



CITY COUNCIL MINUTES

September 22, 2015

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

September 22, 2015
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.

AUDIENCE COMMUNICATION

John Lovick
2403 157th Pl SE
Mill Creek, WA

Mr. Lovick wanted to thank Councilmember Michelson, City staff and the volunteers for a very well executed shredding event.

PRESENTATIONS

Proclamation for Police Commander Ken Neaville
(Pam Pruitt, Mayor and Bob Crannell, Police Chief)

Mayor Pruitt and Police Chief Crannell read the Proclamation for retiring Police Commander Ken Neaville.

CONSENT AGENDA

Approval of Checks #54239 through #54369 and ACH Wire Transfers in the Amount of \$490,101.49.

(Audit Committee: Councilmember Cavaleri and Councilmember Michelson)

Payroll and Benefit ACH Payments in the Amount of \$458,650.92.

(Audit Committee: Councilmember Cavaleri and Councilmember Michelson)

There were no exceptions by the audit committee on the vouchers.

Regular City Council Meeting Minutes of September 1, 2015

Regular City Council Meeting Minutes of September 8, 2015

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

NEW BUSINESS

Application of Public Records Act to Information on Personal Devices

(Rebecca Polizzotto, City Manager)

The following agenda summary information was presented:

Department of Law Director Moloney summarized the impacts of the Washington State Supreme Court decision in *Nissen v. Pierce County*, which held that "text messages sent and received by a public employee in the employee's official capacity are public records of the employer, even if the employee uses a private cell phone." Director Moloney discussed the case and what the City is doing to limit potential City liability under the Public Records Act. He then informed Council that an updated IT policy will be presented at a future meeting on how the City will handle correspondence received through personal devices.

Interlocal Agreement Between the City of Mill Creek and Snohomish County for Emergency Services

(Rebecca Polizzotto, City Manager)

The following agenda summary information was presented:

The proposed Interlocal Agreement (ILA) defines the terms and conditions for the Snohomish County Department of Emergency Management (SCDEM) to provide emergency support services to the City of Mill Creek. These services will replace those provided by the Emergency Services Coordinating Agency (ESCA) which will dissolve on December 31, 2015. The seven current ESCA cities within Snohomish County are all adopting the same ILA, and on January 1, 2016, all the cities within the County will be members of SCDEM except Everett, which has an emergency management division within its Fire Department. The initial term of the ILA is three years, from January 1, 2016 to December 31, 2018.

The purpose of the ILA is to use the emergency management service resources and capability of a much larger agency in the event the City must deal with a significant disaster or emergency. Short term services will be available in the interim period, while ESCA is winding down operations, through December 31, 2015. The long term services include the following:

- Provide a SCDEM liaison to the City to directly assist with incident management leadership, technical support and/or mobile assets when necessary.
- Request additional assistance on behalf of the City to the State and FEMA.
- Make available the County's emergency resources not required elsewhere during an emergency.
- Coordinate post-disaster preliminary damage assessment and provide technical assistance to support the City's disaster recovery efforts.

- Provide technical assistance to maintain a compliant comprehensive emergency management plan (CEMP).
- Provide technical assistance to develop and update functional emergency management plans and procedures.
- Provide one county-wide annual training exercise and at least two training sessions and at least two exercise opportunities.
- Provide training and technical assistance to ensure communications interoperability during a crisis.
- Provide training and access to incident management sites and software.
- Help develop volunteer capabilities to augment disaster response efforts.
- Maintain a central database of volunteers and facilitate their registration as emergency workers in accordance with State regulations.
- Provide training and coordination of volunteers for various specific programs with the overarching goal of strengthening the capability of the City to respond to emergencies.
- Provide at least four presentations a year to promote public preparedness for emergencies.
- Provide one seat on the SCDEM advisory board, which shall meet quarterly.

The ILA also includes the expectations for the City regarding emergency management. These include the following:

- Maintain an incident management structure and disaster procedures per the principles of the National Incident Command System (NIMS).
- Actively work with SCDEM on updating and/or developing appropriate emergency management plans.
- Participate with SCDEM on developing appropriate training and exercises.
- Participate with SCDEM on emergency communications protocols and processes.
- Work in collaboration with SCDEM to develop a robust emergency volunteer program.
- Work in conjunction with SCDEM to provide public education to the community to improve community resilience to disaster.

The cost is outlined as follows:

- For 2016 it is \$1.15 per capita per year for all cities. Each year thereafter the rate will vary with the local CPI. This compares to a cost of \$2.37 per capita in 2015 for ESCA, resulting in a savings of over \$24,000 in 2016 from what is currently budgeted. There will probably also be a small refund to the City from ESCA late in 2015, but that amount will not be known until all ESCA finances are closed out and audited.

MOTION: Councilmember Michelson made a motion to execute the Interlocal Agreement between the City of Mill Creek and the County Department of Emergency Management to become effective upon full execution though December 31, 2018, Councilmember Cavaleri seconded the motion. The motion passed unanimously 7-0.

REPORTS

Mayor Pruitt reminded the Council about the Short Course in Growth Management tomorrow evening. She also spoke of a draft letter handed out to Council in which the City states it is in favor

of the Community Transit (CT) Swift II program. Letters of support will help CT get federal funding for the project.

Councilmember Bond reported he attended the most recent Joint Fire Board meeting. He informed the Fire Board that City Manager Polizzotto will be negotiating the contract on behalf of the City and to contact her, not Council, regarding the negotiations.

Councilmember Kelly mentioned that he is eager for the upcoming Map Your Neighborhood event on September 29 and that it will be good for the citizens to participate.

Councilmember Cavaleri handed out a report from the most recent WRIA 8 meeting that stated the area had reduced water usage by 14%, which exceeded the 10% they were hoping to achieve.

Councilmember Michelson stated she had attended the most recent Art & Beautification Board meeting and the Board is gaining momentum with the Art Trail project, how to get it off the ground and how it will work with economic development in the City. At that meeting, it was discussed to include commercial properties and homeowners' associations in the Sustainable Landscape Certification program. She also reported the shredding event was very successful. Four trucks were filled, which shredded 27,000 lbs. of paper, equaling 13.5 tons. There were 24 Youth Advisory Board volunteers, the City Manager and the City Manager's daughter, all who handled traffic control and helped collect 1725 lbs. of food and \$782.00 for the Mill Creek food bank.

Councilmember Todd thanked Councilmember Michelson for putting together the shredding event. He then mentioned to Council that the next Association of Washington Cities (AWC) regional meeting would be during the upcoming Snohomish County Cities dinner. Councilmember Todd brought up the most recent financial report and it looked as if the City was doing better than expected and as such he wanted to know if the City really needed to continue the REET fund transfers to balance the budget.

MOTION: Councilmember Todd made a motion for the City Manager to prepare an amendment to the City's 2015-2016 biennial budget that removes the remaining \$480,000.00 transfer from the REET fund to the General Fund, such amendment should be presented to the Council for consideration no later than October 20, 2015, Councilmember Michelson seconded the motion.

Council discussed the motion amongst themselves and with City Manager Polizzotto and Finance Director Manuel. The date of October 20, 2015, to provide an accurate analysis, is too short. It was suggested instead of just stopping the next transfer from happening that Council should make another motion putting all upcoming transfers on hold.

MOTION VOTE: The motion failed 1-6. (Councilmember Todd voted in favor)

MOTION: Councilmember Todd made a motion to suspend any upcoming transfers from the REET fund to the General fund until such time that the Council has an opportunity to instruct the City Manager on whether to make said transfers or not, Mayor Pruitt seconded the motion. The motion passed unanimously 7-0.

City Manager Polizzotto reported on offers to two police officer candidates (one entry level and one lateral.) She talked of how Chief Crannell and Human Resource Director Orlando have streamlined the hiring process and how they are analyzing the structure of the Department. She then reported that Recreation Assistant Brian Davern had been appointed to the Snohomish County Tourism Bureau Board. Additionally, City Manager Polizzotto wanted to thank staff and the management team for a myriad of projects in the background as well as all the regular work they do. In conclusion, she reminded Council she would be out of the office next week to attend the ICMA conference in Seattle.

Finance Director Manuel handed out the most recent financial report.

Community and Economic Development Director Rogers reminded Council that the next Snohomish County Tomorrow meeting was cancelled but there would be a general assembly meeting at the end of the month.

AUDIENCE COMMUNICATION

There were no comments from the audience.

RECESS TO EXECUTIVE SESSION

The meeting recessed to executive session to discuss potential litigation per RCW 42.30.110 (1) (g) at 7:25 p.m. for approximately 20 minutes.

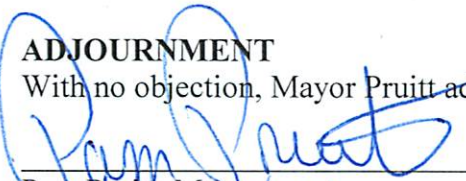
At 7:45 p.m., the executive session was extended for 5 minutes.

RECOVENE TO REGULAR SESSION

The meeting reconvened to regular session at 7:50 p.m.

ADJOURNMENT

With no objection, Mayor Pruitt adjourned the meeting at 7:51 p.m.



Pam Pruitt, Mayor



Kim Mason-Hatt, Acting City Clerk