



MINUTES

City Council Regular Meeting

6:00 PM - Tuesday, September 1, 2020

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 INFORMATION

A. Tue, Sep 1, 2020 6:00 PM - 8:30 PM (PDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/405900509>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (669) 224-3412

- One-touch: tel:+16692243412,,405900509#

Access Code: 405-900-509

CALL TO ORDER

Mayor Pro Tem 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:

Councilmembers Absent:

Brian Holtzclaw, Mayor Pro Tem

Vince Cavaleri, Councilmember

Mike Todd, Councilmember

Mark Bond, Councilmember

John Steckler, Councilmember

Stephanie Vignal, Councilmember

AUDIENCE COMMUNICATION

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

Councilmember Todd made a motion to amend the agenda to include an additional topic of process and timeline for filling the vacant Council Position #3. Councilmember Vignal seconded the motion. The motion passed unanimously.

NEW BUSINESS

- C. **Process and Timeline for filling the Council Position #3 Vacancy**

Mill Creek City Council Position #3 is currently vacant. The City Manager Ciaravino discussed the plan to accept applications from those interested in filling a vacancy on the Mill Creek City Council, Position #3. City Manager Michael Ciaravino stated that staff will develop a plan for advertising and accepting applications or letters of intent with interviews and will present at the next Council meeting.

Council engaged in discussion.

ELECTION OF MAYOR

- D. Election of Mayor and Oath of Office
(Naomi Fay, Interim City Clerk)

Mayor Pro Tem Holtzclaw opened the discussion by explaining the [rules for election](#).

Council engaged in discussion.

Councilmember Todd nominated Brian Holtzclaw for the position of Mayor through the term ending December 31, 2021. Councilmember Cavaleri seconded the nomination. The motion passed 5-0-1 with Mayor Pro Tem Holtzclaw in abstention.

Interim City Clerk Naomi Fay performed the Oath of Office and Mayor Holtzclaw was officially sworn into office.

ELECTION OF MAYOR PRO TEM

- E. Election of Mayor Pro Tem and Oath of Office
(Naomi Fay, Interim City Clerk)

Mayor Holtzclaw opened the floor for discussion.

Councilmember Cavaleri nominated Councilmember Vignal for the position of Mayor Pro Tem through the term ending December 31, 2021. Councilmember Todd seconded the motion. The motion passed unanimously.

Interim City Clerk Naomi Fay performed the Oath of Office and Mayor Pro Tem Vignal was officially sworn into office.

OLD BUSINESS

- F. Extension of Public Health Emergency Proclamation for COVID-19
(*Michael Ciaravino, City Manager*)

City Manager Michael Ciaravino informed Members of Council that the current Proclamation for the Public Health Emergency for COVID-19 is due to expire September 1, 2020. Due to the impact and the current status of COVID-19 in the state, the City Manager respectfully asked Council to extend the Proclamation of Emergency to October 1, 2020, which is consistent with the State Legislature and Governor Inslee.

Council engaged in discussion.

Councilmember Todd suggested the extension be granted until October 6, 2020 in order for Council to take appropriate action, if needed, at the first regularly scheduled meeting.

Councilmember Cavaleri moved to extend the Proclamation of Emergency to October 6, 2020. Mayor Pro Tem Vignal seconded the motion. The motion passed unanimously.

PROPOSED NEW INITIATIVES

- G. Mayor Holtzclaw proposed adding a new category on the agenda called "Proposed New Initiatives" in order for Members of Council, the City Manager and staff to bring forth potential items on the agenda for discussion before commencing work from staff.

Council engaged in discussion and agreed it would be beneficial to add this category on the agenda.

- H. [Governance Manual](#)

Mayor Holtzclaw introduced the topic of the City's Governance Manual and elicited feedback from Council regarding the process and procedure to revise and update the manual. Mayor Holtzclaw proposed that a study session be dedicated on the next available agenda in order for Council to begin the process of revision. Possibly suggestions to begin updates were noted by the Mayor to compare the manual with other local cities like Mill Creek. Mayor Holtzclaw said that possible next steps would be to break the Council down into subgroups to amend sections of the manual.

Council engaged in discussion.

- I. Request from Mr. Terry Ryan, Snohomish County Aerospace Economic Development Director

Mayor Holtzclaw informed Members of Council of Terry Ryan, Snohomish County Aerospace Economic Development Director's request for support from the City of Mill Creek and to allow the City's logo to be placed on a letter addressed to Boeing from the County requesting that the 787 aircraft production line at Paine Field stay instead of possibly moving the line to South Carolina.

Council engaged in discussion.

J. City Council Meeting Structure - Regular and Study Sessions

City Manager Michael Ciaravino gave an update on the monthly Council Meeting schedule and structure. At the previous Council Retreat last spring, Council discussed to possible return to a past practice that had the first meeting of the month to be dedicated to study sessions only with the remaining two meetings of the month for action to be taken. Manager Ciaravino said that while it is an excellent idea, he suggests the need for flexibility due to the current emergency conditions of COVID-19.

Council engaged in discussion.

STUDY SESSION

K. Update on Body Worn Cameras

(Scott Eastman, Interim Chief of Police)

City Manager Michael Ciaravino introduced a police topic of body worn cameras (BWC) and stated that the decision to pursue BWC's for the City of Mill Creek is hindered less by the cost of the equipment and more by public records disclosure laws and the costs associated with them.

Interim Police Chief Scott Eastman gave his presentation on body worn cameras including:

- History and the 2016 trial evaluation of 3 officers for 3 months
- Transparency and Accountability
- Equipment capabilities and costs
- Redaction software
- Disclosure requirements of the Public Records Act RCW 42.56.240(14)
- Retention requirements for body worn camera recordings
- Cost study needed to determine actual costs for redaction of body worn camera footage
- Next Steps including:
 - Equipment
 - Personnel
 - Policy
 - Budget

Council engaged in discussion.

[AIS - Update on Body-Worn Cameras](#)

[Attachment A - Update on Body-Worn Cameras 090120](#)

[Attachment B - WASPC 2020 0625 Gov Inslee House Senate Reforms](#)

[Attachment C - RCW 42.56.240](#)

[Attachment D - BWC Considerations](#)

CONSENT AGENDA

L. City Council Meeting Minutes of [Regular Meeting July 28, 2020](#)

Special Meeting August 18, 2020

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

REPORTS

M. Mayor/Council

Mayor Holtzclaw reported that he participated in a tele-conference of mayors and leaders last week related to the status of COVID-19 and noted that although COVID-19 numbers are beginning to trend downwards, numbers are still not low enough to move into phase three.

Mayor Holtzclaw also reported that the County Executive will be reconvening the Housing Association Regional Task Force (HART) on September 28, 2020 to discuss homelessness and low income housing. Mayor Pro Tem Vignal will attend the meeting.

Mayor Holtzclaw has been informed that it is very unlikely that there will be additional money available through the CARES Act.

Councilmember Steckler received updated census data from census volunteer and Mill Creek resident, Michael Kidd. The data collected that Washington State is in third place overall nation-wide with 92.6% of the households counted. Of these, 71% were self-responses and 21% were responses through census takers. He further noted that Snohomish County's self-response rate was 74.7% and Mill Creek's was 79.6%.

Councilmember Cavaleri praised the Park and Recreation Board for their great work during COVID-19.

Mayor Pro Tem Vignal expressed her happiness at seeing Heron Park open and that the project was completed on time. She acknowledged staff in the Public Works Department for their hard work. Mayor Pro Tem Vignal asked if there would be a ribbon cutting event or if COVID-19 would prevent this from happening.

Mayor Pro Tem Vignal reported that the YMCA and Boys and Girls Clubs are working on putting together programs to help working parents in need of childcare and assistance with keeping kids on track with virtual learning.

Councilmember Todd reported that the Snohomish County Committee on Improved Transportation (SCCIT) meeting last week. Sound Transit continues to work on their Lynnwood to Everett realignment regional project through ST3. Councilmember Todd emphasized the importance of regional involvement in this project.

Councilmember Todd reported on the Light Rail Communities Project Online Workshop Survey. He encouraged everyone to participate as Mill Creek will be

impacted by stations at I-5 and 164th and I-5 and 128th. This is open to the public until September 25, 2020. More information can be find [here](#).

Mayor Holtzclaw reported that there will be discussion at a City Council Meeting regarding attorney's fees and what is driving them.

N. City Manager

- CARES ACT Funding Update
- Fire District Update

City Manager Michael Ciaravino responded to Mayor Pro Tem Vignal's question about a ribbon cutting at Heron Park. He stated that staff is working on setting up a grand opening within COVID-19 guidelines to have a safe celebration.

Manager Ciaravino welcomed Director of Finance Jeff Balentine back to the City of Mill Creek and asked Mr. Balentine to share the most recent revenue data.

Director of Finance Jeff Balentine shared:

- The most recent revenue report noting that new construction in the City continues to account for the increase in sales tax revenues.
- Budget requests are being sent to departments by September 8, 2020 and upcoming study sessions related to the biennial budget will be scheduled
- That a determination for expending the balance of the CARE Act funds is needed

Council engaged in discussion.

City Manager Michael Ciaravino stated that they would be bringing the CARES Act presentation back to Council for discussion and approval.

City Manager Ciaravino provided an update on the Snohomish County Fire District 7 contract negotiations.

City Manager Ciaravino reported that the City of Mill Creek has submitted its Public Records Act annual JLARC report in compliance with RCW 42.56.

Council engaged in discussion.

O. Staff

- Update on Mill Creek Boulevard Subarea Plan
(*Tom Rogers, Planning Supervisor*)

Planning Supervisor Tom Rogers provided Council with an update on Mill Creek Boulevard Sub Area Plan Planning Advisory Committee including:

- The work currently being done
 - Vision Statement
 - Residential and land use studies

- Status and next steps
 - Meetings and discussions canceled due to Covid-19
 - Plan to go back to Council on September 22, 2020 for input on mixed use or other residential options
 - Council approval of a contract addendum to extend the contract
- The \$300,000 grant
 - Still usable and intact

City Manager Michael Ciaravino and Planning Supervisor Rogers discussed efforts made to assist local restaurants with options for things like outdoor seating. Every restaurant in Mill Creek was surveyed.

AUDIENCE COMMUNICATION

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

Barbara Heidel, a Mill Creek resident, stated that she was glad the Council was going to update the Governance Manual and that she was thrilled to hear that Jeff Balentine is back.

Carmen Fisher, a Mill Creek resident, congratulated Mayor Holtzclaw and Mayor Pro Tem Vignal on their new roles. Ms. Fisher stated that she agrees that updates to the Governance Manual need to be made. Ms. Fisher thanked Interim Police Chief Eastman for his presentation this evening. Ms. Fisher concluded by saying she is glad Jeff Balentine is back and thanked Tom Rogers for his presentation.

RECESS TO EXECUTIVE SESSION

- Q. At 8:00 p.m. Council recessed into executive session until 8:15 p.m. with no action being taken to discuss the performance of a public employee per RCW 42.30.110 (1)(g). No action is to be taken.**

At 8:15 p.m. without objection, Mayor Holtzclaw extended the regular meeting until 9:00 p.m. and executive session until 8:45 PM.

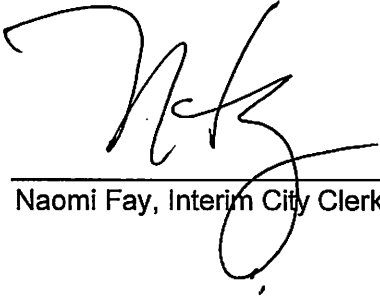
At 8:44 p.m. without objection, Mayor Holtzclaw extended the executive session until 8:50 p.m..

Executive session was adjourned without objection at 8:49 p.m.

ADJOURNMENT

With no objection, Mayor Holtzclaw adjourned the meeting at 8:50 PM


 Brian Holtzclaw, Mayor



Naomi Fay, Interim City Clerk