



MINUTES

City Council Regular Meeting

6:00 PM - Tuesday, March 23, 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/97956758599>

Meeting ID: 979 5675 8599

One tap mobile

[+12532158782](tel:+12532158782),,97956758599# US (Tacoma)

[+16699006833](tel:+16699006833),,97956758599# 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 Cavaleri.

ROLL CALL

Councilmembers Present:

Brian Holtzclaw, Mayor

Stephanie Vignal, Mayor Pro Tem

Vince Cavaleri, Councilmember

Mark Bond, Councilmember

John Steckler, Councilmember

Benjamin Briles, Councilmember

Adam Morgan, Councilmember

Councilmembers Absent:

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. Legislative Representatives John Lovick and April Berg

Mayor Pro Tem Vignal welcomed and introduced District 44 Legislators Representative John Lovick and Representative April Berg to Members of Council, the City Manager, and the Citizens of Mill Creek. Representative Lovick and Berg, both residents of Mill Creek, addressed City Council and the Public with opening remarks and invited a dialogue through a question-and-answer format.

Representative Lovick, Representative Berg and Members of Council engaged in discussion and Q & A on the following topics:

- The State v. Blake Case
- The safety of students reentering schools.
- Potential stimulus money
- Spending mandates and gubernatorial overreach
- Use of lobbyists by cities.
- Status of COVID-19 vaccines for children

NEW BUSINESS

D. Extend the Expiration Date for Professional Services Contract 2019-1527, EGUV Spine Road West Connection (Phase 1) Right-of-Way Project *(Mike Todd, Public Works and Development Services Director)*

Public Works and Development Services Director Mike Todd provided Members of Council with an overview of Amendment No. 1 for Professional Services Contract 2019-1527 with Gray and Osborne, extending the expiration date to 12/31/2022 at no change to the total contract amount due to the suspension of the project as a result of the COVID - 19 pandemic.

Councilmember Cavaleri made a motion to adopt a Resolution authorizing the City Manager to execute Amendment No. 1 to Professional Services Contract 2019-1527 with Gray and Osborne, extending the expiration date to 12/31/2022 at no change to the total contract amount. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

[Contract 2019-1527 Extension Amendment - Pdf](#)

OLD BUSINESS

E. Update on DRCC (Dobson Remillard Church Cook) Property *(Michael Ciaravino, City Manager & Karen Reed, Consultant)*

City Manager Michael Ciaravino and Consultant Karen Reed provided Members of Council with an update on the DRCC property initiative and an overview.

The following items were discussed:

- The public survey has been launched and received 906 responses to date. The survey is open until 3/31/21. The following
- Overview of Planning Calendar included:
 - February 2021 - Guiding Principles - Completed
 - March 2021 - Community survey and tours of the property for Councilmembers and staff.
 - April 2021 - Survey Results – presentation/discussion facilities study and needs assessment scoping.
 - May-June 2021 - Present facilities study.
 - June-August 2021 - Recreational expert panel discussion.
 - September 2021 - Present needs assessment., additional outreach and Initial site capacity analysis.
 - October 2021 -Council discussion to refine project scope and 2023 budget implications.

Council engaged in discussion and Q&A.

[DRCC Properties Phase I - Exploration](#)

PROPOSED NEW INITIATIVES

- F.** Ordinance Criminalizing Possession of a Controlled Substance Without a Prescription
(*Councilmember Cavaleri*)

Councilmember Cavaleri proposed a new initiative regarding the Supreme Court ruling on the State of Washington vs. Blake case. The supreme court ruled that the state's felony drug possession law criminalizing simple possession of drugs is unconstitutional. Councilmember Cavaleri proposed to make drug possession a misdemeanor and introduced the topic to Members of Council.

Council engaged in discussion and Q&A.

With no objection the item will be included on the agenda at the next City Council meeting for continued discussion and/or possible action.

[ORD. for new drug law](#)

CONSENT AGENDA

- G.** Approval of Checks #63155 through #63212 and ACH Wire Transfers in the Amount of \$1,289,791.74
(*Audit Committee: Mayor Holtzclaw and Councilmember Morgan*)
[03-23-21 AP Voucher](#)
- H.** Payroll and Benefit ACH Payments in the Amount of \$256,555.35
(*Audit Committee: Mayor Holtzclaw and Councilmember Morgan*)
[03-23-21 Payroll Voucher](#)
- I.** City Council Meeting Minutes of March 9, 2021
[City Council Regular Meeting - 09 Mar 2021 - Minutes](#)

Councilmember Steckler made a motion to approve the consent agenda. Councilmember Briles seconded the motion. The motion passed unanimously.

REPORTS

J. Mayor/Council

Mayor Holtzclaw reported on the following:

- The March 16, 2021 Mayor and Mayor Pro Tem Coffee Chat.
- The March 22, 2021 Mayor's meeting. Items discussed included:
 - The Recovery Act and how it affects Mill Creek.
 - Phase 3 and the impacts of the Open Public Meetings Act (OPMA) and the restrictions in place for in person meetings
 - House Bill 1362 which eliminates the 1% property tax cap basing the allowable property tax increase on inflation and population with a maximum increase of 3% per year. Everett's Mayor Franklin is drafting a letter of support for HB 1362 and has asked other Mayors to sign on.

Council engaged in discussion.

Mayor Pro Tem Vignal reported on the following:

- The Coffee Talk and stated that it was a great success and is looking forward to the next one.
- Senator Hobbs' transportation bill including unfunded mandates for culverts that allow for fish passage, and the concerns of the Mill Creek City Council
- Requested an update on the status of the crosswalk project at Jackson High School and the hiring of engineering positions.
- She will not be present at the April 6, 2021 City Council meeting and asked that the proposed ordinance from Councilmember Cavaleri not be on the April 6th agenda.

Councilmember Steckler reported on the following:

- The electronics recycling opportunity on May 2, 202.
- Requested that Council meeting minutes include specific requests from Councilmembers.
- Received information from Finance Director Laurel Gimzo as per his request regarding budgetary items and requested a copy of budget.
- Requested to discuss Communications and Marketing Department regarding its structure and staffing.
- Requested a development of criteria for the next round of stimulus money.
- Requested an update on the plans to reopen City Hall including passport operations as well as plans for the Preschool Pals program.

Councilmember Morgan reported on the following:

- Attendance at the WRIA 8 meeting last week where they discussed ecology bills in the Legislature that could impact Mill Creek projects including riparian efforts.
- Attendance at the most recent Planning Commission meeting where

recently passed SB 6617 regarding accessory dwelling units (ADU's) and stated that the bill increased the maximum square footage and removed parking requirements for units located near transit facilities.

K. City Manager

Michael Ciaravino

- Follow Up regarding Coffee Talk on March 16, 2021

City Manager Michael Ciaravino addressed questions that arose from the March 16, 2021 Mayor and Mayor Pro Tem Coffee Chat.

The following items were addressed:

- Issues with the City's website and plans to address them including search capabilities, areas of vulnerability, and utilizing existing software to its full extent.
- An update on the stormwater engineer position and stated that the job will be posted at the end of the week.
- Current budgetary concerns related to the COVID - 19 pandemic regarding the Communications & Marketing Department staffing.
- Additional stimulus money will be discussed by Finance Director Laurel Gimzo during staff reports.
- Plans for reopening passport operations at City Hall is underway. Safety measures are being put in place such as:
 - Passport operations will be by appointment only to limit the number of people in City Hall at any one time.
 - Partitions are being installed to ensure the safety of both staff and citizens.
 - The HVAC system has been modified to hospital grade quality.
 - Vaccination availability to staff.
- The Preschool Pals program is still under analysis and that safeguarding the health of children and staff is the primary concern.
- Retired Navy Captain Mike Kidd has contacted the leadership of the USS Ralph Johnson.
- Budget books will be discussed with the Mayor and Mayor Pro Tem at the weekly meeting with the City Manager. The City is looking at ways to reduce costs.

[Council Planning Schedule 03.18.21](#)

L. Staff

- American Rescue Plan Act (ARPA)
(*Laurel Gimzo, Finance Director*)
- Traffic Enforcement Update
(*Jeff Young, Chief of Police*)

City Manager Michael Ciaravino introduced Finance Director Laurel Gimzo who spoke about the American Rescue Plan Act (ARPA). Director Gimzo provided Council with an update on the latest stimulus package signed into law on March 11, 2021.

Highlights include:

- ARPA is providing much needed stimulus money across the nation.
- Mill Creek is a non-entitled City based on the population of <50,000.
- Because Mill Creek is a non-entitled City, funds will first pass through the State.
- The current funding amount is estimated to be \$4,550,847.
- Funds will be distributed in two phases. The first half of the funds will be delivered within the next couple of months and the second half of the funds will arrive 12 months later.
- Funds will be available through 12/31/2024 and any unexpended funds must be returned to the U.S. Treasury Department.
- Allowable uses for funds.
- Staff seek Council to determine use of funds.

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

City Manager Ciaravino introduced Police Chief Jeff Young who provided Council with an update on traffic enforcement. Chief Young stated that along with the City Manager, he has received inquiries from citizens regarding speeding and potential for increased collisions. Comprehensive emphasis patrols have been implemented in high volume areas and the Police Department continues to evaluate traffic safety concerns. Chief Young provided a [presentation](#) on traffic statistics and department goals to address all traffic safety and citizen education issues.

Council engaged in discussion and Q&A.

[21 23MAR Traffic Matters MCPD](#)

AUDIENCE COMMUNICATION

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

Barb Heidel, a Mill Creek resident, commented on:

- Thanked Matthew Combs and the Public Works Department for removing the senior center sign on Mill Creek Boulevard.
- Thanked Mayor Holtzclaw and Mayor Pro Tem Vignal for hosting the Coffee Chat on March 16, 2021 and would like to see these happen on a monthly basis and stated that she prefers not to submit questions in advance to the Mayor and Mayor Pro Tem during these events.

Wil Nelson, a Mill Creek resident, commented on the following topics:

- The DRCC survey
- Traffic enforcement
- The status of the COVID - 19 pandemic and the phasing approach.

Melissa Duque, a Mill Creek resident, commented on the following:

- Appreciation for the Coffee Chat event and the City Manager's prompt response to the questions raised during the event.
- Outreach efforts to fill an opening on the Park and Recreation Board resulted in 10 applications.
- Her appreciation for Community Engagement Coordinator Kristen Rasmussen's hard work with the Park and Recreation Board.

RECESS TO EXECUTIVE SESSION

(Confidential Session of the Council)

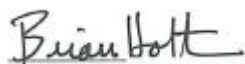
- N.**
- Council recessed into Executive Session to discuss potential/pending litigation pursuant to RCW 42.30.110(1)(i) for 22 minutes. No action will be taken.

At 8:53 PM with no objection, executive session was extended to 9:09 PM.

At 9:08 PM Council reconvened the regular meeting.

ADJOURNMENT

With no objection, Mayor Holtzclaw adjourned the meeting at 9:09 PM



Brian Holtzclaw, Mayor



Naomi Fay, City Clerk