



CITY COUNCIL MINUTES REGULAR MEETING NOVEMBER 21, 2016

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, Jeff Sanderson Wendy Weiker, Dave Wisenteiner, and Benson Wong were present.

AGENDA APPROVAL

It was moved by Bertlin; seconded by Wong to:

Amend the agenda to add a proclamation.

Passed 6-0

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

ABSENT: 1 (Wisenteiner)

EXECUTIVE SESSION

Executive Session #1 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 105 minutes

At 5:03 pm, Mayor Bassett convened Executive Session #1 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 105 minutes.

At 6:44 pm, Mayor Bassett adjourned Executive Session #1.

Executive Session #2 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 45 minutes

At 6:45 pm, Mayor Bassett convened Executive Session # to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 45 minutes.

At 7:23 pm, Mayor Bassett adjourned Executive Session #2 and the Regular Meeting reconvened.

SPECIAL BUSINESS

Mayor Bassett read a proclamation wherein the City Council affirmed that Mercer Island values civil discourse, non-discriminatory provision of community services, environmental sustainability, and respectful and careful listening to any person or group of people in all conduct of government business.

APPEARANCES

Bob Kessler, 4438 Ferncroft Road, complimented the Council and staff for the CERT emergency management class as a forward-thinking program to help Islanders prepare for emergency.

Peter Struck, 9130 SE 54th Street, spoke about the 2017 Comp Plan docket and the application submitted by MICA. He believes it is premature, incomplete and noncompliant.

Gary Robinson, 6026 East Mercer Way, spoke about the 2017 Comp Plan docket and the application submitted by MICA. He believes there are issues with platting, streets and rights of way, off-site developments and prohibited alterations, and the proposed zoning code text amendment.

Leon Cohen, 9219 SE 33rd Place, spoke about the property at the southwest corner of SE 24th Street and 76th Ave SE (next to Freshy's) He spoke about the owners' (2411) proposal for a mixed used building for commuter parking and a gateway plaza to the Town Center.

Roger Newal, 1102 19th Ave E, Seattle, architect for Leon Cohen, he spoke about his schematic designs for property at southwest corner of SE 24th Street and 76th Ave SE. He asked the Council to look at the possible uses for this property, including commuter parking.

Tom Acker, 84th Ave SE, spoke about his appreciation for the Mercer Island Police Department. He stated that there should be random shutdowns on the I-90 corridor to mimic the upcoming closures.

CONSENT CALENDAR

Payables: \$549,918.68 (11/9/16) & \$870,319.27 (11/17/16)

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

Payroll: \$754,130.51 (11/10/16)

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

Minutes: November 7, 2016 Regular Meeting Minutes, November 8, 2016 Special Meeting Minutes, November 15, 2016 Special Meeting Minutes

Recommendation: Adopt the November 7, 2016 Regular Meeting Minutes, November 8, 2016 Special Meeting Minutes, and November 15, 2016 Special Meeting Minutes as written.

AB 5230 West Mercer Way Roadside Shoulder Improvements Phase 1 Bid Award

Recommendation: Award the Roadside Shoulder Improvements, West Mercer Way Phase 1 project to Trinity Contractors, Inc. in the amount of \$295,768. Set the project budget to \$429,627, and direct the City Manager to execute the construction contract.

It was moved by Bertlin; seconded by Grausz to:

Approve the Consent Calendar and the recommendations contained therein.

Passed 7-0

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

REGULAR BUSINESS

AB 5231 Public Hearing: 2017-2018 Preliminary Budget Review: Finalize Changes & Adopt Tax Ordinances and Fee Resolutions

Finance Director Chip Corder presented the 2017-2018 Preliminary Budget for Council review of follow-up items from prior budget review meetings, Council decisions/direction to date, changes to the 2017-2018 Preliminary Budget by Council and staff, resolutions and ordinances related to the 2017-2018 Budget.

At 7:53 pm, Mayor Bassett opened the continued public hearing.

Tom Acker, spoke about the turf project at Island Crest Park fields and other Parks projects that need funding.

Toby Suhm, 7819 SE 22nd Place, Mercer Island FC, spoke about the Island Crest Park turf project.

Sarah Baker, Policy Associate at Housing Development Consortium, spoke about the Eastside Housing Trust Fund administered by ARCH and asked the Council to increase the amount budgeted for the Trust Fund.

At 8:01 pm, the Mayor closed the public hearing.

Finance Director Chip Corder reviewed the follow-up items from previous meetings as follows:

- Estimated DSG cost recovery in 2016-2018: staff updated revenue estimates & utilized 2015 analysis by FCS Group to make key assumption regarding how staff time is spent
- Fire Marshal overtime relative to fire permit revenue: staff updated 2016-2018 overtime & revenue estimates
- Compensated absences: staff reported that high average vacation balances per employee is a direct result of City's lean staffing model & demanding annual work plans
- Electronic public engagement tool: form a Council/staff project team to determine scope and costs.
- Organizational efficiency/effectiveness: will be discussed at the February 2017 Planning Session

Director Corder noted that no changes were made to the Capital Budget (except that staff will return to the Council with data and a recommendation on the SE 40th Street Project in early 2017). He reviewed the following changes that were made to the Operating Budget:

- Approved all service packages in the Preliminary Budget except for the Communications Assistant (0.5 FTE) and Youth Development Coordinator (0.5 FTE)
- Approved the Public Outreach on DSG Projects service package (\$85,000), but directed staff to hold off on spending the \$40,000 budgeted in 2018 until the Council takes a comprehensive look at public communication/outreach/engagement
- Increase the City's annual affordable housing contribution to ARCH from \$20,000 to \$64,000 in 2017 and to \$96,000 in 2018.
- Budget \$400,000 for I-90 loss of mobility negotiations in 2017 (at \$75K in 2016).
- Split decision on adding 0.5 FTE for code enforcement (has not been added to the budget and recommends discussing at February 2017 Planning Session).

Tim O'Connell, vice-chair of the Utility Board, spoke to the Council about the Utility Board's recommendation for 2017 utility rate increases.

DSG Director Scott Greenberg spoke about code enforcement staffing and needed code amendments. Following discussion, Council directed staff to dedicate some portion of a contract Administrative Assistant in DSG to code enforcement support, ensuring that there is no budgetary or total staffing impact. DSG will brief the Council on its revised staffing plan at the February 2017 Planning Session, in addition to the topic of code enforcement, including needed code revisions.

Councilmember Wisenteiner asked the Council to discuss and either reconfirm or reconsider the following decisions regarding the 2017-2018 budget:

1. Do not move forward with the ½ time YFS position service package: The Council reconfirmed their decision from the November 7, 2017 Council meeting to remove the service package for the Youth Development Coordinator (0.5 FTE) from the 2017-2018 Budget
2. Do not move forward on the ½ time Communications position service package: The Council reconfirmed their decision from the November 7, 2017 Council meeting to remove the service package for the Communications Assistant (0.5 FTE) from the 2017-2018 Budget, but discuss communications at the February 2017 Planning Session.
3. Do not move forward on the addition of a code compliance officer: The Council directed staff to dedicate some portion of a contract Administrative Assistant in DSG to code enforcement support, ensuring that there is no budgetary or total staffing impact and discussion the code enforcement staffing plan and code amendments at the February 2017 Planning Session.
4. ARCH contribution increase: The Council reconfirmed their decision from the November 7, 2017 Council meeting to increase the City's annual affordable housing contribution to ARCH from \$20,000 to \$64,000 in 2017 and to \$96,000 in 2018.
5. Put a cap on vacation accrual: The Council directed staff to provide information on a cap on vacation accruals at the February 2017 Planning Session.
6. Put a cap on sick leave: The Council directed staff to provide information on this at the February 2017 Planning Session.
7. Look at eliminating one or both hire-in-advance police officers. The Council directed staff to provide information on this at the February 2017 Planning Session.
8. Budget one less 2018 FTE in Development Services in recognition of the projected 74% total cost recovery in order to budget based on our 85% - 90% cost recovery policy. The Council directed staff to

monitor development activity through 2017 as part of each quarterly financial status report and, if necessary, return with one of two possible recommendations: 1) reducing contract DSG staff, or 2) increasing DSG cost recovery levels further by increasing fees.

It was moved by Bertlin; seconded by Grausz to:

Pass Resolution No. 1527, which approves NORCOM's 2017 budget allocation to the City of Mercer Island.

Passed 7-0

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

It was moved by Bertlin; seconded by Grausz to:

Pass Resolution No. 1522, which establishes classifications of water users and a schedule of charges for water usage, a schedule of rates for fire service, a schedule of special service charges, meter and service installation charges, and connection charges effective January 1, 2017 and thereafter.

Passed 7-0

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

It was moved by Bertlin; seconded by Grausz to:

Pass Resolution No. 1523, which establishes rates and connection charges for sewerage disposal services provided by the City of Mercer Island effective January 1, 2017 and thereafter.

Passed 7-0

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

It was moved by Bertlin; seconded by Wisenteiner to:

Pass Resolution No. 1524, which establishes the bi-monthly service charge for storm and surface water services provided by the City of Mercer Island effective January 1, 2017 and thereafter.

Passed 7-0

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

It was moved by Bertlin; seconded by Wisenteiner to:

Pass Resolution No. 1525, which establishes the bi-monthly utility fee for the emergency medical and ambulance services supplied by the City of Mercer Island effective January 1, 2017 and thereafter.

Passed 7-0

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

It was moved by Bertlin; seconded by Sanderson to:

Pass Resolution No. 1528, which makes a finding of "substantial need" to set the 2017 levy limit at 101 percent.

Passed 7-0

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

It was moved by Bertlin; seconded by Grausz to:

Suspend the 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 Grausz to:

Adopt Ordinance No. 16-15, which appropriates funds and fixes the amount of property taxes to be levied for the year 2017.

Passed 7-0

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

It was moved by Bertlin; seconded by Wong to:

Adopt Ordinance No. 16-14, which identifies the dollar amount and percentage increases of the regular property tax levy and the levy lid lifts for the year 2017.

Passed 7-0

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

AB 5229 Crown Castle Small Cell Franchise Agreement (1st Reading)

Assistant City Attorney Christina Schuck presented an ordinance for first reading for a franchise agreement which grants authority to Crown Castle to license up to 39 small cell facilities in locations throughout the City. She noted that the franchise agreement also sets location and design priorities, the process to approve small cell facilities, and sets restrictions and rules for cutting and pruning trees.

The Council discussed the main policies within the franchise agreement and directed staff to include the following in the agreement for second reading:

- Provide public notice of application and public notice of decision for proposed small cell facilities;
- Balance locational and design priorities in the following order of priority: (1) trees, (2) views, then (3) streets;
- Minimize impacts to trees by revising language regarding “cutting” and “pruning”; and
- Be more protective of views and to minimize impacts to all views, including territorial and mountain views and not just views of Lake Washington.

It was moved by Wong; seconded by Weiker to:

Extend the meeting for one hour until 11:00 pm.

Passed 7-0

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

It was moved by Wong; seconded by Bertlin to:

Set Ordinance No. 16-12 to a second reading on December 5, 2016.

Passed 6-0

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

ABSTAIN: 1 (Weiker) *Councilmember Weiker abstained due to her employment with Puget Sound Energy.*

AB 5232 2017 Comprehensive Plan Final Docket

DSG Director Scott Greenberg reviewed the final docket of Comprehensive Plan amendments and presented a resolution for adoption of the proposed amendments for further analyzing and consideration by the Planning Commission, City Council, and community in 2017.

It was moved by Bertlin; seconded by Bertlin to:

Adopt Resolution No. 1526 adopting the 2017 Comprehensive Plan amendment final docket.

Passed 7-0

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

AB 5233 I-90 Loss of Mobility Negotiations Status Report

Assistant City Manager Kirsten Taylor provided an update regarding recent public outreach dates and opportunities, dissemination of outreach materials, updated I-90 access alternatives, information about a future presentation to Council on the upcoming closure of South Bellevue Park & Ride, and additional budget appropriations for 2016.

OTHER BUSINESS

Councilmember Absences

There were no absences.

Planning Schedule

The Council canceled the December 19, 2016 Regular Meeting, the December 20, 2016 Special Meeting, and the December 27, 2016 Special Meeting.

Board Appointments

Sound Cities Association announced the following regional appointments:

- Bruce Bassett: PSRC Executive Board (alternate) & Regional Transit Committee
- Debbie Bertlin: Growth Management Planning Council
- Dan Grausz: KC Consortium Joint Recommendations Committee for CDBG & Regional Policy Committee
- Councilmember Wendy Weiker: Emergency Management Advisory Committee (alternate) & King Conservation District Advisory Committee (alternate)
- Benson Wong: PSRC Transportation Policy Board (alternate) & Regional Water Quality Committee

Councilmember Reports

Councilmember Grausz spoke about the Puget Sound Clean Air Agency Board of Directors meeting.

Deputy Mayor Bertlin noted that King County Councilmember Claudia Balducci secured \$50K in King County's budget for an I-90 corridor bike path plan through Aubrey Davis Park.

Councilmember Wong noted that the SCA PIC would be voting on 2017 assessment dues at their next meeting.

Mayor Bassett spoke about the recent national Sustainability Cities conference.

ADJOURNMENT

The Regular Meeting adjourned at 11:00 pm.

Attest:

Bruce Bassett, Mayor

Allison Spietz, City Clerk