUGA boundary. The Snohomish County Comprehensive Plan recognizes this area as an "Overlap" area and pursuant to Countywide Planning Policy UG-17 encourages that such overlap areas be resolved between the cities with consultation by the County. The City of Lynnwood and Mill Creek staffs met to reach a tentative agreement on boundaries pending council approval but could not reach agreement.

Lynnwood is proposing a major annexation in response to the sales tax credit statute and has extended its proposed annexation boundaries east of I-5. The Boundary Review Board will conduct a hearing on this issue on May 12, 2009, Snohomish County Council will receive a briefing on the issue on April 14, 2009 and determine whether it wants to invoke jurisdiction. Lynnwood has already invoked jurisdiction. Invoking jurisdiction provides the parties with standing and grants additional time to present its position to the Board.

MOTION: Councilmember Voss made a motion to approve Resolution #2009-426, Resolution Directing Staff to Invoke Jurisdiction with the Boundary Review Board, Councilmember Michelson seconded the motion. The motion passed unanimously.

AUDIENCE COMMUNICATION

Max Rigelman (spoke at the beginning of the meeting)

Mr. Rigelman stated the Senior Center Foundation put together an extensive notebook that was submitted to the City. They want to be able to partner with the City for a new senior center. He encouraged Council to have a two-way conversation with the foundation about a senior center.

EXECUTIVE SESSION

(Confidential Session of the Council per RCW 42.30)

The meeting recessed to executive session at 9:05 p.m. to discuss potential litigation.

The executive session ended at approximately 9:20 p.m.

ADJOURNMENT

MOTION: Mayor Pro Tem Bennetts made a motion to adjourn the meeting; Councilmember Bond seconded the motion. The motion passed unanimously.

Meeting was adjourned at approximately 9:20 p.m.

Terry Ryan, Mayor

Kelly Chelin, Executive Assistant/City Clerk