



MINUTES

City Council Regular Meeting

6:00 PM - Tuesday, September 25, 2018

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

Mark Bond, Councilmember

Jared Mead, Councilmember

John Steckler, Councilmember

Councilmembers Absent:

Due to mandatory overtime at his day job, Councilmember Bond arrived at 6:55 p.m.

AUDIENCE COMMUNICATION

- A. Mary Kay Voss, a Mill Creek resident, asked Council if there was going to be an executive session tonight and asked why it wasn't on the agenda.

Carmen Fisher, a Mill Creek resident, thanked Council for delaying action on agenda item C regarding civil service positions. Ms. Fisher also thanked Police Chief Greg Elwin for always answering her questions in a timely manner.

Kathy Nielsen, a Mill Creek resident, hopes tonight ends the recent city manager saga and expressed satisfaction with Interim City Manager Bob Stowe.

PRESENTATIONS

- B. Proclamation: Mary Ann Heine

Mayor Pruitt issued a proclamation thanking and honoring Mary Ann Heine for her service to the City of Mill Creek. Accepting the proclamation was her husband, Dan, and daughter, Julia.

OLD BUSINESS

- C. Ordinance Amending the Mill Creek Municipal Code for the Purpose of Including Lawful Permanent Residents for Civil Service Positions

Interim City Manager Bob Stowe explained that this item was removed from the September 4 consent agenda to allow an opportunity for review and feedback from Council and the public. City Manager Stowe introduced Police Chief Greg Elwin who summarized the civil service changes due to Senate Bill 6145 and the resulting amendments to the RCW.

Councilmember Cavaleri made a motion to approve Ordinance 2018-833 amending the Mill Creek Municipal Code for the purpose of including lawful permanent residents in conformance with RCW 41.12.070. Councilmember Mead seconded the motion. The motion passed unanimously.

NEW BUSINESS

- D. Park & Recreation Board Appointments

Due to Councilmember Bond's work schedule, Councilmember Todd filled in for him on the Council Interview Committee. Councilmember Cavaleri announced that he and Councilmember Todd interviewed four candidates to fill three vacancies on the Board.

Councilmember Cavaleri made a motion to appoint Brett Nagle, Stephanie Vignal and Melissa Duque to serve a three-year term on the Park & Recreation Board. Councilmember Todd seconded the motion. The motion passed unanimously.

- E. Ordinance Adopting Requirements Regarding the Acceptance and use of Donations and Sponsorships

Interim City Manager Bob Stowe explained City's desire to accept appropriate donations and sponsorships in limited circumstances as means to generate funds for improving or expanding certain City programs and services. City Manager Stowe summarized what the Ordinance provides for and addresses, and introduced a draft set of administrative policies and procedures based on the proposed Donation and Sponsorship Ordinance.

Council engaged in discussion and agreed the Ordinance was good but would like the policies to have further review.

Mayor Pro Tem Holtzclaw made a motion to approve Ordinance 2018-834 adopting requirements regarding the acceptance and use of donations and sponsorships. Councilmember Steckler seconded the motion. The motion passed unanimously.

F. Extension of a Cable Television Franchise Agreement with Frontier Communications Northwest, Inc.

Interim City Manager Bob Stowe explained that the negotiation of the new agreement will not be completed prior to the Agreement's expiration date of November 7, 2018, and that both parties have agreed to extend the current agreement one year, giving the parties the time necessary to negotiate a new franchise agreement.

Councilmember Todd made a motion to adopt Ordinance 2018-835 extending the cable television franchise with Frontier Communications Northwest, Inc. for one year. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

STUDY SESSION

G. Mill Creek Sports Park Turf & Light Replacement Project Update

Interim City Manager Bob Stowe stated that this study session is to provide Council an update regarding the upcoming sports park turf and light replacement project and introduced Director of Public Works & Development Services Gina Hortillosa who explained the prescribed scope of work for the project including replacing the turf and upgrading the lighting for the field, skate park and parking lot; and the addition of an ADA compliant gate. Director Hortillosa reviewed the current project budget and funding sources, the design schedule, the construction phase estimated cost, independent alternate bid items, and funding shortfalls. In closing, Director Hortillosa gave a summary of significant project milestones and the current schedule.

Council engaged in discussion and agreed to advertise the project with the knowledge that costs may need to be adjusted once staff knows more about the current bidding climate.

CONSENT AGENDA

H. Approval of Checks #59145 through #59208 and ACH Wire Transfers in the Amount of \$1,140,896.36

(Audit Committee: Mayor Pro Tem Holtzclaw and Councilmember Cavaleri)

I. Payroll and Benefit ACH Payments in the Amount of \$284,267.36

(Audit Committee: Mayor Pro Tem Holtzclaw and Councilmember Cavaleri)

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

REPORTS

J. Mayor/Council

Mayor Pruitt reported that she and Mayor Pro Tem Holtzclaw attended the Planet Fitness grand opening celebration.

Councilmember Steckler reported that the Art & Beautification Board's utility box wrap project has received overwhelmingly positive comments from the community and gave kudos the Board for their creativity. Councilmember Steckler reported that the Board's 2019 project will pay tribute to the history of Mill Creek and that a grant has been awarded by Snohomish County for the project.

Councilmember Cavaleri thanked residents for applying to City Board's.

Mayor Pro Tem Holtzclaw thanked staff for their work on the Party in the Parks events.

Mayor Pro Tem Holtzclaw reminded Council of the joint SCC/SCT meeting taking place on September 26.

Councilmember Todd reported that he will be attending the joint SCC/SCT meeting on September 26 and encouraged others to attend.

Councilmember Todd reported that he attended the SCC meeting last week with guest speaker Brad Steiner from SERS and proposed that Council consider a position on Proposition 1.

K. City Manager

Interim City Manager Bob Stowe briefly reviewed the Council Planning Schedule.

AUDIENCE COMMUNICATION

- L.** Mary Kay Voss, a Mill Creek resident, asked Council to think about donor recourse when further reviewing the donation and sponsorship policies.

RECESS TO EXECUTIVE SESSION

(Confidential session of the Council)

- M.** The meeting recessed to executive session at 7:04 p.m. for up to 2 hours to discuss actual and potential litigation pursuant to RCW 42.30.110(1)(i) and to discuss the performance of a public employee pursuant to RCW 42.30.110(1)(g) which was subsequently extended until its conclusion at 9:50 p.m. City Attorney Scott Missall was present during the executive session.

At 7:04 p.m. Councilmember Todd made a motion to extend the regular meeting up to 9:00 p.m. Councilmember Steckler seconded the motion. The motion passed unanimously.

At 8:58 p.m. Councilmember Todd made a motion to extend the regular meeting up to 10:00 p.m. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

At 8:58 p.m. Councilmember Todd made a motion to extend the executive session up to one hour. Councilmember Cavaleri seconded the motion. The motion passed unanimously.

RECONVENE TO REGULAR SESSION

N. The meeting reconvened to regular session at 9:50 p.m.

City Attorney Scott Missall advised Council and staff that if they are contacted by anyone regarding the status of the City Manager that it is imperative not to give any comments at any time for any reason.


Councilmember Todd made a motion to direct the City Attorney to draft a resolution terminating the City Manager's contract for presentation to Council at the next meeting on October 2, 2018; to extend the administrative leave of the City Manager to October 2, 2018; and to contact the attorney for the City Manager in the interim about resolution of this matter. Councilmember Steckler seconded the motion. The motion passed unanimously.

ADJOURNMENT

With no objection, Mayor Pruitt adjourned the meeting at 9:52 p.m.



Pam Pruitt, Mayor



Gina Pfister, Acting City Clerk