

May 4, 2009

The Regular Meeting of the Millwood City Council was called to order by Mayor Pro-Tem Brian Ellingson at 7:00 p.m. May 5, 2009 at the Millwood City Hall. Mayor Dan Mork was absent. Council members present were: Mr. Richard Schoen, Mr. Kevin Freeman, Mr. Glenn Bailey and Mr. Shaun Culler. Also present: Attorney Brian Werst, Maintenance Supervisor Cleve McCoul, City Planner Tom Richardson and Clerk Treasurer Eva Colomb.

Mr. Freeman led the Flag Salute.  
Pastor Manuel Denning of Fountain Ministries gave the Invocation.

CONSENT AGENDA: Minutes of the Regular Meeting held April 6, 2009, April Claims \$149,259.76; April Payroll \$26,555.50 and Treasurer's Report for April 2009. Council member received the Payroll Warrant Register for the Payroll of April 30, 2009 and the Claims Warrant Register for Claims paid April 7, 2009. Mr. Bailey moved to approve the Consent Agenda, seconded by Mr. Culler. The motion carried unanimously.

PUBLIC COMMENTS: Bobbie Beese of the Corner Door 3303 N. Argonne stated that the Millwood Comprehensive Plan recommends lighting in historic districts and stated that the Argonne Road Rebuild Plan does not provide for placement of conduit for lighting. Mr. Matt Gillis of Welch Comer advised that construction plans for sidewalk enhancements funded by the TIB grant do include placement of conduit for lighting. Conduit is not planned in the sidewalk bulb outs which are not covered by the grant. Discussion was held regarding possibly adding conduit in the bulb outs since the project bid came in lower than estimated. Mr. Gillis advised that plans to extend the length of the road rebuild are being considered in light of the lower bid amount, which may require a change order by the City

REQUEST FOR PLACEMENT OF STREET LIGHT: Council members discussed a request for placement of an additional street light near 9710 E. Fairview Court. Homeowners in the neighborhood advised that the area is very dark and that the risk of burglary would possibly be reduced significantly by placement of a light there. After discussion, Mr. Schoen moved to table the issue until the June meeting when more information regarding placement of a new street light can be presented. Mr. Bailey seconded the motion. The motion carried unanimously.

ARGONNE ROAD REBUILD PROJECT: Discussion was held regarding management of change orders that may be requested by the contractor during the project. Mr. Freeman suggested that the Council authorize the Mayor to approve change orders up to 10% of any line item or 10% of the total bid price. Mr. Gillis discussed WSDOT specifications regarding change orders. Discussion was held regarding holding Special Meetings if change orders requiring Council approval are requested. Mr. Gillis explained conditions that may arise that can necessitate a request for change order. Mr. Freeman moved to authorize Mayor Mork to approve change order requests of 10% of any line item or 5% of the total bid price. Mr. Culler seconded the motion. The motion carried unanimously.

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Mike Schimmels, owner of Red Diamond Construction discussed the approved construction management plan for the Argonne project and explained changes he would like to make in order to possibly shorten the length of time it will take to complete the project. He stated that the plan in place is to grind the two west lanes and construct that portion of the road while leaving the two east lanes open for traffic, then grind the two east lanes and construct that portion of the road. Mr. Schimmels explained that grinding and rebuilding the two center lanes first and then the two outside lanes would be a more efficient way to manage the project. Mr. Gillis stated that several meetings have been held with citizens and business owners over the last several months and that the plan in place has been approved by WSDOT. Mr. Gillis advised that this proposed change will have to be reviewed for approval by WSDOT and suggested that if the change is going to be approved, citizens and business owners would need to be informed in advance. Mr. Werst explained that it was inappropriate to request such a significant revision to the construction management plan on the first day of construction based on the extensive planning and public input that began last year regarding the Argonne project and traffic plan. Discussion was held regarding access to businesses, particularly I.E. Paper that has been arranged based on the approved construction management plan. After more discussion, Mr. Bailey moved to deny the request of Red Diamond to change the construction plan. Mr. Schoen seconded the motion. The motion carried unanimously.

**FIRE DEPARTMENT REPORT:** Spokane Valley Fire District Deputy Chief Andy Hail reported activity in April and discussed planning activities for the District.

**MAINTENANCE REPORT:** Mr. McCoul reported activity in April as follows: the water samples tested good; water meters were read; the park and park restrooms were opened; trees were sprayed; streets were cleaned; sewer lines south of the park and east of Argonne were cleaned and flushed; new garage doors were installed at the City Hall and maintenance shop; the snow plows have been refurbished by Washington Auto Carriage; and Mr. McCoul and Mr. Allen attended a class on the automatic meter reading system. Mr. McCoul discussed a traffic study done by Susan Bowe, P.E. Traffic Service Branch Manager of Washington State Department of Transportation on the Fowler, Butler, and Empire area. Council members and Mr. McCoul discussed findings of the traffic study and discussed the need to proceed with Welch Comer for traffic calming solutions on the Fowler, Butler and Empire area.

**PLANNING DEPARTMENT REPORT:** Mr. Richardson reported on work being done on Comprehensive Plan Amendments.

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**SELECTION OF ARCHITECT:** In response to advertisements placed in the Spokesman review for Statements of Qualifications for Architectural Services, responses were received from: Architects West Inc., Cortner Architectural Company, Ernest Robeson, Architect, WAG, Nystrom Olson Collins, AHBL, Womer and Associates, Lindquist Architects, Steven A Meek Architects, Abbotswood Design Group, Christopher Morlan, Purple FlatTop Ltd, and Bernado Wills. After discussion, Mr. Bailey moved to accept the recommendation of Mr. McCoul and Mr. Richardson to pursue an agreement for architectural services for the park shelter/gazebo at the City Park with Abbotswood Design Group. Mr. Schoen seconded the motion. The motion carried unanimously. Council members requested to see the drawings of the park shelter/gazebo at a future meeting.

**RESOLUTION 09-02** A Resolution Adopting a Red Flag Policy and Establishing an Identity Theft Prevention Program for the City of Millwood: Mr. Werst advised that the Fair and Accurate Credit Transactions Act of 2003 requires the City develop and implement an Identity Theft Prevention Program and "Red Flag" policy for detecting, preventing and mitigating identity theft in connection with the City's provision of and billing for utility services. The Federal Trade Commission announced that it would begin enforcement of the law in the near future. Resolution 09-02 approves an Identity Theft Prevention Program and "Red Flag" policy for the City in accordance with the legal requirements.

Mr. Freeman moved to adopt Resolution 09-02, seconded by Mr. Culler. The motion carried unanimously.

**LEGAL REPORT:** Mr. Werst discussed work done on obtaining easements for sidewalk work on Argonne and on activity in the State Legislature regarding cities.

**COUNCIL COMMENTS:** Council members discussed alternatives for extending the Argonne project. Mr. McCoul explained that Welch Comer advised the lower bid amount may allow the Argonne project to extend further south than anticipated. The City could remove and replace the subbase of the road to within approximately 100 feet north of Grace, which may last approximately 20 years, or could grind down 4-5 inches with an overlay to Buckeye, which may last 4.5 years. Council members expressed their desire for the Argonne project to reach Buckeye and last for as long as possible, which may require additional funding. Mr. Freeman asked that Welch Comer advise whether, using grant funds, there is a middle ground for the Argonne project to reach as far south as possible and have the longest life possible.

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ADJOURNMENT: Mr. Bailey moved to adjourn, seconded by Mr. Freeman. Mr. Ellingson adjourned the meeting at 8:14 p.m.



BRIAN ELLINSON, MAYOR PRO TEM

Attest:



Eva L. Colomb, Clerk-Treasurer