



****REVISED** CITY COUNCIL MINUTES
REGULAR MEETING
JUNE 19, 2017**

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 5:02 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, Jeff Sanderson, Wendy Weiker (arrived at 5:03 pm), David Wisenteiner, and Benson Wong were present.

AGENDA APPROVAL

It was moved by Wong; seconded by Bertlin to:

Approve the agenda as presented.

Passed 7-0

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

STUDY SESSION

AB 5318 Residential Development Standards Code Amendments (continued 1st Reading)

Planning Manager Evan Maxim, DSG Director Scott Greenberg, and DSG Administrative Services Manager Alison Van Gorp presented on the various topics addressed in the Planning Commission's Residential Code Update recommendations to the Council. Council discussion took place regarding the following topics:

- Gross Floor Area;
 - There was Council consensus that gross floor area should not be based upon net lot area.
 - There was Council consensus on limiting gross floor area to 40%.
 - There was Council consensus allowing an increase in gross floor area by 5% for an Accessory Dwelling Unit (ADU)
 - The increase in gross floor area cannot exceed 4,500 sqft on the resulting main home and a 900 sqft limit on the ADU.
 - The allowance for increased gross floor area associated with ADUs will apply to both new and remodeled homes.
 - The Council eliminated the gross floor area allowance for accessible homes.
 - The Council directed staff to return with a plan to incentivize single story construction or maintain current single-story homes. The Council also requested staff to return with suggestions on best practices for gross floor area restrictions on lots (less than 7,000 sqft).
- Building Height;
 - There was Council consensus regarding raising the ceiling height threshold to 12 feet to allow for more builder creativity within the size of the building.
 - The Council accepted the Planning Commission's recommendations regarding limiting maximum building height for homes on a slope to 30 feet measured from the downhill facing façade.
 - The Council modified the average building elevation measurement, to require that it be taken from the existing grade or finished grade (whichever is less).
- Lot Coverage;
 - There was Council consensus to move forward with the staff recommendation of removing the sport court exemption from the Planning Commission's lot coverage recommendations.
 - There was Council consensus to limit hardscape surfaces in the landscaped portion of a lot to 15%.
 - The Council discussed but did not approve having Maker's produce updated example drawings with the changes being proposed under the Residential Code Updates.
 - The Council directed staff to return with examples of developments to look at what could have been built under the current code and what could be built with the proposed changes to the code.

SPECIAL BUSINESS

AB 5322 King County's "Access for All" Ballot Measure Presentation

Executive Director Jim Kelly, from 4Culture provided a brief presentation on Access For All program and future ballot measure that the King County Council and County Executive plan to put forward to the voters.

Prior to the presentation beginning, Mayor Bassett issued a reminder that Council Rules prohibit political statements during Council Meetings. He asked Mr. Kelly to ensure that the presentation is limited to an explanation of what the program is and what the ballot measure is intended to accomplish.

CITY MANAGER REPORT

City Manager Julie Underwood asked citizens to beware of car prowls in City parks. She noted that valuables should never be left in vehicles and to call 911 if you see a crime in progress.

City Manager Underwood made note of the following upcoming community events:

- Shakespeare in the Park: Thursday - Sunday in July & August.
- Mostly Music in the Park: Thursdays, 7 - 8:30 pm in July & August.
- Summer Celebration: Mercedale and Luther Burbank Parks on July 8 & 9.
- Skateboarding Competition: July 9.

She thanked the Mercer Island Preschool Association for their donation of playground equipment for the South Mercer Playfields.

APPEARANCES

Carolyn Boatsman, 3210 74th Ave SE, spoke about the Residential Code Update and asked Council to reconsider reducing height maximums to 25 feet with an exception for peaked roofs.

Lynn Hagerman, 3058 61st Ave SE, spoke about the Residential Code Update and asked the Council to go back to the original objectives of addressing mass of the buildings and lot coverage to ensure Mercer Island retains its character.

Allen Hovsepian, 4344 90th Ave SE, spoke about the Residential Code Update and asked Council not to legislate how property owners utilize their private property. He stated that character of the neighborhood has to do with the people in the community, not in the design of the homes.

David Youssefnia, 8214 SE 30th St, spoke about Residential Code Update and asked Council to consider keeping the Planning Commission's recommendation of making an exception for sports courts.

Ira Appleman, 9039 E Shorewood Drive, expressed displeasure with the Council's decision to allow the Access for All presentation. He spoke in support of reducing the scale of homes on the Island. He asked the Council and city staff to provide the community with examples of what would be approved under new code amendments as opposed to what would be approved under the current code.

David Hoffman, Master Builders Association, spoke about Residential Code Update and expressed concern about the ability of the code being proposed to address the community's concerns regarding bulk and scale of new construction and remodels. He advised in other jurisdictions that have taken the steps being discussed here have resulted in more construction of buildings with flat roofs.

Gary Robinson, 6026 E Mercer Way, spoke about Residential Code update and asked Council to consider the effects code updates will have on the small town/village feel of the Island.

CONSENT CALENDAR

Mayor Bassett moved AB 5321: City Council Rules of Procedure Amendments Adoption to the first item of Regular Business.

Payables: \$182,856.75 (06/08/2017), \$747,796.80 (06/15/2017)

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

Payroll: \$805,367.66 (06/09/2017)

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

Minutes: May 15, 2017 Regular Meeting, June 12 Special Meeting.

Recommendation: Adopt the May 15, 2017 Regular Meeting Minutes and June 12, 2017 Special Meeting Minutes as written.

AB 5310 NPDES Stormwater Code Update (2nd Reading & Adoption)

Recommendation: Adopt Ordinance No. 17C-09, amending chapters 15.09, 15.10, and 15.11 MICC relating to stormwater management standards and stormwater low impact development.

AB 5315 2017 Arterial and Residential Street Overlays Bid Award

Recommendation: Award Schedules 'A', 'B', 'C', and 'D' of the 2017 Arterial and Residential Street Overlays project to Lakeridge Paving Company in the amount of \$1,143,313. Set the total project budget to \$1,377,211 and direct the City Manager to execute the contract.

AB 5295 Adoption of the 6 Year Transportation Improvement Program

Recommendation: Adopt the 2018-2023 Transportation Improvement Program as reflected in Exhibit 1 to AB 5295.

It was moved by Bertlin; seconded by Weiker to:

Approve the Consent Calendar and recommendations therein as amended.

Passed 7-0

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

REGULAR BUSINESS

AB 5321 City Council Rules of Procedure Amendments Adoption

Mayor Bassett requested removal of changes to attendance rules, reference to "hour of adjournment", and change the language regarding proclamation approval.

It was moved by Grausz; seconded by Wisenteiner to:

Approve the Council Rules of Procedure as amended.

Passed 7-0

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

AB 5316 Public Hearing on Freeman Avenue Street Vacation

Public Works Director Jason Kintner provided information about the proposed street vacation of a portion of Freeman Avenue SE. He noted that pursuant to state law and the Mercer Island City Code, a public hearing is required prior to vacating the right-of-way.

Mayor Bassett opened the public hearing at 7:52 pm.

Ira Appleman, 9039 E Shorewood Drive, spoke in opposition of the street vacation. He questioned the property valuation provided in the agenda bill.

Lynn Hagerman, 3058 61st Ave SE, spoke in opposition of the street vacation. She asked Council to preserve all public access points if possible.

Mayor Bassett closed the public hearing at 7:54 pm.

It was moved by Grausz; seconded by Wisenteiner to:

Adopt Ordinance No. 17-16 vacating a portion of Freeman Avenue SE in the City of Mercer Island, Washington.

Passed 7-0

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

AB 5317 I-90 Loss of Mobility Status Report

City Manager Underwood spoke about the upcoming community meeting regarding the settlement agreement with Sound Transit, which was just approved by their Board, is scheduled on June 22 from 7-8:30pm at the West Mercer Elementary School gymnasium. City Manager Underwood also reviewed the results of the community transportation survey.

City Manager Underwood requested that the Council appropriate \$300,000 to fund a Traffic Mitigation Plan which is anticipated to be reimbursed by funds from the Sound Transit settlement.

It was moved by Grausz; seconded by Bertlin to:

Appropriate \$300,000 for a scope of work for a Traffic Congestion Mitigation and Safety Improvement Plan, which will be funded by the Sound Transit settlement funds, with an initial expenditure of no more than \$50,000 until the Sound Transit Agreement has been signed, and to have staff return with the work plan that will be included in the agreement.

Passed 4-3

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

AGAINST: 3 (Sanderson, Weiker, Wisenteiner)

AB 5319 CenturyLink Cable Franchise (2nd Reading & Adoption)

City Attorney Kari Sand presented the proposed ordinance for Cable Franchise Agreement with CenturyLink for second reading. Torry Somers with Century Link addressed Councilmember Grausz's question regarding the requirement of Qwest conducting tree trimming in the City.

It was moved by Grausz; seconded by Bertlin to:

Amend section 1.1.4 on Page 9 of the Agenda Bill to delete the text beginning on line 6 with the word however through the period after the words applicable law.

Failed 1-6

FOR: 1 (Grausz)

AGAINST: 6 (Bassett, Bertlin, Sanderson, Weiker, Wisenteiner, Wong)

It was moved by Wong; seconded by Weiker to:

Adopt Ordinance No. 17-14, approving a cable franchise agreement with CenturyLink.

Passed 5-1

FOR: 5 (Bassett, Sanderson, Weiker, Wisenteiner, Wong)

AGAINST: 1 (Grausz)

ABSTAIN: 1 (Bertlin)

AB 5320 Refunding of Outstanding 2009B Long Term General Obligation (LTGO) Bonds

Finance Director Chip Corder presented an opportunity to save the City over \$500,000 by refunding outstanding 2009B Long Term General Obligation Bonds. He advised that these bonds primarily benefit the sewer fund and this savings will help mitigate the need to raise sewer utility rates for funding of anticipated sewer plan capital improvements.

Financial Advisor Justin Monway from PiperJaffray, and City Bond Counsel Deanna Gregory from Pacifica Law Group attended and were available for questions from the Council.

It was moved by Bertlin; seconded by Weiker to:
Suspend City Council Rules of Procedure 5.2, requiring a second reading for an ordinance.
Passed 7-0
FOR: 7 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wisenteiner, Wong)

It was moved by Bertlin; seconded by Weiker to:
Adopt Ordinance No. 17-17, authorizing the issuance of limited tax general obligation refunding bonds in the aggregate principal amount of not to exceed \$7,000,000 to refund certain outstanding limited tax general obligation bonds of the City and to pay costs of issuing the bonds; providing the form, terms, and covenants of the bonds; delegating authority to approve the final terms of the bonds; and providing for other matters related thereto.
Passed 7-0
FOR: 7 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wisenteiner, Wong)

OTHER BUSINESS

Councilmember Absences

There were no absences.

Planning Schedule

City Manager Julie Underwood noted the change to add a Special Meeting on July 5, to continue the first reading of the Residential Code Update.

Board Appointments

There were no appointments.

Councilmember Reports

Councilmember Wong requested feedback on Veteran's levy to be able to provide to Sound Cities Association. The Council consensus was there is general support of the levy, but there isn't strong feeling one way or there other regarding whether the levy should be 10 cents or 12 cents.

Councilmember Weiker noted the meet the candidates at Northwood Elementary for new Superintendent on Wednesday afternoon.

Deputy Mayor Bertlin and Mayor Bassett attended the retirement celebration for Superintendent Gary Plano.

EXECUTIVE SESSION

Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 15 minutes

At 10:25 pm, Mayor Bassett convened the Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 15 minutes.

At 10:40 pm, Mayor Bassett adjourned the Executive Session.

ADJOURNMENT

The Regular Meeting was adjourned at 10:40 pm.

Attest:

Bruce Bassett, Mayor

Ellie Hooman, Deputy City Clerk