



# CITY COUNCIL MINUTES

September 27, 2016

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

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

**September 27, 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 except Councilmember Todd. City Clerk Chelin stated that Councilmember Todd is out of town, having not yet returned from moving his daughter to Texas.

**MOTION: Councilmember Michelson made a motion to excuse Councilmember Todd, Councilmember Bond seconded the motion. The motion passed unanimously.**

## **AUDIENCE COMMUNICATION:**

Representative Mark Harmsworth  
44<sup>th</sup> District  
15418 29<sup>th</sup> Avenue SE  
Mill Creek, Washington 98012

Representative Harmsworth spoke to the Council about the recent fatal accident on Bothell-Everett Highway. He is working on getting improvements done along the highway.

Kathy Nielsen  
3015 146<sup>th</sup> Place SE  
Mill Creek, Washington 98012

Ms. Nielsen spoke about a recent article in the News of Mill Creek regarding the Seattle Ridge Plat. She also spoke about the Mayor's column in the Beacon. She doesn't believe the column should be used by Council for opinions and only the facts should be reported. She also spoke to the comments made at the last Council meeting about the City Manager's potential performance bonus.

**PRESENTATIONS:**

Proclamation for 2016 Mill Creek Little League U12 Softball Team

*(Pam Pruitt, Mayor)*

**NEW BUSINESS:**

Public Works Shop Design Contract

*(Rebecca C. Polizzotto, City Manager)*

The following agenda summary information was presented:

A new Public Works Shop for storage and vehicle parking was a key component of the space planning presentation to the City Council in September 2015. As the renovation work in the Annex Building and City Hall is being completed, the next step is to start the design work for the Public Works Shop in order to complete construction in 2017.

The selection of Architect and Engineer services for design is based on qualifications per RCW 39.80. A request for qualifications was published in the Daily Journal of Commerce and Everett Herald in May 2016, and submittal packages were received from 12 consultant teams. Staff reviewed and ranked the statements of qualifications, and interviewed the top two candidates.

Driftmier Architects PS was selected as the most qualified consultant team for several reasons. They were forward thinking about incorporating future uses into the initial design, had more relevant and recent experience on similar scale projects for public agencies, did more advance research on meeting City Code requirements and had a strong project team.

After selecting a finalist, the scope of work was defined and a fee negotiated for the design work. The building itself will be relatively straightforward, but there are significant challenges on the Cook property, including wetland buffers, stormwater drainage, grading and utilities. In addition, the building design and landscaping will have to be reviewed by the City Design Review Board, and a Conditional Use Permit is also required.

Consequently, the cost of the design contract is higher than originally estimated, primarily due to the site work issues and the process of meeting City requirements. The consultant contract price is based on the amount of work expended, not a lump sum, and is not to exceed \$219,122.00. However, the final cost may be less if the site issues are easily resolved.

A grant in the amount of \$257,000 was obtained for the Public Works Shop from the State Department of Commerce, and must be spent by the end of June 2017. However, it can be used for both design and construction. As the design progresses and a better estimate is available for the construction cost of the building, that information will be presented to the City Council.

**MOTION: Councilmember Cavaleri made a motion to approve Resolution #2016-562 to approve the Public Works Shop Design Contract, Councilmember Kelly seconded the motion. The motion passed unanimously.**

North Pointe Park Design Concepts  
(Rebecca C. Polizzotto, City Manager)

The following agenda summary information was presented:

The City of Mill Creek owns and maintains ten neighborhood parks and one community park. Of the ten neighborhood parks, only North Pointe Park does not have any park improvements beyond a grassy open area. This 1.2 acre circular shaped park is located one block west of 35<sup>th</sup> Avenue SE off of 139<sup>th</sup> Street SE. It was constructed in 2006 by the North Pointe plat developer. Since the developer fulfilled his neighborhood park mitigation requirements with the dedication of the land to the City, it has remained unchanged as just an open grass area with some perimeter planting beds. The North Pointe Division is now built out, and many of the area residents would like to see improvements added to the park.

The City's Parks and Recreation Board worked diligently with staff and several members of the Design Review Board over the past six months to develop four design concepts for the park. The purpose of creating multiple park concept drawings was to provide a wide range of distinct design choices for the public to review and comment. Common to all four designs are perimeter and interior sidewalks for walkers, benches scattered around the park, additional trees, and park signage. None of the concepts include restrooms or large covered picnic areas. The Parks and Recreation Board wanted to ensure all the park design concepts recognized this was a local neighborhood park, not a community or "destination" park that would draw many people from neighborhoods too far away to walk. The concern was this would exacerbate the already limited parking capacity of the park and the adjacent streets. Discussions of modifying the curb and gutter on North Pointe Circle to increase parking ended when a concept level cost estimate showed the street improvements would consume much of the total park budget. A brief summary of the four designs follows.

- Enhanced Existing Park – focus on keeping the very open feel of the existing park, but add sidewalks for walking exercise, a few benches, one picnic table and some trees for shade.
- Traditional Park – as the name implies, a park with the features most people associate with a small neighborhood park: a playground area with play equipment and surrounding benches and an eating area that would include a small picnic shelter and a few small picnic tables. The Board revised the initial design to preserve more of the existing open space to maximize the area in which kids can run around and toss and kick balls.
- Natural Play Park – a concept that includes the major components of the Traditional Park concept, but the playground and play equipment element takes a different approach with a focus on naturally occurring objects, shapes and topography. This design brings attention to the natural features of the Penny Creek drainage basin in which the park is located. This is a design concept that is rapidly gaining in popularity throughout the region.
- Arboretum – this concept provides a much wider variety of trees and shrubs within the park than the other three designs and attempts, within the confines of only 1.2 acres, to provide an arboretum feeling. The design also includes a small play area for very young children and the Board wanted to make sure some of the existing open space is preserved.

Public input on these four park design concepts was actively sought at the Mill Creek Festival and two public meetings held in the park on the evenings of July 28<sup>th</sup> and August 9<sup>th</sup>. The meetings at the park had outstanding attendance and over 127 people provided input on the design concepts via a short questionnaire available on two iPads. The Natural Play Park was the overwhelming preference of the citizens attending the meetings. On September 7<sup>th</sup> the Parks and Recreation Board reviewed

the summary of public comments and after discussion made a motion to recommend the Natural Play Park design concept to Council. The motion passed unanimously.

The proposed park improvements will be funded from dedicated neighborhood park mitigation fees collected from the Timber Creek development located south of 180<sup>th</sup> Street SE and east of 35<sup>th</sup> Avenue SE in the City's Urban Growth Area (UGA). These park mitigation fees were established through an agreement with the developer approved by Council Resolution 2005-371 on June 14, 2005. The City has currently received \$268,060 from Toll Brothers, the current developer, with another \$120,105 due later this year and \$113,142 due in 2017 for a total of \$501,307.

Discussion.

City Manager Polizzotto stated that she will be withdrawing her recommendation tonight due to the fact that she has a conflict of interest. Council discussed the options.

**MOTION: Councilmember Cavaleri made a motion to approve Concept C, the rendering selected by the residents, Councilmember Kelly seconded the motion. The motion passed unanimously.**

Temporary Suspension of the Council Personnel Committee  
(Pam Pruitt, Mayor)

Mayor Pruitt explained that the Personnel Committee is not needed at this time. The Council would like to operate as a whole. The Council discussed having an agenda topic on a future agenda to discuss the roles and responsibilities of the committee no later than March 31, 2017. Council asked staff to research any documents in archives that might explain the roles of the committee.

**MOTION: Councilmember Kelly made a motion to temporarily suspend the existing Personnel Committee for a period not to exceed March 31 with a caveat that if we need to bring the committee back we can bring it back anytime, Councilmember Cavaleri seconded the motion. The motion passed unanimously.**

*The following item was moved to the October 4 agenda:*

City Manager Contract Modification (Tentative - Subject to City Attorney Revisions)  
(Brian Holtzclaw, Mayor Pro Tem)

**CONSENT AGENDA:**

Approval of Checks #55929 through #55992 and ACH Wire Transfers in the Amount of \$269,932.67.

(Audit Committee: Mayor Pruitt and Mayor Pro Tem Holtzclaw)

Payroll and Benefit ACH Payments in the Amount of \$202,313.65.

(Audit Committee: Mayor Pruitt and Mayor Pro Tem Holtzclaw)

Regular City Council Meeting Minutes of July 26, 2016

Special City Council Meeting Minutes of September 1, 2016

Regular City Council Meeting Minutes of September 6, 2016

Regular City Council Meeting Minutes of September 13, 2016

There were no exceptions from the audit committee.

**MOTION:** Mayor Pro Tem Holtzclaw made a motion to approve the consent agenda, Councilmember Kelly seconded the motion. The motion passed unanimously.

**REPORTS:**

Mayor Pruitt reminded Council about the Economic Alliance of Snohomish County public reception on October 27.

Councilmember Michelson reported on the Art and Beautification Board utility box wrap project. The board is working on soliciting artists for the design of the wraps.

Mayor Pro Tem Holtzclaw reported on the Snohomish County Tomorrow general assembly meeting tomorrow.

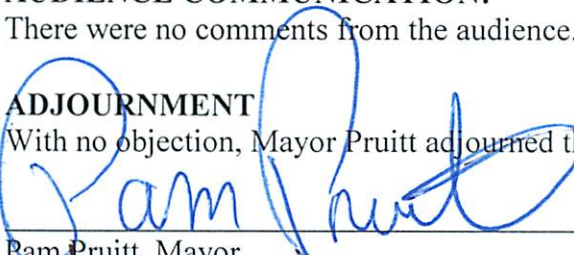
City Manager Polizzotto reported that the financial reports are in the packet for review. The staff is working hard on the budget. There will be a change in how the budget is formatted this year and the first budget review for the 2017-2018 biennium will be at the October 4 meeting.


**AUDIENCE COMMUNICATION:**

There were no comments from the audience.

**ADJOURNMENT**

With no objection, Mayor Pruitt adjourned the meeting at 6:47 p.m.

  
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Pam Pruitt, Mayor

  
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Kelly M. Chelin, City Clerk