



CITY COUNCIL MINUTES

December 1, 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

December 1, 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.

AUDIENCE COMMUNICATION

Kyle Petterson
6211 147th Place S.E.
Everett, WA 98208

Mr. Petterson approached the Council about a Fun Run he would like to put together to benefit the families of the fallen Lakewood Officers. He is seeking support from the City. He is looking at December 19th or December 20th as the dates for the event. He stated that he will work with City Staff on the coordination of the event.

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.

Discussion with Senator Hobbs

(Timothy W. Burns, City Manager)

State Senator Hobbs had requested time to address the City Council. Senator Hobbs and the Council conducted an open discussion on legislative agenda topics.

Council Meetings/Meet the Council Pamphlet

(Timothy W. Burns, City Manager)

At the Council Retreat last March, a suggestion was made to prepare a pamphlet to educate the citizens about the structure of Council meetings and directions on how to address the Council. The pamphlet outlines the different types of Council meetings, how to address the Council as well as pictures and titles

of the Mayor and Council. Staff prepared a sample pamphlet and reviewed it with the Council at the October 6, 2009 meeting. Staff received edits and suggestions from the Council which have been incorporated into a revised pamphlet which was reviewed with the Council.

Once approved by the Council, staff will make these pamphlets available on the City's website, at the front counter of City Hall and at the Council meetings.

Council reviewed and approved the pamphlet for distribution. Staff will make the pamphlet available once the new Council is seated in January, 2010.

Establish a Formal Hearing Examiner System

(Scott Missall, City Attorney)

The City Council has expressed an interest in establishing a formal hearing examiner system pursuant to RCW 35A.63.170. The purpose of this new system would be to change how the City processes (i.e., hears and decides) certain land use permitting, quasi-judicial appeals, and enforcement decisions currently heard by the Council, Planning Commission, and/or Board of Adjustment. Creating such a system would be consistent with the City's recent growth, would streamline future quasi-judicial decision making, would enable the Council to focus on legislative and planning activities, would focus the Planning Commission's activities on long range planning, and would lower the City's risk profile related to land use matters.

City Attorney Missall explained the proposed new MCMC Chapter 4.34 creating and defining the office of the hearing examiner (Section I), a proposed allocation of responsibility that would be assigned to the hearing examiner (Section II), and a partial list of other amendments that would be needed to internally conform the MCMC to this new program (Section III).

Following discussion with the Council, staff will internally review the proposed hearing examiner system and prepare a draft ordinance for the Council's further review.

Council engaged in discussion with the City Attorney and staff. This matter will come back for further review and consideration at the December 8, 2009 Council meeting.

Due to time restraints, the following item was not heard and will be brought back to the next meeting:

Sidewalk and Public Right-of-Way Landscape Maintenance

(Tom Gathmann, Public Works Director)

AUDIENCE COMMUNICATION

Sean Kelly

15617 24th Court SE

Mill Creek, Washington 98012

Mr. Kelly asked a few questions about the proposed hearing examiner system. City Attorney Missall addressed the questions.

ADJOURNMENT

MOTION: Mayor Ryan made a motion to adjourn the meeting, Councilmember Michelson seconded the motion. The motion passed unanimously.

Meeting was adjourned at approximately 8:28 p.m.

Terry Ryan, Mayor

Kelly Chelin, Executive Assistant/City Clerk