



MINUTES

City Council Regular Meeting

6:00 PM - Tuesday, April 6, 2021

Virtual and Audio Meeting Format during COVID-19 Pandemic

Minutes are the official record of Mill Creek City Council meetings. Minutes summarize the council meeting and documents any actions taken by City Council.

A recording of this City Council meeting can be found [here](#):

The agenda packet for this City Council meeting can be found [here](#).

VIRTUAL MEETING INFO

A. Join Zoom Meeting

<https://zoom.us/j/93258909979>

Meeting ID: 932 5890 9979

One tap mobile

[+12532158782](tel:+12532158782).,93258909979# US (Tacoma)

[+16699006833](tel:+16699006833).,93258909979# US (San Jose)

CALL TO ORDER

Mayor Holtzclaw called the meeting of the Mill Creek City Council to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Steckler

ROLL CALL

Councilmembers Present:

Brian Holtzclaw, Mayor

Vince Cavaleri, Councilmember

Mark Bond, Councilmember

John Steckler, Councilmember

Benjamin Briles, Councilmember

Adam Morgan, Councilmember

Councilmembers Absent:

Stephanie Vignal, Mayor Pro Tem

Councilmember Morgan made a motion to excuse Mayor Pro Tem Vignal from the meeting due to her scheduled vacation. Councilmember Briles seconded the motion. The motion passed unanimously.

AUDIENCE COMMUNICATION

B. Public comment on items on or not on the agenda

There were no public comments on items on or not on the agenda.

PRESENTATIONS

C. Quarterly Update Regarding Legal Expenses
(Grant Degginger, City Attorney)

City Manager Michael Ciaravino introduced City Attorney Grant Degginger to provide an update on the City's legal expenses and [presentation](#) for the period June 1, 2020 through February 28, 2021.

The following were items discussed:

- The City of Mill Creek's Legal Needs
- Legal Expenses by Category
- Legal Expenses on Public Records Act (PRA) Requests
- Budget vs. Actual Spending
- 2020-2021 Unanticipated Legal Needs
- Cost Comparison of 2020 to 2021
- Cost Reduction Initiatives undertaken to reduce litigation risk.

Council engaged in discussion and Q & A.

[2021.04.06 Council Presentation re Legal Fees](#)

OLD BUSINESS

D. Ordinance Criminalizing Possession of a Controlled Substance without a Prescription
(Jeff Young, Police Chief & Grant Degginger, City Attorney)

City Manager Michael Ciaravino introduced City Attorney Grant Degginger who outlined the process for drafting an [ordinance](#) amending Chapter 9.04 of the Mill Creek Municipal Code (MCMC) criminalizing the possession of a controlled substance without a prescription in response to the decision in State v. Blake Case wherein it ruled that the current statute criminalized the possession of controlled substances with a prescription exceeds the state's police power and violates the due process clauses of the state and federal constitutions.

City Prosecuting Attorney Chad Krepps provided content and an overview of the Supreme Court's decision decriminalized simple possession of controlled substances without a prescription. The proposed ordinance would change MCMC to classify it a gross misdemeanor to knowingly possess a controlled substance without a prescription in the City of Mill Creek. Police Chief Jeff Young provided input and answered questions relating to the draft ordinance.

The Council engaged in discussion and Q and A.

The revised ordinance will be presented at the next City Council Regular Meeting on the April 13, 2021 agenda for Council to take action.

[Draft Possession Ordinance](#)

E. Proclamation of Emergency Extension
(*Michael Ciaravino, City Manager*)

City Manager Ciaravino requested to extend the Proclamation of Emergency relating to the COVID -19 pandemic to May 4, 2021.

Council engaged in discussion of whether to open City Hall to the public.

City Manager Ciaravino provided an overview of the various elements that will need to be addressed in considering re-opening City Hall and the current mandates for modified in-person meetings that stipulate a maximum of 50% of the room's capacity, six-foot social distance, and mask wearing. Manager Ciaravino listed the efforts the City has made with technology and safety precautions in order to reopen Council Chambers for modified in person meetings. A meeting link will remain available to all who wish to attend and participate in Council meetings virtually.

Manager Ciaravino requested a motion to extend the emergency proclamation through May 4, 2021 in order to address health, safety and procedural matters in an appropriate timeline.

Council engaged in Q&A and discussion

Councilmember Bond made a motion to extend the City Manager's emergency proclamation until May 4, 3031. Councilmember Morgan seconded the motion.

Council engaged in discussion.

Councilmember Morgan made a motion to amend the motion extending the Proclamation of Emergency until April 13, 2021. Councilmember Cavaleri seconded the motion. The motion passed unanimously as amended.

[Proclamation.of Emergency COVID 19 MARCH 2021](#)

NEW BUSINESS

- F. Snohomish County Inter Local Agreement (ILA) for Jail Services
(*Jeff Young, Police Chief*)

City Manager Michael Ciaravino began the discussion by declaring his intentions to bring all interagency or Interlocal agreements (ILA) before Council as a measure of transparency.

Mill Creek Police Chief Jeff Young updated Council on the proposed renewal of the contract with the Snohomish County Sheriff's Office (SCSO) to detain persons arrested or convicted of various crimes. The contract term is from January 1, 2021 through December 31, 2023.

Council engaged in Q and A.

Councilmember Cavaleri made a motion to authorize the City Manager to execute the interlocal agreement for jail services between Snohomish County and the City of Mill Creek. Councilmember Morgan seconded the motion. The motion passed unanimously.

[Snohomish County ILA for Jail Services - Pdf](#)

- G. Letter of Support for County 164th and I-5 Interchange Project
(*Mike Todd, Director of Public Works and Development Services*)

Public Works and Development Services Director Mike Todd provided an overview of a Letter of Support for County 164th and I-5 Interchange Project Funding Request on behalf of the City Council.

U.S. Senators and Congressional Representatives have reached out to Cities and Counties regarding shovel ready transportation projects that are eligible for federal funding recently announced in response to COVID - 19 pandemic.

Mill Creek does not have any applicable projects under this program but has long been a supporter and contributor to the Regional Transportation Priority List. Snohomish County has selected some projects from that list to submit to the process; one of those being the 164th and I-5 Interchange Improvement Project. In the longer term, when Bus Rapid Transit comes to 164th in 2024, the proposed improvements will be of great benefit to Mill Creek citizens and the broader South Snohomish County community to make cars, bikes, pedestrians, and transit all move more smoothly and safely.

Council engaged in Q and A.

Councilmember Cavaleri made a motion to authorize the Mayor to sign the letter of support for Snohomish County's 164th and I-5 Interchange Project Funding Request on behalf of the City Council. Councilmember Briles seconded the motion. The motion passed unanimously.

[Letter of Support for County 164th and I-5 Interchange Project -R1](#)

Councilmember Cavaleri made a motion to extend the regular meeting to 9:30 PM. Councilmember Briles seconded the motion. The motion passed unanimously.

STUDY SESSION

- H. Governance Manual- Session 3: Rules Governing the Conduct of Council Meetings
(Grant Degginger, City Attorney)

City Attorney Grant Degginger facilitated Study Session No. 3 on the proposed revisions to the City of Mill Creek's Governance Manual - Articles 7, 8 and 9. The following items were discussed and proposed for revision:

Article 7 - Preparation for Council Meetings

- Revisions to 7.1 - Formalize procedures
- Revisions to 7.5 - Electronic delivery of Council packet

Article 8 - Rules of Order for Council Meetings

- 8.1 - Parliamentary Procedure - Roberts Rules of Order
- 8.2 - Motions
- 8.3 - Voting
- 8.7 - Conduct of Council Meetings
- 8.10 - Public Comment

Article 9 - Use of the Manual and Its Rules

A review draft of the Governance Manual will be available in May.

Council engaged in discussion and Q and A.

[Governance Manual Study Session Agenda Summary 04.06.21](#)

[Mill Creek GM Power Point](#)

[Mill Creek Revised - Proposed Revision to Articles 7,8 and 9](#)

[MRSC - Parliamentary Procedure A Brief Guide to Robert's Rules of Order](#)

[Governance Manual Complete](#)

CONSENT AGENDA

- I. City Council Meeting Minutes of March 23, 2021 and City Council Special Meeting of March 31, 2021.

[City Council Regular Meeting - 23 Mar 2021 - Minutes](#)

[City Council Special Meeting - 31 Mar 2021 - Minutes](#)

Councilmember Steckler made a motion to approve the Consent Agenda. Councilmember Morgan seconded the motion. The motion passed unanimously.

REPORTS

J. Mayor/Council

Mayor Holtzclaw reported on the following:

- The next Mayor and Mayor Pro Tem Coffee Chat to be held on Tuesday, April 20, 2021
- Further context to the Letter of Support for County 164th and I-5 Interchange Project
- Letter of Support as per an AWC request - Council agreed not to sign letter of support at this time.

Councilmember Steckler reported on the following:

- Appreciation for Representative Lovick and Representative Berg's presentation at the March 23, 2021 meeting.
- A dangerous stretch of road on Bothell-Everett Highway north of 164th and efforts needed to make it safer.
- A request for an update on the potential graduation parade event

Councilmember Briles reported on the following:

- His family's enjoyment at the Eggstravaganza Event and gratitude to staff and volunteers.

K. City Manager

City Manager Michael Ciaravino reported on the following:

- Staff is working internally to plan the graduation parade using last year's template if the high school does not have an in-person graduation ceremony. More information will be forthcoming.
- Budget books are in Councilmembers' mailboxes at City Hall.

L. Staff

- Bridge Coordination Services Agreement Update
(Jeff Young, Police Chief)
- Surface Water Management Plan (SWAMP) Update
(Mike Todd, Director of Public Works & Development Services)

Chief of Police Jeff Young briefed Members of Council on the critical services provided by Bridge Coordination Services. The Police Department contracts with Bridge Coordination Services for domestic violence and crime victim advocate services. Chief Young recommends that the current service agreement be renewed until 12/31/21 and requested Council's approval.

Councilmember Cavaleri made a motion to approve the renewal agreement Bridge Coordination Services. Councilmember Bond seconded the motion. The motion passed unanimously.

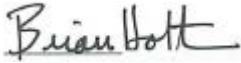
Public Works and Development Services Director Mike Todd provided an update on the City's Surface Water Management Plan (SWMP) and the NPDES Permit status. More information can be found [here](#).

AUDIENCE COMMUNICATION

- M.** Public comment on items on or not on the agenda
Barb Heidel, a Mill Creek resident commented on City legal expenses and requested more detail.

ADJOURNMENT

With no objection, Mayor Holtzclaw adjourned the meeting at 9:11 PM



Brian Holtzclaw, Mayor



Naomi Fay, City Clerk