



CITY COUNCIL MINUTES

June 23, 2009

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

Terry Ryan, Mayor (Left at 6:15 p.m.)
Rosemary Bennetts, Mayor Pro Tem
Donna Michelson
Mary Kay Voss
Mark Harmsworth
Mike Todd
Mark Bond

June 23, 2009
Regular City Council Meeting
6:00 p.m.

CALL TO ORDER

Mayor Ryan called the meeting to order at 6:00 p.m.

ROLL CALL

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

Mayor Ryan stated that the recording equipment is not working this evening therefore the Council meeting will not be recorded. He also stated that his mother is gravely ill and he will be leaving the meeting early. He stated for the record that he is in favor of the sign code pilot program.

AUDIENCE COMMUNICATION

Larry Landin
14825 17th Court SE
Mill Creek, Washington 98012

Mr. Landin spoke about the elegant clutter signs. He offered some suggestions to the Council to change the sign code. He spoke in favor of a pilot program.

Bill Durham
2926 151st Place SE
Mill Creek, Washington 98012

Mr. Durham thanked the Council on behalf of the seniors for the space at the City Hall Annex Building. He thanked the City Staff for all of their assistance.

Mayor Ryan noted for the record that there will be an executive session at the end of the meeting to review the performance of a public employee for approximately 10 minutes. No action is planned.

PRESENTATION

Introduction of Citizen Patrol Members

(Bob Crannell, Police Chief and Nathan Lerma, Community Services Officer)

Community Services Officer Lerma introduced the recent graduates of the Citizen Patrol Academy.

Mayor Ryan left the meeting at 6:15 p.m. Mayor Pro Tem Bennetts presided over the remainder of the meeting.

PUBLIC HEARING

2010 – 2015 Transportation Improvement Program (TIP)

(Tom Gathmann, Public Works Director)

Mayor Pro Tem Bennetts opened the public hearing at 6:15 p.m.

Chapter 35.77.010 of the Revised Code of Washington (RCW) requires all cities and towns to annually prepare and adopt a comprehensive transportation program that spans at least six calendar years. This comprehensive transportation program is typically called a Transportation Improvement Plan (or Program) and abbreviated “TIP.” The six-year TIP must be consistent with any adopted comprehensive plan. The TIP helps coordinate transportation planning at the local, regional and state-wide levels and identifies project funding sources, which is necessary for projects using federal and state funds. The TIP usually includes capital projects valued at \$15,000 or more that are not of a routine maintenance nature. RCW 35.77.010 states the annually revised TIP should be adopted by July 1 of each year and transmitted to the Washington State Secretary of Transportation within thirty days of adoption.

Public Works Director Gathmann explained that all projects listed in the proposed 2010-2015 TIP were taken directly from the transportation component of the 2009-2015 Capital Facilities Plan (CFP) that was adopted by the City Council after a public hearing on July 22, 2008. The 2009-2015 CFP was developed through an extensive review process that included public input, review by a Council appointed committee at six meetings, and review by the full Council at three public meetings.

At 6:18 p.m., Mayor Pro Tem Bennetts opened the public hearing for public comment. There were no comments from the audience.

Mayor Pro Tem Bennetts closed the public hearing at 6:19 p.m.

MOTION: Councilmember Todd made a motion to approve Resolution, #2009-429, approving the 2010-2015 TIP, Councilmember Voss seconded the motion. The motion passed unanimously.

STUDY SESSION

Public business is conducted at a study session. Citizens are welcome and encouraged to attend study sessions, but participation by citizens shall be permitted only upon the consensus of a majority of the Councilmembers present.

Award of the Construction Contract for the 2009 Concrete Program

(Tom Gathmann, Public Works Director)

In 2008, the City Council approved the Capital Facilities Plan and Biennial Budget with funding for the ongoing Concrete Replacement Program (CFP Project No. T-01) and construction of a new sidewalk and crosswalk along Village Green Drive at 148th Street SE (T-36B).

The bid opening for the 2009 Concrete Program was held on Tuesday, June 16, 2009. Dennis R. Craig

Construction submitted the lowest bid in the amount of \$142,606.10. The engineer's estimate for the project, not including contingency, was \$175,000.

Funding for this work in the amount of approximately \$178,000 remains in the 2009 – 2010 City Budget. This includes funds allocated for both the Concrete Replacement Project in the amount of \$125,000 and \$60,000 for the new sidewalk at Village Green and 148th Street SE. Approximately \$7,000 has already been spent from the total approved budget of \$185,000 for "sidewalk shaving" on trip hazards around the City and a new street light at the planned crosswalk on Village Green Drive at 148th Street SE.

After discussion from the Council, the consensus was to place this Resolution on the consent agenda for approval later in the meeting.

Discussion Regarding Sign Code Alternatives

(Bill Trimm, Community Development Director)

During recent discussions regarding an Appeal of an Administrative Decision, it was suggested that the sign code be reviewed to ensure that the appropriate balance is being maintained between encouraging economic development and preserving the community aesthetic. The general consensus of the Council was that the City would consider alternatives for the use of the high quality, post-style signs, while maintaining its previous position of limiting A-boards to only real estate directional signage.

At its June 9, 2009 meeting, Council suggested that staff specifically evaluate the section of the code that addresses Temporary Post-Style Signs and prepare several options for consideration by the City Council. Based on Council's direction, staff has prepared the following alternatives for consideration:

- 1) No action alternative: Do not revise the code language;
- 2) Consider an 18 month pilot program that allows Temporary Post-Style Signs to be displayed up to 150 feet from the business entrance. A pilot program could go into effect almost immediately, once Council passes an ordinance adopting it;
- 3) Consider an 18 month pilot program (in effect through December 2010) allowing an unlimited number of Temporary Post-Style Signs to be displayed anywhere on the business property (only one sign allowed per individual business). For businesses located within commercial centers, the entire commercial center site would be considered the "business property." (Note: if Council chooses this alternative, item viii of the existing code language would need to be temporarily suspended, since it currently limits the number of signs allowed for multiple businesses located in a building with one shared entrance);
- 4) Consider an 18 month pilot program allowing a maximum number (for example, four signs per business center; maximum of two per each street frontage) of Temporary Post-Style Signs at each commercial center at one time. The businesses in the commercial center would be responsible for coordinating the sign display; or
- 5) Consider Alternative 2, Alternative 3 or Alternative 4 as a permanent code amendment, not as a pilot program. A code amendment would need to go through Planning Commission review prior to Council adoption.

Council discussed each of the alternatives in detail and an effective date. After some lengthy discussion, the Council agreed on Alternative #3. The Council would like to have an immediate effective date upon passage of the Ordinance.

City Attorney Missall stated that he would draft an ordinance and bring it back for adoption at the July 7, 2009 Council meeting.

CONSENT AGENDA

Items listed under the Consent Agenda are generally routine administrative actions and policy statements of a non-controversial nature. They are normally approved by a single majority vote without discussion. Items removed from the Consent Agenda, if any, are usually considered following the adoption of the remainder of the Consent Agenda.

Approval of Checks #42537 through #42621 and ACH Wire Transfer in the Amount of \$399,434.48.
(Audit Committee: Councilmember Harmsworth and Councilmember Todd)

Approval of ACH Automatic Deposit in the Amount of \$124,837.90.
(Audit Committee: Councilmember Harmsworth and Councilmember Todd)

City Council Meeting Minutes of June 2, 2009

City Council Meeting Minutes of June 9, 2009

The following item was added to the consent agenda from the earlier study session:

Award of the Construction Contract for the 2009 Concrete Program to Dennis R. Craig Construction
(If adopted, would take Resolution #2009-430)

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

REPORTS

Councilmember Harmsworth reported that he talked to Bill Durham and asked for a clarification of the transition costs included for the seniors move to the City Hall Annex Building. Specifically, the seniors would like to purchase a copier. Council discussed this matter and agreed that City Manager Burns would work with the senior group to come up with a list of costs. Councilmember Harmsworth also commented about the graffiti in Parkside. Lastly, he attended the last Arts and Beautification Board and the board does not want to dedicate the artwork ("Flow") in the Town Center. The board feels that the City has spent enough money and time on the artwork. Also, the board formed a subcommittee to come up with a Veterans Memorial design.

Councilmember Todd stated that he believes transition costs for the seniors would include things like business cards, phones, etc.

City Attorney Missall stated that the pre-hearing on the Pacific Topsoil's matter is scheduled for July 7, 2009.

Police Chief Crannell reported that City Manager Burns is in Spokane attending the Annual AWC Conference. He reported that City Manager Burns is working on the lease agreement with the Northshore Seniors for the City Hall Annex Building space. The Council Candidate Workshop is scheduled for July 15, 2009. And lastly the City purchased a new City logo flag for the Council Chambers.

Councilmember Michelson asked staff to research whether or not the City could have its own zip code for Mill Creek residents.

Community Development Director Trimm reported that the Planning Commission held a public hearing last Thursday to review some code amendments. These code amendments are scheduled for Council review in September or October.

Finance Director Manuel reported that the May Financial Report is included in the Council packet.

Public Works Director Gathmann reported that the City was fortunate to be chosen for a PUD pilot study for new LED street lights. These lights will improve lighting and save energy. This pilot study is scheduled for two years and is at no cost to the City. He also reported that a Veterans Memorial subcommittee for the Arts/Beautification Board will be working with Design Review Board Member/Landscape Designer Jessica Bloom to come up with drawings for the memorial site.

AUDIENCE COMMUNICATION

There were no comments from the audience.

EXECUTIVE SESSION

(Confidential Session of the Council per RCW 42.30)

The meeting recessed to executive session at 7:45 p.m. to review the performance of a public employee for approximately 10 minutes. No action is planned.

The executive session ended at 7:50 p.m. The meeting then convened to regular session.

Discussion took place about the last Planning Commission meeting and sign code changes.

ADJOURNMENT

MOTION: Councilmember Harmsworth made a motion to adjourn the meeting, Councilmember (unknown) seconded the motion. The motion passed unanimously.

Meeting was adjourned at approximately 8:05 p.m.

Terry Ryan, Mayor

Kelly Chelin, Executive Assistant/City Clerk