



## **CITY COUNCIL MINUTES REGULAR MEETING JANUARY 3, 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 Jeff Sanderson, Wendy Weiker, David Wisenteiner, and Benson Wong were present. Councilmember Grausz was absent.

### **AGENDA APPROVAL**

It was moved by Wong; seconded by Bertlin to:

**Approve the agenda as presented.**

Passed 6-0

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

ABSENT: 1 (Grausz)

### **EXECUTIVE SESSION**

**Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 75 minutes**

At 5:02 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 approximately 75 minutes.

At 6:21 pm, Mayor Bassett adjourned the Executive Session and the Regular Meeting reconvened.

### **SPECIAL BUSINESS**

#### **Public Reception for New City Manager Julie Underwood**

The Council hosted a reception for new City Manager Julie Underwood. Mayor Bassett welcomed Ms. Underwood and residents and noted that the Council Meeting would resume at 7:00 pm.

#### **Swearing-In of City Manager Julie Underwood**

City Clerk Ali Spietz administered the Oath of Office to City Manager Julie Underwood. Mayor Bassett congratulated Ms. Underwood and welcomed her to the Mercer Island community.

### **APPEARANCES**

Peter Struck, 9130 SE 54th Street, welcomed new City Manager Julie Underwood. He presented 2,285 petition signatures asking the Council to reconsider the donation of public parkland to private group for building.

Meg Lippert, 4052 94th Ave SE, welcomed new City Manager Julie Underwood. She expressed concerns about parkland donation plans, and urged the Council to reconsider the donation of public parkland to the Mercer Island Center for the Arts.

Elizabeth Hardisty, 2283 72nd Ave SE, member of Sustainable Mercer Island. She thanked the Council for their

statement on November 21 reaffirming Mercer Island's principles and values. She specifically praised the Council's commitment to protect the natural environment and spoke about concerns regarding global climate change.

Dr. Jonathan Harrington, 9514 SE 68th Street, welcomed new City Manager Julie Underwood. He praised Julie's history of working to promote sustainable development, and expressed his hope that her leadership will help Mercer Island reach its sustainable development goals.

Roger Shanafelt, 4466 Ferncroft Road, read a letter to the Council regarding the proposed changes to the I-90 corridor.

Subeer Manhas, 4899 Forest Ave SE, spoke about I-90 negotiations and recommended that the Council immediately revoke Sound Transit's shoreline permit until both Sound Transit and WSDOT agree to a list of terms to mitigate the threats to Mercer Islander's mobility needs.

Chad Parmenter, 7340 Island Crest Way, expressed concerns regarding mobility challenges and asked Council to take the necessary time to consider the best possible solutions to Mercer Island's mobility needs.

Ira Appelman, 9039 E. Shorewood Drive, welcomed new City Manager Julie Underwood. He expressed concern about how the Council interacts with City staff. He requested that the City Council get rid of the 1-hour rule which gives Councilmembers the ability to assign up to 1 hour of work to City staff and instead communicate their needs or concerns directly to the City Manager.

Eric Rothenberg, 8284 SE 82nd Street, expressed support of previous speakers' comments regarding I-90 loss of mobility. He is concerned that there is a lack of data regarding proposed changes and what those changes will mean for Islanders when it comes to traffic congestion and emergency vehicles being able to respond to life threatening situations.

Carol Heltzel, 8245 SE 61st Street, is concerned that if Mercer Island loses access to HOV lanes, it will impact traffic congestion for the entire region. She stated that the environmental impact studies conducted for the project did not take these changes into consideration, and therefore Sound Transit should be required to conduct a new study.

Steve Marshal, 8150 West Mercer Way, organized a conference on advanced transportation technology. He expressed concerned that there are many things that should have been considered as part of the environmental impact study. He hopes that if Mercer Island can require at least a review of the environmental impact study and include in an agreement the inclusion of new transportation technologies that could benefit the region.

David Guliani, 1960 82nd Ave SE, spoke about his experience living in the Bay Area and lessons learned from the construction of the BART system. He advised that the Council should consider becoming a leader in pushing forward advancing transportation technology which would allow more traffic to flow through the same area more efficiently.

Traci Granbois, 8440 SE 82nd Street, welcomed City Manager Julie Underwood. She spoke about legislative priority #8 and her concern with the Council supporting AWC's legislative priorities, without knowing specifics regarding modernizing the Public Records Act.

Kevin Peck, 6825 84th Ave SE, asked Council to take all steps possible to protect Islanders access to HOV lanes. He recommended that the HOV lanes be closed for a day to gain empirical data which can be used in decision making moving forward.

Heather Cartwright, 8204 SE 62nd Street, noted that Council is the only voice representing Mercer Islanders interests in the I-90 negotiations. She spoke on behalf of other community members who are busy and unaware of what is happening with I-90. She asked the Council to be aggressive in negotiations regarding this issue.

Jeff Geoghagan, 7515 85th Ave SE, expressed concern that emergency vehicles will not be able to get to or from an emergency quickly with the changes to the lanes on I-90.

Stephanie St Mary, 8221 SE 67th Street, expressed concern about traffic, emergency vehicle access, and real estate values with the proposed changes to I-90.

Ron Thunen, 6836 83rd Ave SE, read a prepared statement regarding Council's responsibility to preserve mobility for Mercer Islanders.

Neil McDonald, 8403 East Mercer Way, expressed concern about loss of mobility threatening the community. He believes there is a lack of public process and that it doesn't seem like the Council has created a transparent conversation about the negotiations.

Tom Acker, 2427 84th Ave SE, welcomed new City Manager Julie Underwood. He asked the Council what help do they need from citizens. He does not think the communications from the City are clear and helpful and that the Council has created a system that has oppressed the voice of the citizens.

Tom Heltzel, 8245 SE 61st Street, spoke about the citizen involvement in the proposed flight path changes and encouraged the Council to use that model for resolving I-90 mobility issues. He would like to see more openness with the citizenry and not to let Sound Transit bully the City to give up leverage.

## **CONSENT CALENDAR**

**Payables: \$522,734.73 (12/1/16) \$203,721.31 (12/8/16), \$609,573.39 (12/15/16) & \$703,937.32 (12/29/16)**

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

**Payroll: \$792,623.29 (12/9/16) & \$768,306.89 (12/23/16)**

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

**Minutes: November 21, 2016 Regular Meeting Minutes, December 1, 2016 Special Meeting Minutes, & December 13, 2016 Special Meeting Minutes**

**Recommendation:** Adopt the November 21, 2016 Regular Meeting Minutes, December 1, 2016 Special Meeting Minutes, & December 13, 2016 Special Meeting Minutes as written.

## **AB 5246 2017-2018 Fire (IAFF) Collective Bargaining Agreement**

**Recommendation:** Authorize the City Manager to sign the IAFF Collective Bargaining Agreement and Memorandum of Understanding with the IAFF Bargaining Unit for the period of January 1, 2017 through December 31, 2018, in substantially the form attached hereto as Exhibits 1 and 2.

It was moved by Bertlin; seconded by Wisenteiner to:

**Approve the Consent Calendar and the recommendations contained therein.**

Passed 6-0

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

ABSENT: 1 (Grausz)

## **REGULAR BUSINESS**

### **AB 5243 I-90 Loss of Mobility Negotiations Status Report**

Assistant City Manager Kirsten Taylor reviewed Mercer Island's goals and negotiating principles regarding I-90 loss of mobility. She provided a summary of the public outreach in the Fall of 2016, noting there were 10 events with over 450 attendees and spoke about the upcoming public meeting on January 19 at the Community Center to receive public input and priorities on parking for light rail and resident access to light rail service/station.

Ms. Taylor spoke about scheduling outreach in 2017 by connecting with new groups of interested residents, newspaper articles, updates to City website, E-newsletter, social media outlets, and online document archive. She also spoke about the Frequently Asked Questions (FAQs) that have been compiled to provide accurate and up-to-date information each month. She noted that there are recent FAQs regarding Sound Transit's MI Park & Ride and Future I-90 Ramp Closures and Reconfigurations (including diagrams).

She also noted recent updates to the following web pages: Sound Transit South Bellevue Park & Ride, ST 2015 MI Park & Ride License Plate survey, I-90 Document Archive, FAQ Page, MI Station Page, On/Off-Ramp Diagram. She reviewed the information the City received from Sound Transit regarding the South Bellevue Park & Ride Closure and provided the history of the Mercer Island Station Design process.

Council asked staff to ask Sound Transit for confirmed date for the closure of the South Bellevue Park & Ride. They also wanted to note that Sound Transit's presentation was inadequate and that they need to return to answer questions and present information they committed to provide.

Ms. Taylor noted that negotiations will continue with regular meetings of City, Sound Transit, WSDOT, and FHWA staff and an upcoming meeting of principals from each agency to determine which alternative(s) will be implemented in the short term before the center roadway closes in June 2017 and which long-term alternatives will move to the analysis phase. She also noted that if at any point the City does not make progress toward its interests in these negotiations, the City has the option of other courses of action.

The Council asked for a specific date that the center roadway will close. Ms. Taylor responded that she has requested that information from Sound Transit.

Mayor Bassett thanked the public for engaging and coming to the meeting. He stated that the Council is trying hard to do all that it can to achieve the right outcome.

#### **AB 5244 Zoning Code Text Amendment Related to Religious Institutions (1st Reading)**

Senior Planner Nicole Gaudette presented a proposed code amendment that the Planning Commission reviewed to eliminate the need for places of worship to apply for a variance to allow up to 60% impervious surface pursuant to Mercer Island City Code ("MICC") 19.02.020(D)(4) when adding a residential use to their site.

Ms. Gaudette reviewed Councilmember Grausz' possible modifications to the proposed text amendments to clarify (1) that the impervious surface exemption applies only to lot area and not to floor area ratio; (2) the meaning of "lot" for this provision; (3) that 60% lot coverage cannot be exceeded by using either this exemption or the variance provided in MICC 19.02.020(D); and (4) ownership change versus use change.

It was moved by Sanderson; seconded by Wong to:

**Set Ordinance No. 17C-02 for second reading and adoption at the January 17, 2017 City Council meeting with the incorporation of staff's recommended changes to comments 1-3 in the PowerPoint presentation (as noted above).**

Passed 6-0

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

ABSENT: 1 (Grausz)

#### **AB 5245 Code Amendments to Require Installation of Automatic Fire-Sprinkler Systems in New Residential Construction and Substantial Alterations (1st Reading)**

Fire Chief Steve Heitman presented code amendments to require installation of automatic fire-sprinkler systems in all new residential construction and substantial alterations. He reviewed Council's direction from presentations at previous Council meetings and spoke about determining the valuation method (currently \$156 per square foot).

It was moved by Bertlin; seconded by Sanderson to:

**Set Ordinance No. 17C-01 to January 17, 2017 for a second reading.**

Passed 5-1

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

AGAINST: 1 (Weiker)

ABSENT: 1 (Grausz)

#### **AB 5242 Final 2017 Legislative Priorities**

Assistant City Manager Kirsten Taylor presented the proposed final City of Mercer Island 2017 State Legislative Priorities. She spoke about the changes the Council request during the December 5, 2016 meeting and additional changes, including adding a new first priority to maintain full access to I-90 R8A lanes as provided for by historic

documents, revising titles to be more focused and language to be more directive, moving the property tax reform priority to a standalone item, and newly proposed housing priority.

It was moved by Wisenteiner; seconded by Wong to:

**Adopt the final City of Mercer Island 2017 State Legislative Priorities as amended.**

Passed 6-0

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

ABSENT: 1 (Grausz)

## **OTHER BUSINESS**

### **Councilmember Absences**

Councilmember Grausz' absence was excused.

### **Planning Schedule**

City Manager Underwood noted that the next council meeting will be on Tuesday, January 17.

Councilmember Sanderson requested regular updates on the Residential Development Code Update progress.

Following discussion, City Manager Underwood responded that she will check in with DSG staff on the progress and when the Council will have input opportunities.

Councilmember Weiker asked what the topics are for the Planning Session. Mayor Bassett responded that eh and the City Manager will work on the agenda and will forward a draft to Council for review. City Manager

Underwood also noted that she would be meeting with Councilmembers and staff to determine priorities and possible topics.

Mayor Bassett asked the Council about having a facilitator for the planning session. The Council agreed to have one to allow the Mayor to participate in discussions.

### **Board Appointments**

There were no appointments.

### **Councilmember Reports**

Councilmember Wong noted that the annual Youth & Family Services Foundation Breakfast will be on February 8.

## **ADJOURNMENT**

The Regular Meeting adjourned at 10:04 pm.

Attest:

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Bruce Bassett, Mayor

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Allison Spietz, City Clerk