



MINUTES

City Council Regular Meeting

6:00 PM - Tuesday, May 28, 2019

Council Chambers, 15728 Main Street, Mill Creek, WA 98012

Minutes are the official record of Mill Creek City Council meetings. Minutes document action taken at the council meeting, not what was said at the council meeting.

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

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

CALL TO ORDER

Mayor Pruitt called the meeting of the Mill Creek City Council to order at 6:00 p.m. and led the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilmembers Present:

Pam Pruitt, Mayor

Brian Holtzclaw, Mayor Pro Tem

Vince Cavaleri, Councilmember

Mike Todd, Councilmember

John Steckler, Councilmember

Stephanie Vignal, Councilmember

Councilmembers Absent:

Mark Bond, Councilmember

Councilmember Cavaleri made a motion to excuse Councilmember Bond due to him moving residences. Councilmember Steckler seconded the motion. The motion passed unanimously.

AUDIENCE COMMUNICATION

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

Wil Nelson, a Mill Creek resident, commented on the Memorial Day parade and an article in the Mill Creek Beacon regarding future Memorial Day parades.

Jon Ramer, a Mill Creek resident, showed Council a plaque made from the USS Ralph Johnson Proclamation that will be presented to the Commander tomorrow.

OLD BUSINESS

B. Settlement Agreement Between the City of Mill Creek and Comcast Regarding Franchise Fee Audit/Review

Director of Finance and Administration Peggy Lauerman gave a brief overview of the Comcast franchise fee audit and underpayment of \$87,297.17. Director Lauerman

explained the updated language in the revised settlement agreement separating the underpayment and attorney fees, and the new pass through start date of May 2020.

Council engaged in discussion.

Mayor Pro Tem Holtzclaw made a motion to reject the proposed settlement agreement and direct staff to obtain compensation incurred through legal and audit fees from Comcast. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

NEW BUSINESS

C. Snohomish County Housing Task Force

City Manager Michael Ciaravino announced the Snohomish County Housing Affordability Regional Taskforce (HART) kickoff meeting to be held on Friday, May 31 at 10:00 a.m. City Manager Ciaravino provided Council with a [handout](#) including a draft agenda and calendar of future meetings.

Council engaged in discussion. Councilmember Todd will attend the kickoff meeting and asked Council to forward him any questions they may have before Friday. Mayor Pro Tem Holtzclaw will attend future HART meetings.

D. Ordinance Adopting Proposed Mill Creek Municipal Code Amendments Regulating Wireless Communication Facilities

Planning Manager Tom Rogers gave an overview of wireless communications facilities being deployed throughout the nation. Mr. Rogers reviewed new rules adopted by the Federal Communications Commission (FCC) that went into effect in early 2019. As a result, the Mill Creek Municipal Code (MCMC) will need to be revised for compliance.

Mr. Rogers introduced Ogden Murphy Wallace Attorney Elana Zana who led Council through a [PowerPoint](#) presentation detailing small cells and the upcoming changes in technologies, the Mill Creek process, aesthetic standards, and the proposed code amendments.

Council engaged in discussion and would like messaging from the City early on to keep the public informed. Staff will make recommended changes and bring this item back to Council at the next meeting.

STUDY SESSION

E. Grant Funding Application Criteria and Process

City Manager Michael Ciaravino explained that this item has been tabled until June 11, 2019.

CONSENT AGENDA

F. Approval of Checks #60283 through #60358 and ACH Wire Transfers in the Amount of \$313,447.12

(Audit Committee: Mayor Pruitt and Councilmember Bond)

- G. Payroll and Benefit ACH Payments in the Amount of \$205,773.60
(Audit Committee: Mayor Pruitt and Councilmember Bond)
- H. City Council Meeting Minutes of February 19, 2019

Mayor Pro Tem Holtzclaw made a motion to approve the consent agenda. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

REPORTS

I. Mayor/Council

Mayor Pruitt reported that the Memorial Day parade was wonderful and that attendance was up at the Commemorative Ceremony.

Councilmember Cavaleri echoed Mayor Pruitt's parade comments and thanked staff and volunteers for their efforts.

Councilmember Cavaleri reported that it was an honor and privilege to be in the presence of a Gold Star mother at the Memorial Day Commemorative Ceremony.

Councilmember Vignal commented on the Memorial Day events and thanked City Clerk Gina Pfister for her assistance with logistics.

Mayor Pro Tem Holtzclaw acknowledged Public Works Month and thanked Gina Hortillosa's team for their quick work to fix the bridge at Heron Park.

Councilmember Todd reported on the Snohomish County Committee for Improved Transportation (SCCIT) meeting he attended, legislative topics covered, and SCCIT efforts moving forward. Councilmember Todd encouraged Council to attend the Sound Transit presentation at the Everett City Council meeting on May 29.

J. City Manager

- Council Planning Schedule

K. Staff

- Neighborhood Focus Group Meeting Minutes of April 18, 2019

AUDIENCE COMMUNICATION

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

Wil Nelson, a Mill Creek resident, corrected his earlier statement regarding the Beacon quote relating to the City's Memorial Day events.

Carmen Fisher, a Mill Creek resident, expressed her surprise over the lack of discussion during the Comcast Settlement Agreement agenda item. Ms. Fisher commented on the Snohomish County Housing Task Force discussion. Ms. Fisher also commented on the idea of giving small cell application notice to residents.

RECESS TO EXECUTIVE SESSION

(Confidential session of the Council)

- M.
- To discuss real estate matters pursuant to RCW 42.30.110(1)(b)
 - To discuss actual or potential litigation matters pursuant to RCW 42.30.110(1)(i)

At 7:40 p.m. the meeting recessed to executive session for up to 30 minutes. City Attorney Scott Missall was present during the executive session.

At 8:10 p.m. the executive session ended.

RECONVENE TO REGULAR SESSION

- N. At 8:11 p.m. the meeting reconvened to regular session.

ADJOURNMENT

With no objection, Mayor Pruitt adjourned the meeting at 8:11 p.m.



Pam Pruitt, Mayor



Gina Pfister, City Clerk