



CITY COUNCIL MINUTES

January 10, 2017

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

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

January 10, 2017
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 with the assistance of Troop #267 of the Boy Scouts of America.

ROLL CALL

Roll was called by the Acting Deputy City Clerk with all Councilmembers present.

AUDIENCE COMMUNICATION:

Wil Nelson
14925 29th Dr. SE
Mill Creek, WA 98012

Mr. Nelson lives in the Red Cedar division. He shared that the police presence at the school is noticed and appreciated. With such a positive response from the citizens, he hopes the City will consider continuing this emphasis.

NEW BUSINESS:

2017 Council Liaison Positions
(*Rebecca C. Polizzotto, City Manager*)

The following agenda summary information was presented:

Pursuant to the City of Mill Creek's Governance Manual, the City Council is to select individual council liaison roles to regional bodies, and community organizations, based upon the desire, qualifications and skills of interested Council members. It is the duty of staff and Council who represent the City to advocate positions that are consistent with City policies, projects and plans. (See section 1.3.5, 1.3.6 and 1.3.7 of the City of Mill Creek Manual of City Governance).

It is customary for the Council to renew and/or revise liaison appointments at the beginning of a calendar year.

Discussion

Councilmember Kelly advised that with permission from the Council, he and Councilmember Cavaleri would like to swap positions on the Parks and Recreation Board; thereby making Councilmember Cavaleri the primary and Councilmember Kelly the alternate.

MOTION: Councilmember Cavaleri made a motion to approve the proposed 2017 City Assignments List, with the change of adding Councilmember Cavaleri as the primary representative for the Parks and Recreation Board and Councilmember Kelly as the alternate, Councilmember Kelly seconded the motion. The motion passed unanimously.

Appointment to the Parks and Recreation Board
(Council Interview Committee)

The following agenda summary information was presented:

There are currently two vacancies on the Parks and Recreation Board -- one mid-term vacancy, which expires on October 31, 2017, and one full-term vacancy, which expires on October 31, 2019. Notices soliciting volunteers were posted at City Hall, on the City's website and press releases were sent to the local newspapers.

Three individuals provided written responses to the notice for the vacant position on the Parks and Recreation Board. Interviews are scheduled with the Council Interview Committee at 5:20 p.m. on Tuesday before the Council meeting.

Discussion

Councilmember Kelly shared that three very qualified and enthusiastic candidates applied for the Parks and Recreation Board vacancies. After interviews and review by the Council Interview Committee, Tyler Hogan was chosen to fill the mid-term vacancy expiring October 31, 2017, and Peter Lalic for the full-term vacancy expiring October 31, 2019.

MOTION: Councilmember Kelly made a motion to appoint Tyler Hogan to fill the mid-term vacancy expiring October 31, 2017, and Peter Lalic to fill the full-term vacancy expiring October 31, 2019, Councilmember Cavaleri seconded the motion. The motion passed unanimously.

State Grant Contract for the Public Works Shop
(Rebecca C. Polizzotto, City Manager)

The following agenda summary information was presented:

In 2016, the City was awarded a grant in the amount of \$257,000 for a new Public Works shop from the State Department of Commerce. Representative Mark Harmsworth was instrumental in helping the City obtain this funding for the proposed project on the Cook property, and the new Public Works shop was included in the recently adopted biennial budget and CIP. The net amount of the grant is \$249,290.00 after the 3% State service fee.

The Council approved a consultant design contract in the amount of \$219,122.00 for the Public Works shop on September 27, 2016. Design work is currently underway, and more information on the proposed project and costs will be brought to the City Council when better defined. The building itself will be relatively straightforward, but there are challenges on the Cook property, including wetland buffers, stormwater drainage, grading and utilities that require design expertise. In addition, the building exterior features will have to be reviewed by the City Design Review Board, and a City Conditional Use Permit is also required.

Discussion

City Manager Polizzotto provided a brief overview. Councilmember Todd asked if there were any onerous requirements in this grant, beyond what the City would normally expect. City Manager Polizzotto and City Engineer Smith discussed some of the details but assured that it contained pretty standard language and requirements. The Council discussed a potential timing issue between when the City spends the grant money and whether the legislature could potentially re-appropriate the funds. City Engineer Smith assured that the City should have more firm costs next month which are expected to answer these questions and alleviate any concerns.

MOTION: Councilmember Cavaleri made a motion to authorize the City Manager to execute the documentation necessary to receive the grant funds, Councilmember Kelly seconded the motion. The motion passed unanimously.

STUDY SESSION:

Discussion: Amendments to the Mill Creek Municipal Code to Incorporate Low Impact Development Practices

(Rebecca C. Polizzotto, City Manager)

The following agenda summary information was presented:

Mill Creek is responsible for operating the City storm drainage system under the requirements of the Western Washington Phase II Municipal Stormwater Permit issued by the State Department of Ecology. The current permit became effective on August 1, 2013 and expires on July 31, 2018. The full text of the permit and appendices is available online at the following link:

<http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phaseIIww/wwphiipermit.html>

As part of the Ecology Stormwater Permit, specifically Section S5.C.4.f, the City is required to review and revise the Mill Creek Municipal Code (MCMC) and other associated documents to incorporate and require Low Impact Development (LID) principles and practices. As part of permit Section S5.C.4.a.ii, the City is also required to adopt the 2012 Stormwater Management Manual for Western Washington, which will replace the 2005 version.

Staff from the Public Works and Community Development Departments have spent several months reviewing the existing MCMC to determine appropriate revisions to meet the requirements of the Ecology permit. The issue of LID requirements was last reviewed by Council in 2009, and several changes were made to the MCMC with Ordinance 2009-702. In addition, many existing requirements for developments in Mill Creek, such as retaining native vegetation and reducing impervious surfaces, already meet the intent of LID practices. Consequently, relatively few code changes are necessary when compared to other agencies.

The bulk of the proposed code amendments consist of either changing “encourage” to “require when feasible” or referencing the 2012 Stormwater Manual, see attached draft. There are also various housekeeping changes to maintain consistency with current City practices, such as in Section 15.12, or the State Department of Ecology permit language. Additional updates were made to the LID related details in the City Standard Plans, which can be viewed online at the following link:

<http://www.cityofmillcreek.com/DocumentCenter/View/24>

Discussion

Director of Public Works and City Engineer Scott Smith answered questions and received input from Council for inclusion of the proposed changes. He clarified that the 2012 Stormwater Manual is the regulatory guideline that controls a lot of the specific criteria required so, where the code is somewhat vague, this Manual is meant to provide specifics.

Mayor Pro Tem Holtzclaw asked for City Attorney Missall to come back to the Council with any recommendations on whether the City needs to make any changes to the code in light of the recent Supreme Court decision regarding vested rights and stormwater regulations. The City Manager and City Attorney will review the issue and a response will be provided to the Council.

CONSENT AGENDA:

Approval of Checks #56312 through #56431 and ACH Wire Transfers in the Amount of \$735,779.88.

(Audit Committee: Councilmember Todd and Councilmember Kelly)

Payroll and Benefit ACH payments in the amount of \$274,882.43.

(Audit Committee: Councilmember Todd and Councilmember Kelly)

There were no exceptions from the audit committee.

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

REPORTS:

Mayor Pruitt asked to add a discussion regarding potential parking concerns for Swift 2 users to a future study session so the citizens of Mill Creek have a chance to learn more and have input. City Manager Polizzotto agreed to make sure a discussion on this topic is included when Swift 2 representatives attend the March 7 Council meeting.

Councilmember Bond provided a handout from the Snohomish Health District requesting the City relinquish their interest in their current building. The Council discussed possible options and agreed to have further discussion when staff and City Attorney Missall report back from an upcoming meeting with the Health District on this topic.

Councilmember Kelly expressed concerns about whether Swift 2 will reconsider adding pullouts for certain stops to alleviate traffic slowdowns. This topic will be discussed in more detail when representatives of Swift 2 attend the March 7 Council meeting.

Councilmember Cavaleri thanked all applicants for their interest in the Parks and Recreation Board.

Councilmember Michelson will be attending the Art & Beautification Board meeting tomorrow.

Councilmember Todd asked the Council to consider a local competition with a City award of \$100-250 to the student chosen as the Mill Creek scholarship submission to the State. He also advised that the joint regional legislative priorities came together well and was presented to legislatures and locals yesterday. As a reminder, he shared that the Snohomish County Cities dinner is next week and Advocacy Day is coming up.

RECESS TO EXECUTIVE SESSION:

The meeting recessed to executive session at 7:02 p.m. for up to 30 minutes to discuss reviewing negotiations on the performance of a publicly bid contract under RCW 42.30.110 (g), and to discuss collective bargaining issues; which was subsequently extended.

RECONVENE TO REGULAR SESSION:

The meeting reconvened to regular session at approximately 7:45 p.m.

AUDIENCE COMMUNICATION:

There were no comments from the audience.

ADJOURNMENT

With no objection, Mayor Pruitt adjourned the meeting at 7:46 p.m.



Pam Pruitt, Mayor



Joanna Lee, Acting Deputy City Clerk