



CITY COUNCIL MINUTES REGULAR MEETING JULY 17, 2017

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 6:00pm 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, Jeff Sanderson (left at 7:40 pm), Wendy Weiker (arrived at 6:03 pm), David Wisenteiner, and Benson Wong were present.

AGENDA APPROVAL

It was moved by Bertlin; seconded by Wong to:

Approve the agenda as presented

Passed 6-0

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

ABSENT: 1 (Weiker)

STUDY SESSION

AB 5332 Proposed Public Engagement Plan on City's Operating & Capital Funding Challenges

Finance Director Chip Corder noted several challenges the City is facing due to an anticipated budget deficit. He presented a proposed public engagement plan and timeline. He thanked the YFS Foundation for their commitment to donating 10% of the YFS budget to help supplement the budget shortfall related to both the City and School District decreasing funding of mental health counselors in the schools due to budget constraints. He explained if after the public engagement process the Council chooses to move forward with a Levy Lid lift, the staff recommendation is to put it on the February 2018 ballot.

Council discussion took place regarding the need to build a diverse citizen committee with a broad spectrum of perspectives and that they be presented with structural change or alternative delivery model options as well as the possibility of a Levy.

Council consensus was to move forward with the February 2018 timeline. Supporting the staff recommended public engagement approach to gauge community support for both an Operating and Capital Improvements Levy.

The Council also decided to assemble a Council Subcommittee made up of Deputy Mayor Bertlin and Councilmembers Weiker and Nice to help direct content for the planned community survey as well as feedback on staff recommendations prior to returning to the full Council.

SPECIAL BUSINESS

Commendation for Jeff Sanderson's Service to the Citizens of Mercer Island

Mayor Bassett read resolution of acknowledgement and commendation of Councilmember Jeff Sanderson. He noted some of Jeff's major accomplishments during his time on the City Council. Councilmembers individually expressed their appreciation for Jeff's service to the community.

Councilmember Sanderson thanked the Council, City staff, and the citizens of Mercer Island for their commitment to making Mercer Island a better place.

CITY MANAGER REPORT

City Manager Underwood introduced Summer Intern Lauren Hansen who is working with the City Manager's Office on several communications projects for the next several weeks.

City Manager Underwood noted the following upcoming events in the community:

- Shakespeare in the Park – July through August
- Mostly Music in the Park – July through August
- Movies in the Park – July 22 & August 19
- Free Workshop on Voice Control over your dog – Tuesday, August 1, 7:00-8:00 pm at Island Crest Park Sportsfield
- Launch of the 8th Annual Letterboxing program in Pioneer Park
- National Night Out, Tuesday, August 1, 5:00-8:00pm

Intern Hansen presented a short video clip on 2017 Summer Celebration event.

APPEARANCES

Johan Valentine, 4346 E Mercer Way, spoke about Residential Development Standard relating to side yard depth requirement. He asked the Council to consider adding an exception to side yard requirements for properties that do not border other dwellings, and there are no plans for a dwelling.

Meg Lippert, 4052 94th Ave SE, spoke about concerns for the native garden in Mercerdale Park that may be removed by MICA development on the site.

Shauna Youssefnia, 8214 SE 30th St, thanked the Council for their commitment to the community. She spoke about Residential Development Standards and asked the Council take their time to give the code revisions the careful thought required. She spoke in opposition to the Council's rejection of the Planning Commission's recommendations regarding sports courts.

David Youssefnia, 8214 SE 30th St, spoke about Residential Development Standards and asked the Council take their time to give the code revisions the careful thought required. He asked the Council to reconsider their rejection of the Planning Commission's recommendation relating to sports courts. He asked the Council to consider increasing the hardscape allowance in lot coverage requirements from 10% to 25% of landscaped area to allow residents to build a deck, patio or sports court.

Scott Swerland, 4304 92nd Ave, spoke about concerns with the level of difficulty to run businesses here on the Island. He spoke in support of allowing home owners the freedom to develop their property how they want to.

Carolyn Boatsman, 3210 74th Ave SE, spoke in support of tree regulation outside of development code. She asked the Council to consider a tree removal rate regulation, and the introduction of a heritage classification for large historical trees in the community unless it poses a safety hazard. Asked the Council to add language to code regarding the Federal requirement to protect Eagle's nests.

Brandy Fox, Mercer Island School District, 4160 86th Ave SE, spoke about concerns with the work hour restrictions being considered in the Residential Development Standards code update. She noted that there are times that the school district has very few options on the timing for when construction takes place, and how long they take to complete. She asked the Council to consider including language for a type 4 administrative variance that would apply to public projects. Allowing for a legal pathway for the district to comply with the changes to the work hour restrictions in the code.

David Hoffman, Master Builders Association, 335 116th Ave SE Bellevue, spoke about item 7 in the Residential Development Standards code update. He felt that the current draft code would have little to no impact on the bulk and size of homes. He recommended that the Council consider promoting optional design elements, such as those provided to the Council before the meeting. He expressed concern with the drafted tree language in the code, noting that he didn't feel the Planning Commission had enough time to give it thorough consideration. In light of other jurisdictions having seen unintended consequences from rushed tree code language, he asked the Council to take their time when reviewing the updates.

Scott Dixon, 2438 62nd Ave SE, spoke about Residential Development Standards. He expressed concerns with how restrictive the 40% gross floor area can be on a smaller lot. He advised that he recently added a master bedroom onto his home to allow his two children to have their own rooms, and the resulting 3 bedroom home took up 45% of the gross floor area on the lot. This remodel wouldn't be allowed under the new code. He asked the Council to consider the impacts this decision will have on the needs of growing families.

Peter Struck, 9130 SE 54th St, thanked Councilmember Sanderson for his service on the Council. He asked the Council to support the appointment of Salim Nice to Councilmember Sanderson's position interim until the election for position 4 is complete. He spoke about the financial challenges the City faces.

Ira Appelman, 9039 E Shorewood Dr, spoke in opposition to the City's public engagement plan. He felt that the City should make cuts to services rather than forcing a tax onto Islanders.

Tom Acker, 2427 84th Ave SE, commended Councilmember Sanderson on his service to the community. He spoke in support of the Council's plan to get the community involved in the budget conversation. He asked the Council to consider the adverse impact an increase of density on the Island will have on demand for public services.

CONSENT CALENDAR

Payables: \$982,842.27 (6/22/2017), \$261,288.64 (6/29/2017), \$182,425.02 (07/06/2017), & \$463,068.93 (07/13/2017)

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

Payroll: \$858,689.09 (6/23/2017) & \$905,795.85 (07/07/2017)

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

Minutes: June 5, 2017 Regular Meeting Minutes, June 19, 2017 Regular Meeting Minutes, & July 5 Special Meeting Minutes

Recommendation: Adopt the June 5, 2017 Regular Meeting Minutes, June 19, 2017 Regular Meeting Minutes, & July 5, 2017 Special Meeting Minutes as written.

AB 5305 Accept MIYFS Foundation Donation

Recommendation: Accept a donation in the amount of \$66,880 from the MIYFS Foundation to restore the Youth Development Coordinator from half-time to full-time status for the 2018 calendar year and to fund additional administrative services rendered by YFS Department staff on behalf of the Foundation.

It was moved by Grausz; seconded by Wisenteiner to:

Approve the Consent Calendar and the recommendations therein as amended.

Passed 6-0

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

ABSENT: 1 (Sanderson)

REGULAR BUSINESS

AB 5328 City Council Vacancy Options

City Manager Underwood presented three options for filling the vacancy on the Council left by Councilmember Sanderson's resignation.

It was moved by Bertlin; seconded by Wisenteiner to:

Suspend the Council Rules of Procedure and appoint Salim Nice to fill the Council vacancy. To be sworn in on July 18th or an acceptable date thereafter before August 7, 2017.

Passed 6-0

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

ABSENT: 1 (Sanderson)

AB 5331 I-90/East Link Project Update

City Manager Underwood spoke about the Sound Transit Board's approval of the tentative settlement agreement on June 22nd. She noted that Sound Transit hosted its Light Rail Construction Kick-off meeting on July 12. Sound Transit has identified two additional sites in Bellevue with 50 parking spaces each to help mitigate the closure of South Bellevue Park and Ride. The City is continuing to work with Sound Transit to identify additional parking sites on Mercer Island to alleviate some of the pressures our park and ride is facing.

City Manager Underwood spoke about a federal lobbying strategy in an attempt to get congressional legislation to grandfather Island Crest Way onramp with SOV access.

Council consensus was to follow staff's recommendation to maintain current lobbyist to monitor opportunities, and get a second opinion with other lobbyists on strategies.

AB 5329 Open Space Vegetation Management Biennium Report

Parks Natural Resources Manager Alaine Sommargren presented an update on the Open Space program. She reviewed the 10-year evaluation report and recommendations on how the program could improve going forward. She noted that in the 2015-2016 budget cycle, there was a \$50,000 per year cut to the Open Space program to move to a maintenance only approach. Even at a maintenance only level, City staff has found that costs to perform this work are increasing over time due to the current bidding climate. Because much of the maintenance work is performed through small bid contracts, the current funding levels are not sufficient to meet the maintenance needs of the program.

The Council requested this item be brought back at the September financial update and adjustment and directed staff to spend time on building a plan to eliminate knotweed on the Island

AB 5334 Residential Development Standards Code Amendments (continued 1st Reading)

Evan Maxim, Planning Manager, continued review of the remaining policies for the Council to address in the proposed ordinance of code amendments for Residential Development Standards as follows:

Lot Coverage - Minimum Hardscape Allowance:

Council Direction: Support alternative allowing lot coverage hardscape minimum that is the greater of 15% required landscape area or 800 sqft, but not more than 20%.

Gross Floor Area – Minimum Allowance:

Council Direction: Support alternative allowing gross floor area is the greater of 40% or 3,000 sqft, but not more than 45%.

Planning Manager Maxim reviewed the summary of a case analysis regarding five recently issued building permits with a mix of lot sizes, zoning designations, and lot configurations, where he evaluated lot coverage, gross floor area, building height, and side setbacks. The analysis found that most projects saw a reduction in gross floor area, lot coverage allowance, and required adjustment to building height.

Eagle Nest Tree Code Language:

Council Direction: Add language back into the tree regulations regarding federal requirements when dealing with Eagle nests.

Side Yard Setback:

Council discussion took place addressing citizen comments regarding side yard setback restrictions when property borders a green belt, open space tract, or City park.

Council Direction: Do not have staff propose revisions to the side yard setback exemption.

Master Builders Association Proposal:

Council Direction: Do not move forward with Master Builders Association proposal to reduce bulk through design tradeoffs.

ADUs and Gross Floor Area:

Council Direction: No changes.

Parking:

Council Direction: Reject the Planning Commission's recommendation. Require two parking stalls, one of which is covered, for homes with an area of less than 3,000 square feet of gross floor area. For homes 3,000 sqft or greater, keep the current code language.

Noise Regulations:

Council Direction: Provide an exception to the noise regulations only in exceptional or emergency circumstances and have staff return with language to address non-permitted construction noise.

Timeline for Residential Development Standards Code Update:

Council Direction:

- Extend the timeline for the Residential Development Standards Code Update and build a community outreach plan to ensure the public understands what changes have been made.
- Requested staff return with a summary sheet of the changes that have been made to this point and what items the Council has not yet discussed.

AB 5327 Council Meeting Day Change

The Council reviewed a proposed ordinance regarding changing the day of regular City Council meetings. City Attorney Kari Sand advised that this is a housekeeping item, as it has been previously discussed by the Council.

It was moved by Weiker; seconded by Wong to:

Suspend City Council Rules of Procedure 6.3 requiring a second reading of an ordinance. Adopt Ordinance No. 17C-19 amending chapter 2.06 of the Mercer Island City Code to change the regular Council meeting day to the first and third Tuesdays of the month.

Passed 6-0

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

ABSENT: 1 (Sanderson)

OTHER BUSINESS**Councilmember Absences**

There were no absences.

Planning Schedule

City Manager Underwood advised that the Residential Development Standards will be continued at the August 7 meeting. She also noted that there will be an Executive Session on August 21 for her six-month performance check-in.

Board Appointments

There were no appointments.

Councilmember Reports

Deputy Mayor Bertlin and Councilmember Grausz attended the recent Parks and Recreation Subcommittee meeting. She noted that she also attended the Eastside Transportation Partnership meeting. Mayor Bassett attended Summer Celebration. He thanked City staff for their hard work putting the event together.

ADJOURNMENT

The Regular Meeting was adjourned at 10:20 pm.

Attest:

Bruce Bassett, Mayor

Ellie Hooman, Deputy City Clerk