



# CITY COUNCIL MINUTES REGULAR MEETING SEPTEMBER 5, 2017

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## CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 5:00 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Bruce Bassett, Deputy Mayor Debbie Bertlin, and Councilmembers Dan Grausz, Salim Nice (arrived at 5:06 pm), Wendy Weiker (arrived at 5:09pm), David Wisenteiner (arrived at 5:04pm), and Benson Wong were present.

## AGENDA APPROVAL

It was moved by Grausz; seconded by Bertlin to:

**Approve the Agenda as presented.**

Passed 4-0

FOR: 4 (Bassett, Bertlin, Grausz, Wong)

ABSENT: 3 (Nice, Weiker, Wisenteiner)

## EXECUTIVE SESSION

**Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(I) for 60 minutes.**

At 5:04 pm, Mayor Bassett convened an Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes.

At 6:00 pm, Mayor Bassett extended the Executive Session for 60 minutes.

At 6:55 pm, Mayor Bassett adjourned the Executive Session and the Regular Meeting resumed.

It was moved by Grausz; seconded by Bertlin to:

**Move the Executive Session regarding review of the performance of a public employee to the end of the regular meeting.**

Passed 4-0

FOR: 4 (Bassett, Bertlin, Grausz, Wong)

ABSENT: 3 (Nice, Weiker, Wisenteiner)

## SPECIAL BUSINESS

**AB 5343 Letter to the Community – Speaking Out Against Hate Groups and Defending Fundamental Rights**

Councilmember Grausz spoke about recent events in Charlottesville, Virginia and elsewhere, which inspired counter-protests and comments from many elected officials. He also spoke of disappointment with the subsequent response from some national leaders and particularly the President which were not only factually incorrect but morally reprehensible. He then read the letter which commits to the residents of Mercer Island that the Council will “remain vigilant in the defense of the fundamental rights of every person in this country to live without fear of retribution or discrimination because of their race, religion, sex, national origin, color, disability, sexual orientation or gender identity.”

It was moved by Grausz; seconded by Bertlin to:

**Approve the letter to the community speaking out against hate groups and defending fundamental rights, and direct staff to widely distribute it to the community.**

Passed 7-0

FOR: 7 (Bassett, Bertlin, Grausz, Nice, Weiker, Wisenteiner, Wong)

### **Flash Family Inspiration Award**

Mayor Bassett spoke about the history of the Flash Family Inspirational Award, which recognizes a senior adult member of the community who exemplifies good sportsmanship, and showcases the positive impact that can be made by seniors in our community. Mayor Bassett commended 2017 Award recipient Jack Sameshima for his outstanding work with organizing pickle ball on Mercer Island and creating a welcoming presence for others who might be interested in playing. He spoke of Jack's passion, sportsmanship and winning attitude.

Acting YFS Director Derek Franklin thanked Jack for his leadership keeping elderly citizens active in the community. He advised that Jack's name will be added to the Flash Family Award Historical Plaque which is housed at the Mercer Island Community and Event Center.

### **Mayor's Day of Concern for the Hungry Proclamation**

Mayor Bassett proclaimed September 16, 2017 as Mayor's Day of Concern for the Hungry. The Mayor asked citizens to join in support of the Emergency Feeding Program of Seattle and King County and our local food banks to nourish those who are hungry.

### **National Recovery Month Proclamation**

Mayor Bassett proclaimed September, 2017 as National Recovery Month. The Mayor encouraged the community to observe National Recovery Month by participating in upcoming awareness events and educational programming.

Acting YFS Director Derek Franklin spoke about both the Mayor's Day of Concern for the Hungry Proclamation, the National Recovery Month Proclamation. He thanked the Council for their support of the Youth and Family Services Programs which aim to help members of the community achieve happy and healthy lifestyles, both physically and mentally.

Councilmember Wong advised of King County's upcoming Behavioral Health Legislative Forum on Wednesday, November 8, 2017 from 6-8:30pm at the Seattle Center Exhibition Hall. The Forum is open to the public and a great venue to connect directly with legislators and county councilmembers.

## **CITY MANAGER REPORT**

City Manager Julie Underwood provided her report regarding:

- Lincoln Landing Design Meeting – Wednesday, Sept 5 from 6-8pm at MICEC, Room 102.
- Fall CERT Training – Sept 6 through Oct 18, every Wednesday from 6:30-9:30pm at Mercer Island City Hall Emergency Operations Center.
- Art Uncorked – Friday, Sept 8 from 5-9pm, at Town Center (Between 78<sup>th</sup> Ave & Sunset Blvd).
- Mercer Island Police Immigration Status Policy.
- "Gathering of the Greens", Updated Date! Monday, Sept 18 from 6-9:00 pm at Mercer Island City Hall.
- Volunteer opportunities:
  - Senior Transportation Program
  - Annual Statewide Bike & Pedestrian County
- Other updates:
  - \$20,000 King County "Get Active/Stay Active" Grant for Island Crest Park Project.
  - \$23,660 Port of Seattle Economic Development Grant to fund new wayfinding signs for Town Center.
  - \$233,240 estate donation to Mercer Island Fire Department from resident Mary Vacchieri.
  - Lemonade stand fundraiser for Mercer Island Fire Department.
  - Changes to community shuttle Route 630.
  - OPEIU Local 8 on strike.

## APPEARANCES

Dick Winslow, 3761 77th Ave SE, spoke about a mailing received threatening about threat to property values. Spoke in support of Residential Development Standards code update.

Brian Hilderbrandt, 6880 West Mercer Way, spoke in support of Residential Development Standards code update. He expressed concern regarding issues with over full parking lots at Mercer Island Park and Ride.

Carolyn Boatsman, 3210 74th Ave SE, spoke about Residential Development Standards code update and tree code updates. She felt that most Islanders want exceptional trees to be preserved.

David Youseffnia, 8214 SE 30th St, spoke about concern with the numbering in the Council Meeting agenda of the Residential Development Standards code. He also spoke in opposition to hardscape standards in the code update. He feels the code update is too restrictive.

Mark Denmarsh, 4810 West Mercer Way, spoke in opposition to Residential Development Standards code update. He feels the code update is too restrictive.

Lynn Hagerman, 3058 61st Ave SE, spoke in support of Residential Development Standards code update.

Randy Bannecker, Seattle King County Realtors, expressed concern that the Residential Development Standards code update may be too restrictive. Asked the Council to take more time before approval, or remove the tree code updates from the code update.

Dan Thompson, 7265 North Mercer Way, spoke in support of Residential Development Standards code update. He asked the Council to approve the code update as soon as possible.

Olivia Lippens, 2740 West Mercer Way, spoke in opposition of Residential Development Standards code update. She expressed concerns with the timeline. She felt that there are many residents who are still unaware of the updates being discussed.

Suzanne Skone, 2834 60th Ave SE, spoke in support of the Residential Development Standards code update. She asked the Council to approve the code update as soon as possible.

Mark Russo, 7525 SE 24th St, spoke about Residential Development Standards code update. He asked the Council to table the vote on this ordinance to give the code update further consideration.

Mike Leahey, 9852 Mercerwood Drive, spoke in support of the Residential Development Standards code update.

David Hoffman, Master Builders Association, 335 116th Ave SE Bellevue, expressed concern that the Residential Development Standards code update may be too restrictive. Asked the Council to take more time before approval and reconsider the recommendations provided by Master Builders Association earlier in the process.

## CONSENT CALENDAR

Councilmember Grausz requested AB 5337 to be removed from the Consent Calendar. Mayor Bassett moved it to the first item of Regular Business.

**Payables: \$559,196.63 (08/10/2017), \$1,018,138.25 (08/17/2017), \$334,581.37 (08/24/2017), \$713,215.89 (08/31/2017)**

**Recommendation:** Certify that the materials or services hereinbefore specified have been received and that all warrant numbers listed are approved for payment.

**Payroll: \$868,741.09 (08/18/2017)**

**Recommendation:** Certify that the materials or services specified have been received and that all fund warrants are approved for payment.

**Minutes: August 7, 2017 Regular Meeting Minutes**

**Recommendation:** Adopt the July 17, 2017 Regular Meeting Minutes as written.

It was moved by Wong; seconded by Wisenteiner to:

**Approve the Consent Calendar and the recommendations therein as amended.**

Passed 7-0

FOR: 7 (Bassett, Bertlin, Grausz, Nice, Weiker, Wisenteiner, Wong)

**REGULAR BUSINESS**

**AB 5337 Vacchiery Estate Gift to the Mercer Island Fire Department**

Council discussion took place regarding using this type of gift for Fire Department overtime costs or the fire apparatus sinking fund.

It was moved by Grausz; seconded by Nice to:

**Accept the Vacchiery Estate Gift on behalf of the Mercer Island Fire Department and appropriate the full \$233,240 to the fire apparatus sinking fund.**

Passed 7-0

FOR: 7 (Bassett, Bertlin, Grausz, Nice, Weiker, Wisenteiner, Wong)

**AB 5341 Residential Development Standards Code Amendments (6th Reading)**

Evan Maxim, Planning Manager, provided an overview of the Community Outreach that has been conducted and informed the Council of feedback that has been received from the public. He sought direction from the Council on the following;

**Additional Code Amendments:**

Council Direction: Support recommended corrections provided in errata sheet and suggested updates to Hardscape standard and Appendix G.

**Effective Date of Code Updates:**

Council Direction: New code shall go into effect on October 30, 2017.

**Additional Resource Allocations:**

DSG Director Scott Greenberg spoke about Department need for the part-time Arborist and part-time Code Compliance Officer positions to be made full time to accommodate the increase in their workloads. He advised this increase will be fully funded by permit fee revenue in 2017-2018.

Council Direction: Staff return with agenda bill making the formal request for staffing increase.

**Permit Vesting:**

Council Direction: Staff return with additional information regarding how vesting would work under the new code when permits are applied for before a lot determination has taken place.

Finance Director Chip Corder addressed some misinformation in the community regarding development revenues, and the impact that changes to the Town Center or residential code have had on them.

It was moved by Bertlin; seconded by Nice to:

**Set Ordinance No. 17C-15, amending the City's Residential Development Standards, for 7th reading and adoption on September 19, 2017.**

Passed 6-1

FOR: 6 (Bassett, Bertlin, Grausz, Nice, Wisenteiner, Wong)

AGAINST: 1 (Weiker)

## **AB 5340 Revised Public Engagement Plan on City's Operating & Capital Funding Challenges**

Finance Director Chip Corder presented the updated timeline for previously approved public engagement plan regarding the City's operating and capital funding challenges. There was Council consensus to move forward with the revised plan.

## **AB 5338 Second Quarter 2017 Financial Status Report & Budget Adjustments**

Finance Director Chip Corder presented the 2017 2nd Quarter Financial Status Report & Proposed Budget Adjustments, reviewing the following:

- General Fund (revenues, general sales tax, utility tax, licenses, permits and zoning fees, expenditures)
- Utility Fund (water, sewer, stormwater)
- All Other Funds (YFS Fund, Street Duns, Capital Improvement Fund: REET & Project Highlights)
- 2017-2018 Budget Adjustments (previously approved and new requests)

Councilmember Grausz proposed moving \$50,000 of REET funds to Open Vegetation Management program. The Council consensus was to reject the proposal at this time.

It was moved by Wong; seconded by Grausz to:

**Adopt Ordinance No. 17-22, amending the 2017-2018 Budget.**

Passed 4-3

FOR: 4 (Bassett, Nice, Wisenteiner, Wong)

AGAINST: 3 (Berlin, Grausz, Weiker)

It was moved by Grausz; seconded by Wisenteiner to:

**Table AB 5339 to the Regular City Council Meeting on September 19, 2017.**

Passed 7-0

FOR: 7 (Bassett, Berlin, Grausz, Nice, Weiker, Wisenteiner, Wong)

## **OTHER BUSINESS**

### **Councilmember Absences**

There were no absences.

### **Planning Schedule**

City Manager Julie Underwood advised that there will be a Study Session on September 19 regarding right of way services and trees.

It was moved by Bassett; seconded by Grausz to:

**Move Executive Session #1 to 5pm at the Regular City Council Meeting on September 19, 2017.**

Passed 7-0

FOR: 7 (Bassett, Berlin, Grausz, Nice, Weiker, Wisenteiner, Wong)

### **Board Appointments**

Deputy City Clerk Ellie Hooman advised of an Arts Council Vacancy. The City will be accepting applications from interested citizens until September 15, 2017. Applications can be located on the City's website on both the Arts Council page and the Boards and Commissions page. An appointment is expected at the October 3, 2017 Regular City Council Meeting.

### **Councilmember Reports**

Councilmember Wisenteiner noted the Swim Across America-Seattle fundraiser benefiting Seattle Cancer Care Alliance. The event will take place at Luther Burbank Park on Saturday, September 9, 2017.

## **ADJOURNMENT**

The Regular Meeting adjourned at 11:40 pm.

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Bruce Bassett, Mayor

Attest:

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Ellie Hooman, Deputy City Clerk