



CITY COUNCIL MINUTES

March 22, 2016

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

Pam Pruitt, Mayor
Brian Holtzclaw, Mayor Pro Tem
Sean Kelly
Donna Michelson
Vince Cavaleri (Participated by phone)
Mike Todd
Mark Bond

March 22, 2016
Regular City Council Meeting
6:00 p.m.

CALL TO ORDER

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

FLAG SALUTE

Flag Salute was conducted.

ROLL CALL

Roll was called by the City Clerk with all Councilmembers present and Councilmember Cavaleri participating by phone.

AUDIENCE COMMUNICATION:

Brian Fawcett
13415 46th Avenue SE
Unit 7
Mill Creek, Washington 98012

Mr. Fawcett asked the Council to not allow anymore apartment buildings in the East Gateway Urban Village (EGUV).

Kevin and Laura White
4313 135th Place SE
Mill Creek, Washington 98012

Mr. and Ms. White spoke to the Council. They live in Bluegrass Meadows. They are attending the meeting because they are concerned about the type of development in EGUV.

PRESENTATIONS:

Employee Recognition - Milestone Anniversaries

Officer Rod Fleming – 5 years of service
Larry Celustka – 25 years of service

OLD BUSINESS:

Briefing - East Gateway Urban Village
(Rebecca C. Polizzotto, City Manager)

The following agenda summary information was presented:

On October 6, 2015, the City Council authorized the City Manager to negotiate and execute a contract with ECONorthwest for a market feasibility and fiscal impact study for the 132nd Street Corridor. The contract was executed, and on October 27, 2015, the project was initiated with an introductory presentation to the City Council. On December 8, 2015, ECONorthwest presented the market feasibility portion of the study. On January 12, 2016, the City Council held a visioning workshop to discuss what they would like to see in the East Gateway Urban Village and the remaining 132nd Street Corridor. On February 23, 2016, ECONorthwest presented summary results of a market assessment of scenarios and identified the incentives or actions that would likely be necessary to implement higher end retail development.

During the discussion at the February 23, 2016 meeting, the City Council requested that staff meet with members of the development community to discuss the results of the ECONorthwest study. Consistent with that direction, staff, along with Mayor Pro Tem Holtzclaw, met with two developers. The results of that discussion will be shared with the City Council at the March 22 Council meeting.

Upon initiation of the ECONorthwest study, the City Council enacted a moratorium for the undeveloped portions of the East Gateway Urban Village (EGUV). That moratorium has been extended once, and is currently set to expire on April 1, 2016. If, based upon the results of the ECONorthwest study, the City Council determines that changes to the City's Comprehensive Plan and/or zoning regulations are warranted, the moratorium will need to be extended to accomplish that work. The length of the extension will depend upon the scope of changes requested by the City Council.

Questions pertinent to the Council's determination of whether to change the Comprehensive Plan or zoning regulations for the EGUV include, but are not limited to, the following:

1. Is the Council willing to change the pedestrian focus of the EGUV?
2. Does the Council want to commit City funds to construction of the "Spine Road"?
3. Does the Council want to enhance the landscaping and design standards for the EGUV? If so, in what way?
4. Does the Council want to eliminate "mixed use" from the allowed uses in the EGUV?
5. Does the Council want to eliminate "multifamily" from the allowed uses in the EGUV?
6. Does the Council want to allow drive through businesses in the EGUV?
7. Is the Council willing to allow vehicle centric uses such as fueling stations in the EGUV?

Discussion.

Council and staff discussed each of the questions.

Roger Sortino

Mr. Sortino stated that he owns 12 acres on the west end of EGUV.

He urged the Council to not extend the moratorium and let it expire. He stated that a moratorium puts breaks on potential projects.

David Headley (spelling not confirmed)
14601 Main Street, #A101
Mill Creek, Washington 98012

Mr. Headley identified himself as a property owner however he had no comment on EGUV.

Council engaged in a lengthy discussion about the decision to either extend the moratorium or let it expire.

PUBLIC HEARING:

Potential Extension of the Moratorium on Acceptance of Binding Site Plans in the East Gateway Urban Village Until September 30, 2016

(Rebecca C. Polizzotto, City Manager)

The following agenda summary information was presented:

On June 23, 2015, the City Council adopted Ordinance No. 2015-795, imposing a moratorium on the submission, acceptance, or processing of new binding site plan applications for properties in the East Gateway Urban Village (EGUV). In compliance with state law, the City Council held a public hearing on July 28, 2015, and adopted Ordinance No. 2015-797 adopting findings of fact. On December 22, 2015, the moratorium was extended until March 31, 2016, following a public hearing through the adoption of Ordinance 2015-805.

The purpose of the moratorium was to allow time to evaluate the zoning and design regulations in the EGUV to determine if they are appropriate and consistent with the City Council's vision for the area.

The current moratorium expires on March 31, 2016. State law allows the City to extend the moratorium for one or more periods not to exceed six months each if a public hearing is held and findings of fact are made prior to each extension.

An ordinance extending the moratorium until September 30, 2016, which includes the required findings of fact, has been prepared for consideration by the City Council. The City timely noticed March 22, 2016, at 6:00 p.m. as the date and time for a public hearing to consider the extension of the moratorium.

Mayor Pruitt opened the public hearing at 8:22 p.m.

Roger Sortino (spoke earlier)

Mr. Sortino urged the Council to allow mixed use and not extend the moratorium.

Kevin White (spoke earlier)

Mr. White told the Council that they have been waiting for a town center in EGUV. They stated Polygon was nice and to keep that feel with small retail only.

MOTION: At 8:30 p.m., Mayor Pruitt made a motion to extend the meeting to 9:00 p.m., Councilmember Bond seconded the motion. The motion passed unanimously.

Jeff Pratt
4220 132nd Suite 201
Mill Creek, Washington 98012

Mr. Pratt told the Council it was a frustrating conversation tonight. He urged the Council to stay with the existing zoning and keep it the way it is.

Mayor Pruitt closed the public hearing at 8:38 p.m.

After further discussion, the Council did not make a decision to extend the moratorium; therefore, the moratorium will expire naturally on March 31, 2016.

NEW BUSINESS:

Due to the late hour, the following agenda item will be rescheduled to a future meeting:

Hazard Mitigation Plan

(Rebecca C. Polizzotto, City Manager)

2016 Concrete Replacement Program and Pilot Tree Project

(Rebecca C. Polizzotto, City Manager)

The following agenda summary information was presented:

The City has several on-going programs to maintain the City's substantial investment in public infrastructure. At the last Council meeting a brief presentation of the pavement preservation program for streets was provided. There are similar programs for surface water infrastructure, public parks, building facilities, and public sidewalks. This agenda item requests the Council to consider the award of the construction contract for the 2016 Concrete Replacement Program (CRP) to repair 41 sites. This year's CRP also includes a pilot project for tree replacement that was discussed with Council on October 6, 2015. The pilot tree replacement project will reduce long-term concrete repair costs by replacing trees whose roots have damaged sidewalks with more appropriate trees, better planting beds, and root barriers. Twenty trees will be removed and fifteen new trees planted in the pilot program.

Invitations to bid were publicly advertised for the 2016 Concrete Replacement Program beginning on February 8, 2016. On March 10, 2016, the City received and opened four bids ranging from \$96,105 to \$182,315. The engineer's estimate for the project was \$117,125. Trinity Contractors, Inc. was the lowest responsive, responsible bidder and has successfully completed public works projects for a number of local cities. Reference checks were all very positive. Trinity Contractors, Inc. has the necessary resources to perform the work.

The construction will start, weather permitting, in late April, and be completed in late June.

MOTION: Councilmember Cavaleri made a motion to approve Resolution #2016-542, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON, AWARDED THE CONTRACT FOR THE 2016 CONCRETE REPLACEMENT PROJECT, Councilmember Todd seconded the motion. The motion passed unanimously.

Resolution Designating City of Mill Creek Agents for FEMA 4249-DR-WA Application for Disaster Assistance Plan

(Rebecca C. Polizzotto, City Manager)

The following agenda summary information was presented:

The City is actively seeking emergency disaster assistance funding for the wind storm event of November 17, 2015, designated by FEMA as disaster 4249-DR-WA. A requirement of the funding process is the detailed accounting and certification of labor, equipment, materials and contracts necessary to recover from the disaster. In addition, the funding assistance process requires an official designation, by resolution of the governing body, of an “agent” for the City to oversee the provisions of the public assistance funding contract.

MOTION: Councilmember Todd made a motion to approve Resolution #2016-543, A RESOLUTION OF THE CITY OF MILL CREEK, WASHINGTON, DESIGNATING THE FACILITIES, PARKS & RECREATION DIRECTOR GATHMANN AS THE REPRESENTATIVE AND MAINTENANCE SUPERVISOR BEAGLE AS THE ALTERNATE ON BEHALF OF THE CITY FOR FEMA DISASTER 4249-DR-WA ASSISTANCE FUNDING, Councilmember Michelson seconded the motion. The motion passed unanimously.

CONSENT AGENDA

Approval of Checks #55059 through #55134 and ACH Wire Transfers in the Amount of \$144,174.40.

(Audit Committee: Councilmember Todd and Councilmember Michelson)

Payroll and Benefit ACH Payments in the Amount of \$279,255.68.

(Audit Committee: Councilmember Todd and Councilmember Michelson)

Special City Council Meeting Minutes of February 20, 2016

City Council Meeting Minutes of February 23, 2016

City Council Meeting Minutes of March 1, 2016

City Council Meeting Minutes of March 8, 2016

There were no exceptions from the audit committee.

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

REPORTS

Mayor Pro Tem Holtzclaw reported that he will be attending the next Snohomish County Tomorrow Steering Committee meeting. He will be missing the next meeting on April 5 due to Spring Break.

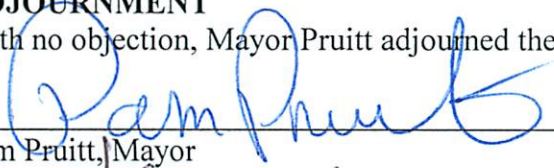
City Manager Polizzotto reported that the financial report for January 2016 is included in the packets. She also reported that the new payroll system, ADP, is live. Lastly, she stated that the City is conducting a contest to name the Annex Building.

AUDIENCE COMMUNICATION:

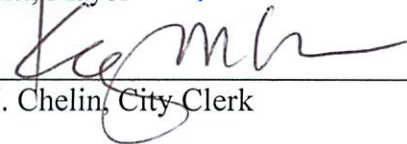
There were no comments from the audience.

ADJOURNMENT

With no objection, Mayor Pruitt adjourned the meeting at 9:00 p.m.



Pam Pruitt, Mayor



Kelly M. Chelin, City Clerk