

NOVEMBER 2, 2009

The Regular Meeting of the Millwood City Council was called to order by Mayor Dan Mork at 7:00 p.m., November 2, 2009 at the Millwood City Hall. Council members present were: Kevin Freeman, Glenn Bailey, Brian Ellingson and Shaun Culler. Richard Schoen was absent. Also present: Attorney Brian Werst, Maintenance Supervisor Cleve McCoul, Deputy Clerk-Treasurer Debbie Matkin and City Planner Tom Richardson.

Shirene Young led the Flag Salute. Pastor Bill Anker of Independent Baptist Church gave the Invocation.

CONSENT AGENDA: Approval of Minutes of the Regular Meeting held October 5, 2009; October Payroll \$23,229.14; October Claims \$414,812.43; Treasurer's Report for September. Council members received the October Claims Warrant Register, October 31, 2009 Payroll Warrant Register and a list of Claims to be paid November 2, 2009. Mr. Bailey moved to approve the Consent Agenda, seconded by Mr. Freeman Bailey. The motion carried unanimously.

PUBLIC COMMENTS: June King, 3009 N. Stout asked when the tree in front of city hall would be trimmed as it is leaving a terrible mess in the parking lot; also, when will the railing be installed? Mayor Mork asked Mr. McCoul when he could get to the tree: Mr. McCoul said he could do it after the leaf collection is completed. The mayor said he would check with the contractor on the installation of the railing. Richard Gardner, 10114 E. Dalton, asked if there was any progress on changing the lane restriction for the right turn on Trent westbound at Argonne; also are traffic count data ready yet. Mr. Richardson said he spoke with the Spokane Valley traffic planner to raise the issue but has not heard back yet. Mayor Mork said we would have a special meeting on the traffic counts; the date and time has not been set yet.

Shirene Young, Inland Empire Paper, reminded everyone about the annual Christmas tree lighting and open house for the mills new remodel project on December 4.

PRESENTATION – PROJECT ACCESS: John Driscoll, executive director of Project Access, gave a multimedia presentation on the accomplishments of Project Access, and asked city council to renew its commitment to Project Access as in years past. He noted that 3 persons from Millwood received service under Project Access so far this year for a value of service of over \$28,000. He noted that this is an excellent return on the city's \$3,000 investment. He said the increase unemployment has sharply increased the number of people without insurance in the state. The mayor and council expressed support for the Project Access request and said they would take it into consideration during the budget preparation for 2010.

PUBLIC HEARING – 2010 ANNUAL BUDGET: Mayor Mork opened the hearing at 7:15 p.m. Mr. Richardson presented the projected revenues and expenditures, and said that except for the Argonne Road Project, the numbers look very similar to the 2009 budget. Money has been requested for a replacement of the electronic readerboard at city hall, water meter reading equipment, and a radar speed sign. Mr.

Bailey asked if there was any money budgeted for sidewalk improvements. Cleve said no not this year. Mr. Freeman asked if there would be any money for ADA related work on sidewalks; we should keep looking for and fixing these problems. The mayor said he would move \$5,000 into the sidewalk line item. The mayor said he would like to put money in for the downtown period street lighting. Mr. Freeman asked if the budget has money to continue street signage replacement. Mr. McCoul said yes, there is. The mayor asked for public comments; there was none. The mayor closed the hearing at 7:25.

2010 AD VALOREM TAX LEVY: Mr. Richardson explained how the tax levy was calculated, and noted that the total amount of the levy would be approximately \$12,000 less than last year, due to the Fire District's need for the remaining portion of its levy capacity. He said the City was fortunate last year that the fire district decided not to use their full entitlement, but this year would be different. Chief Andy Hale of Spokane Valley Fire said the extra funds are needed for capital purposes in the Fire District budget next year, including a new station and possibly a new administration building. Mr. Freeman moved to approve Resolution 09-07 as amended, changing the word "increase" in the Be It Resolved section to "decrease." The motion was seconded by Mr. Culler. Motion carried unanimously.

DEVELOPMENT REGULATION AMENDMENTS: Mr. Richardson reviewed the proposed amendments submitted by the Planning Commission in the Land Use, Subdivision and Zoning titles of the city code. Several of the changes are needed to bring these codes into compliance with the Growth Management Act.

Mr. Bailey asked about the use of gender specific pronouns in the amendments to chapter 14.12. Mr. Werst cited the code section that deals with this. Mr. Bailey asked about prohibiting car repair as a home business. Mr. Richardson said in his experience car repair activities as a business activity was problematic in residential areas. Bobbie Beese, member of the Planning Commission, said that the intention is to review the design standards in the subdivision code in January as part of the next annual amendment cycle. Mr. Freeman thanked Richard Gardner, Bobbie Beese and the other planning commissioners for all their work on these amendments.

Mr. Freeman moved to approve Ordinance 385 for Title 14 Land Use, Ordinance 386 for Title 16 Subdivisions, and Ordinance 387 for Title 17 Zoning. The motion was seconded by Mr. Bailey. Motion carried unanimously.

ARGONNE ROAD RECONSTRUCTION CONTRACT CHANGE ORDER AND CLOSEOUT: Mr. Richardson said that the city's engineer, Welch-Comer, has recommended approval of two final change orders in the contract with Red Diamond Construction. Change order #9 is an increase in the contract of \$367.50 for removal of plastic crosswalk lines. Change order #10 is an increase of \$1,777.51 for additional temporary striping. The engineer also is asking for approval of contract closeout. Mr. Freeman asked about the large mounds of broken concrete and asphalt piled in the county right of way near Marguerite. He said the city should not approve the closeout while there is still work to be completed. Jacki Fullerton of Welch-Comer explained

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that Red Diamond has agreed to move the piles and was supposed to start today. She said the city is holding over \$50,000 in retainage which can be held until the debris is removed. Mr. Bailey said he was concerned that a contractor on a project of this size would be concerned with such a small amount of money for a change order. Ms. Fullerton explained that DOT requires each change to be in a separate change order.

Mr. Freeman moved to approve change orders numbers 9 and 10 and accept the project as substantially completed, with the understanding that the retainage would be held until the debris is removed. Motion seconded by Mr. Ellingson. Motion carried unanimously.

FIRE DEPARTMENT REPORT: Chief Andy Hale gave the activity report for October. There were 18 responses, including six basic life support, two minor vehicle accidents, eight advanced life support, and two minor fire situations. He also said the Fire District would be holding its second budget hearing this month November 16 at 4:00 p.m. at Fire Station 8 on Montgomery Ave, and encouraged the public to participate. He explained the need for using the district's entire \$1.50 tax levy next year including capital projects and a swift water rescue unit.

MAINTENANCE REPORT: Mr. McCoul reported activity in September as follows: One of last month's water samples was positive for coliform, which will require the city to chlorinate for a week or so. He is arranging to have the chlorination equipment installed. He said this is not an emergency, but it is an indicator that there could be a potential problem. No fecal coliform was found. Customers do not need to boil water or be overly concerned, although people with high-risk conditions should consult with their health care providers. Richard Gardner asked about sludge in his tap water after he has been gone for several weeks. Mr. McCoul said the contamination was probably caused by a compressor used to blow out an irrigation system. He said a notice would be sent to customers along with the mayor's newsletter next week. He said the leaf collection is underway and they have collected 30 trucks; normally it takes 60 to 80 loads total. The new park shelter is completed and looks very good. The new fire hydrant and line for Inland Empire Paper has been installed. The Opticom equipment still looks good and we are waiting for equipment delivery. The free solid waste collection on October 10 went very well.

PLANNING REPORT: Mr. Richardson said that he would be attending the City of Spokane Valley's open house on its Shoreline Management Program planning effort on Thursday evening. He said Millwood is required to update its SMP also. Mr. Freeman asked about classifying Millwood in the urban outskirts category in the AWC city data report along with other cities like Medical Lake; Mr. Werst said he did not think it was significant.

LEGAL REPORT: Mr. Werst said he would ask for an executive session at the end of the meeting. He has been working on code enforcement issues; we seem to be getting some compliance. The Hearing Examiner interlocal agreement with City of Spokane has been signed and is ready to use when needed. HE went to the county and got all

the City's agreements that are on record with the county auditor's office. He reported on what he has heard discussed on the wastewater interlocal agreement which the City has with the County and how it could change in the future.

PUBLIC COMMENTS: Steve Peters, 2918 N Laura Rd, asked if the traffic signals on Argonne are sequenced. He said it appears that they are not and it is causing bottlenecks. The mayor asked Mr. McCoul to contact the county traffic signal people to find out.

CORRESPONDENCE: None.

ANNOUNCEMENTS: He reminded everyone to vote. The Mayor reminded everyone of the tree lighting and open house at IEP on December 4.

COUNCIL COMMENTS: Mr. Ellingson asked if the radar speed sign would record events like the data that we collected last year. Mr. McCoul said yes, it would, and the money is in the proposed budget. Mr. Culler asked about the special meeting for the traffic study. Mayor Mork said he would schedule it at some date in the future; the date has not been decided.

EXECUTIVE SESSION: At 8:20 p.m. Mayor Mork recessed the Regular Meeting to convene Council in Executive Session for 20 minutes to consider potential acquisition of various real estate interests in Millwood pursuant to with RCW 42.30.110(b), and that there could be action taken following the executive session.

RECONVENE IN REGULAR SESSION: At 8:42 p.m., Mayor Mork reconvened the Regular Meeting.

Mr. Freeman moved to authorize the mayor to pursue acquisition of the abandoned railroad right of way from Spokane County for purposes of enhanced public use. The motion was seconded by Mr. Culler. Motion carried unanimously.

ADJOURNMENT: Mr. Culler moved to adjourn, seconded by Mr. Freeman. Mayor Mork adjourned the meeting at 8:43 p.m.

DAN N MORK, MAYOR

Attest:

Debbie Matkin, Deputy Clerk-Treasurer

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