



CITY COUNCIL MINUTES

May 12, 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 (Arrived at 6:50 p.m.)

May 12, 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 except Councilmember Bond.

Mayor Ryan relayed that Councilmember Bond would be late to the meeting.

AUDIENCE COMMUNICATION

Charlie Gibbons
1215 – 142nd Court Southeast
Mill Creek, WA 98012

Mr. Gibbons is the owner of Multi-Fish and Seafood. He asked the Council to relax the sign code to help the small businesses. He asked the Council to police the roads and sidewalks. Lastly, he asked that the roads be repaired where there are cracks and roots coming through the pavement.

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

Ms. Lambert stated that Brier, Goldbar, Sultan and Mill Creek are the only cities in the County that do not have a senior center. She stated that she believes a park district will be a battle and that was relayed to the Senior Center Advisory Committee.

Senator Steve Hobbs
3309 114th Drive NE
Lake Stevens, Washington

Senator Hobbs stated that he was able to secure \$30,000 in the current state budget for the City Hall Annex building remodel for the seniors.

Council Meeting Minutes

May 12, 2009

Page 2

Bill McElroy
4718 169th Street SE
Bothell, Washington 98012

Mr. McElroy relayed that members of the Senior Center Advisory Group received a presentation about funding and were told that creation of a park district is difficult to pass by an election. The Senior Center Foundation does not believe it would pass.

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

Mr. Lambert submitted a letter to the Council. He asked the Council focus on the needs of the seniors.

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

Mr. Teschlog stated that only 30% of the seniors live in the City. He believes that the citizens need the true costs of a senior center and asked that the planning and development of a senior center be turned over to the staff.

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

Ms. Pruitt urged the Council to move forward on the senior center, she believes now is the time for action and the best way to fund the senior center is a voter approved park district.

Will Nelson
15429 29th Drive SE
Mill Creek, Washington 98012

Mr. Nelson relayed to the Council that he has previously sent emails about his opinions on the senior center. He urged the Council to not give the seniors any funding. He would rather see funding for services and hopes that the Council doesn't allow it go to a ballot.

Ron Iverson
3000 147th Place SE
Mill Creek, Washington 98012

Mr. Iverson relayed that he has been conflicted about the senior center. He would like to see a center built but does not want to pay for it. He asked the Council to not use reserves or raise any taxes due to the bad economy.

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.

Proposed EMS Levy Increase

(Chief Rick Eastman, Fire District #7)

Chief Eastman presented the Fire District #7 proposal to increase the staffing level for the City fire station. The current staffing level consists of three personnel to cross-man an engine and a medic unit. The Fire District is proposing to increase the staffing level to a four-person engine unit and a two-person medic unit. The Fire District estimates an increased annual cost of \$1,033,217 for this proposal.

The current fire services contract does not have a mechanism to increase staffing levels, with the exception of negotiating a contract amendment. As an alternative, the Fire District is proposing a ballot measure to increase the EMS levy. In order to place this levy increase on the ballot for Mill Creek citizens, it would require endorsement by the Council by passing a resolution. The Fire District proposes to place the EMS levy increase on the 2010 general election ballot for a 2011 implementation.

The city's current EMS levy is \$0.17/\$1,000 AV. The proposed EMS levy increase would raise the levy to \$0.50/\$1,000 AV.

At the February 10, 2009 Council meeting, Mayor Ryan and City Manager Burns led a discussion on the proposed staffing increase and subsequent levy increase. Further discussions will continue with the Council.

Council and staff engaged in a discussion with Chief Eastman.

(Council took a break from 7:25 p.m. to 7:35 p.m.)

Finance Options for Senior Center

(Landy Manuel, Finance Director)

MOTION: Mayor Ryan made a motion to bring the main motion back from the table (from the May 5, 2009 Council Meeting), Councilmember Todd seconded the motion. The motion passed unanimously.

The City Manager has led a number of discussions with the Council with the goal of developing a senior center for the Mill Creek area. At the May 5th Council meeting, the Council requested staff provide an informational report on funding options that are available for the construction and operation of a senior center. In particular, the Council wanted information on general obligation bonds and junior taxing districts. Finance Director Manuel gave a presentation to the Council on bonds, taxing districts and park districts.

Councilmember Voss passed out a spreadsheet for Council's review.

Cynthia Weed from Preston Gates & Ellis was present as the City's Bond Counselor.

Discussion took place between Council, Staff and Ms. Weed.

MOTION: At 8:30 p.m., Mayor Ryan made a motion to extend the meeting to 9:30 p.m., Councilmember Voss seconded the motion. The motion passed unanimously.

AMENDMENT TO THE MOTION: Mayor Ryan made an amendment to the original motion changing one line in the agenda summary dated May 5, 2009 to say "Planning documents to include conceptual design drawings coordinated with Snohomish County" (Note: The original motion refers to this agenda summary), Councilmember Harmsworth seconded the motion.

Discussion took place about the motion.

MOTION: Councilmember Harmsworth called the question, Councilmember Voss seconded the motion. The motion passed unanimously.

AMENDMENT VOTE: The amendment to the motion passed 6-1-0 with Councilmember Voss opposed.

SECOND AMENDMENT TO THE MOTION: Mayor Ryan made a second amendment to the original motion to insert the following words (after Direct City Manager to present a final plan...) "as outlined in the revised May 5th agenda summary (as attached), Councilmember Michelson seconded the motion. The motion passed unanimously.

ORIGINAL MOTION: Mayor Ryan re-stated the original motion for the record with the amendments to read as follows: "Direct City Manager to work with Snohomish County Administration and pursue creation of a Metropolitan Park District to fund the development of a senior center to be located within the Mill Creek Municipal Urban Growth Area and further Direct City Manager to present a final plan as outlined in the revised May 5th agenda summary (as attached) to the City Council (and Snohomish County Council) at its first meeting in May 2010, with intent to place the approval of the Metropolitan Park District on the 2010 November general election ballot; or the spring 2011 ballot and further Direct City Manager to make quarterly progress reports to the City Council, Councilmember Harmsworth (had previously) seconded the motion. The motion passed 6-1-0 with Councilmember Voss opposed.

Parks and Recreation Funding Report

(Pam Olson, Recreation Supervisor)

On April 14, 2009, the City Council requested staff to prepare a Financial Status Report of recreation classes offered through the Parks & Recreation Division. The Recreation Revenue/Expense report is a summary reflecting revenue, expenses and net revenue from 2008 recreational classes and camps.

The 2009-2010 budget for the Recreation Division includes a goal to recover 87 percent of expenses incurred.

Recreation Supervisor Olson presented a report to the Council.

CONSENT AGENDA:

Items listed under the Consent Agenda are generally routine administrative actions and policy statements of a non-controversial nature. They are normally approved by a single majority vote without discussion. Items removed from the Consent Agenda, if any, are usually considered following the adoption of the remainder of the Consent Agenda.

Approval of Checks #42240 through #42358 and ACH Wire Transfer in the Amount of \$692,627.01.

(Audit Committee: Mayor Ryan and Councilmember Harmsworth)

Approval of ACH Automatic Deposit in the Amount of #122,467.43.

(Audit Committee: Mayor Ryan and Councilmember Harmsworth)

Regular City Council Meeting Minutes of April 28, 2009

Regular City Council Meeting Minutes of May 5, 2009

Councilmember Harmsworth proposed a change to the May 5, 2009 meeting minutes.

MOTION: Councilmember Harmsworth made a motion to approve the consent agenda, Councilmember Todd seconded the motion. The motion passed unanimously.

REPORTS:

Mayor Pro Tem Bennetts reported that she attended two National Day of Prayer ceremonies; one in Edmonds and one in Mill Creek along with the Mayor.

Councilmember Michelson stated that she believes the Council needs to help the businesses and address the sign code. She asked about a moratorium on the sign code. After some discussion took place, the Council asked the City Manager to bring back a discussion with the Council on this at a future meeting.

Planning Manager Rogers reported that there was a memo in the Council boxes about the Elegant Clutter post style sign.

Councilmember Todd reminded Council that we have a successful senior program and the City has given space to the seniors in the City Hall Annex Building. He thanked Senator Hobbs for the \$30,000; it will help with the space remodel.

Planning Manager Rogers reported that he is filling in for Community Development Director Trimm who is at the Boundary Review Board hearing. At the next meeting on May 26, 2009, Staff will ask the Council to set an appeal hearing date for the Elegant Clutter matter. Staff will not be enforcing the code for the Elegant Clutter sign until the appeal is resolved. Lastly, the installation of the flow artwork is scheduled for the week of May 18.

Commander Davenport reported that the police activity report is in the packet.

City Manager Burns reviewed the proposed agenda for the May 26, 2009 Council meeting. He thanked Senator Hobbs for the funding for the City Hall Annex Building remodel for the seniors. A construction cost estimate for the space should be available soon. The staff has been meeting about logistics for the Memorial Day Parade on May 25, 2009. The review stand at the parade will be located adjacent to the "Flow" artwork in the Town Center. He also reported that he will be out of the office on Friday. Lastly, he will be attending the Labor Relations Institute next Tuesday through Thursday in Yakima. Community Development Director Trimm will be acting City Manager.

AUDIENCE COMMUNICATION:

Will Nelson

(Spoke at the beginning of the meeting)

Mr. Nelson told the Council that he use to work in fire protection. He stated that for every dollar you put in, you get back in your home owners insurance.

Troy Smith, Union Representative for Fire District #7

3410 180th

Marysville, Washington

Mr. Smith spoke about the EMS Levy increase that was discussed earlier in the evening.

ADJOURNMENT

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

Meeting was adjourned at 9:27 p.m.

Terry Ryan, Mayor

Kelly Chelin, Executive Assistant/City Clerk