



## MINUTES

### City Council Regular Meeting

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6:00 PM - Tuesday, July 25, 2017

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: [Part 1](#), [Part 2](#)  
The agenda packet for this City Council meeting can be found [here](#).

### CALL TO ORDER

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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

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### ROLL CALL

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Councilmembers Present:

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

Councilmembers Absent:

*Vince Cavaleri, Councilmember*

**Councilmember Bond made a motion to excuse Councilmember Cavaleri due to his flight being delayed. Councilmember Kelly seconded the motion. The motion passed unanimously.**

### AUDIENCE COMMUNICATION

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- B. Bundie Olson, a Wildflower resident, stated that she would like her neighborhood paving project to be a priority for the City and that she would like a work plan that includes dates on when the project would begin.

Didrick Voss, a Cypress resident, expressed concern over the amount of time that would be needed to wait after the storm pipe repair before repaving can begin. Mr. Voss also expressed concern over the surface water utility debt service budget item and would be not be adverse to the City increasing the amount residents pay.

### NEW BUSINESS

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- C. Wildflower and Mill Park Village Stormwater Pipes and Pavement Recommendation

City Manager Rebecca Polizzotto reviewed steps taken by the City regarding stormwater pipe repairs and pavement preservation in the Wildflower and Mill Park Village neighborhoods.

City Manager Polizzotto introduced Perteet Consulting Engineer Daryl Smith, who led Council through a PowerPoint presentation showing the 146 segments of storm pipe reviewed and grouped into three categories, including 13 segments of pipe needing immediate repair. Mr. Smith reviewed the cost and timeline of each repair option.

**Additional Audience Communication:**

Gordon LeBar, a Wildflower resident, would have liked the storm pipe repair issues discussed earlier in the year. He would like paving to be done now and expressed concern over pavement patch aesthetics.

Ann Walker, a Wildflower resident, would like the pipe repair done properly and is curious who signed off on the pipe installation when the neighborhood was constructed and if the contractor could be held financially responsible.

Ryan O'Reilly, a Wildflower resident, expressed concern about patches of tar forming as a result of chip seal and would like the road paved now, patched later, and would like to see the storm pipes fixed when the City is able to do it.

Alan Olsen, a Wildflower resident, would like the road paved now and patched later. Even though it may not be ideal, he thinks it's the best option.

Ann Truax, a Wildflower resident, would like the white dots back that indicate a sidewalk incorporated into the overlay.

After discussion, Council instructed staff to move forward with the overlay this summer and patch the road after the storm pipes have been repaired, giving time for the storm pipe repair to be worked into the CIP.

**D. 2017 City Hall North HVAC Control System Repair Contract Award**

City Manager Rebecca Polizzotto stated the HVAC repair project was budgeted at \$125,000 in the 2015-2016 biennium budget and announced Pacific Air Control as the low bidder of \$40,714 with \$9,000 in contingencies due to potential unknowns. Mechanical Engineer Jeff Yirak stated work will begin in August or September and is slated for completion in October.

**Councilmember Michelson made a motion to adopt Resolution 2017-567 authorizing the City Manager to execute a contract with Pacific Air Control for \$40,714 for the 2017 City Hall North HVAC control system repair project with a \$9,000 contingency, for a total authorized amount of \$49,714. Councilmember Kelly seconded the motion. The motion passed unanimously.**

**E. New Community Transit Bus Stop**

City Manager Rebecca Polizzotto recognized Acting Director of Public Works Kamal Mahmoud for reaching out to Community Transit after hearing resident concerns over the lack of bus stops along Route 109. Acting Director Mahmoud and Community Transit facilities planner Tony Smith determined the best location of a new stop is along 132nd St SE by 16th Ave SE. City Manager Polizzotto stated there would be no cost to the City. The Council had no objections with the location or installation of the new stop.

F. Quit Claim Deed to Health District to Clear Title to Rucker Building

City Manager Rebecca Polizzotto introduced City Attorney Scott Missall to present the agenda item and answer questions. City Attorney Missall reviewed the agenda summary and recommended that Council execute the quit claim deed. He clarified the value of the City's interest is exempt as an intergovernmental transfer as documented in the excise tax affidavit.

**Mayor Pro Tem Holtzclaw made a motion to approve the Quit Claim Deed clearing title to the Rucker building and authorize the City Manager to execute and deliver the deed to the Health District. Councilmember Bond seconded the motion. The motion passed unanimously.**

#### CONSENT AGENDA

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- G. Approval of Checks #57201 through #57266 and ACH Wire Transfers in the Amount of \$223,397.68  
*(Audit Committee: Councilmember Michelson and Councilmember Kelly)*
- H. Benefit ACH Payments in the Amount of \$27,452.66  
*(Audit Committee: Councilmember Michelson and Councilmember Kelly)*
- I. City Council Meeting Minutes of July 11, 2017

**Councilmember Michelson made a motion to approve the consent agenda. Councilmember Kelly seconded the motion. The motion passed unanimously.**

#### REPORTS

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J. Mayor/Council

Mayor Pruitt thanked the Mill Creek Business Association for another successful festival. Mayor Pruitt reported she'll continue working through the summer on the SERS consolidation and radio system.

Councilmember Bond thanked City Manager Polizzotto and Acting Director of Public Works Mahmoud for their work on the overlay project and for allowing Council to make an informed decision.

Councilmember Michelson reported on the July 12 Art Walk and looks forward to the next one in August.

Mayor Pro Tem Holtzclaw thanked the Labor Management Team and union bargaining team for coming to an agreement. He also looks forward to details of the

fire district agreement to be presented.

Councilmember Todd reported on the July SCC meeting and encouraged Council to review AWC's legislative bulletin.

**K. City Manager**

- Social Media Update
- Recent Policies Implemented
- Council Planning Schedule

City Manager Polizzotto introduced Communications & Marketing Director Joni Kirk who presented Council with a social media update.

City Manager Polizzotto introduced Director of Finance Peggy Lauerman who presented the 2nd quarter financial reports.

City Manager Polizzotto explained to Council that moving forward, updated policies that are administrative in nature will be included in their packet materials.

City Manager Polizzotto reviewed the Council Planning Schedule and reminded Council there will be no City Council meetings held in August. The notice has been prepared and is scheduled to go out this week.

**Councilmember Kelly made a motion to extend the meeting to 9:00 p.m. Councilmember Bond seconded the motion. The motion passed unanimously.**

**AUDIENCE COMMUNICATION**

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- L. There were no comments from the audience.

**RECESS TO EXECUTIVE SESSION**

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*(Confidential Session of the Council)*

- M.
- Discussion of the performance of a public employee per RCW 42.30.110 (1)(g)
  - Discussion of the status of collective bargaining negotiations

The meeting recessed to executive session at 8:00 p.m. for up to one hour, which was subsequently extended.

At 9:00 p.m. Mayor Pro Tem Holtzclaw made a motion to extend the meeting up to 10:00 p.m. Councilmember Todd seconded the motion. The motion passed unanimously.

At 9:55 p.m. Mayor Pro Tem Holtzclaw made a motion to extend the meeting up to 10:30 p.m. Councilmember Kelly seconded the motion. The motion passed unanimously.

At 10:30 p.m. Mayor Pro Tem Holtzclaw made a motion to extend the meeting up to 11:00 p.m. Councilmember Michelson seconded the motion. The motion passed unanimously.

## RECONVENE TO REGULAR SESSION

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- N. The meeting reconvened to regular session at 11:00 p.m.

Mayor Pro Tem Holtzclaw made a motion to direct City Attorney Scott Missall to prepare an amendment to the City Manager's contract that would make the following changes.


1. Amend salary effective January 1, 2018 to \$170,000.
2. Incorporate a provision into the contract that provides for a merit based compensation opportunity going forward that allows Council and the City Manager to establish goals and a process for merit based compensation in the future.
3. Provide for a retention payment of 10% of the current salary with a clawback provision through 2019.
4. Clearly state the City Manager is entitled to a cost of living adjustment.
5. Severance provision to be extended, consistent with term of the retention payment.
6. City Attorney to recommend any clean-up changes that Council considers part of the contract.

Councilmember Kelly seconded the motion. The motion passed unanimously.

## ADJOURNMENT


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With no objection, Mayor Pruitt adjourned the meeting at 11:10 p.m.



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Pam Pruitt, Mayor



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Peggy Lauer, City Clerk