



# CITY COUNCIL MINUTES REGULAR MEETING SEPTEMBER 19, 2016

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

## AGENDA APPROVAL

It was moved by Weiker; seconded by Bertlin to:

**Approve the agenda as presented.**

Passed 7-0

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

## EXECUTIVE SESSION

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

At 5:01 pm, Mayor Bassett convened Executive Session #1 pursuant to RCW 42.30.110(1)(i) to discuss, with legal counsel, pending or potential litigation for 60 minutes.

At 6:01 pm, Mayor Bassett extended the Executive Session for an additional 15 minutes.

At 6:18 pm, Mayor Bassett adjourned Executive Session #1.

The Regular Meeting reconvened at 6:20 pm.

## STUDY SESSION

### **AB 5215 Small Cell License Agreements**

Assistant City Attorney Christina Schuck and Development Service Director Scott Greenberg presented information to the Council regarding Crown Castle's applications to install small cell facilities, on Puget Sound Energy utility poles, in 38 locations throughout the City to address a significant gap in coverage for its client T-Mobile. She spoke about the City and Crown Castle's negotiations regarding a franchise agreement that would allow Crown Castle access to the right-of-way to install small cell facilities.

Representatives from Crown Castle spoke about the significant gaps in T-Mobile's service on Mercer Island and where the small cells would be located to improve that service.

Following questions and discussion, the Council requested additional information regarding the franchise terms and policies and requested another review before first reading of the franchise.

## APPEARANCES

Meg Lippert, 4052 94<sup>th</sup> Ave SE, spoke about MICA's 501(c)(3) status and questioned Councilmember Grausz' legal opinion about MICA being a public organization. She also questioned the fairness to taxpayers of singling out one private entity when others must pay.

Traci Granbois, asked the Council to think about their role in interfering with business competition and whether the results are likely to be beneficial. She spoke about the changes to the City code that MICA has requested, specifically about placing a private development in a public zone.

Tom Acker, noted the improvement in the sound quality of Council meetings on TV; thanked Councilmembers Wisenteiner and Weiker for their genuine dialogue and asking questions at the last Council meeting; believes that communications from the City on NextDoor should be vetted by community members before being posted; requested that the Council vote on whether or not to support ST3; thanked Mayor Bassett for working on Mercer Island dedicated spots at the park-and-ride; asked that a new EIS be issued for ST2 and that the Council conduct a comprehensive traffic engineering study.

Nancy Hewitt-Spaeth, 8320 SE 34<sup>th</sup> Street, expressed her concerns about getting on and off the Island with the closure of the center lanes. She asked how the Council will protect Island residents' access and mobility during light rail construction.

## CONSENT CALENDAR

**Payables: \$898,535.21 (09/01/16) & \$508,270.78 (09/12/16)**

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

**Payroll: \$753,452.48 (09/02/16)**

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

**Minutes: September 6, 2016 Regular Meeting Minutes**

**Recommendation:** Adopt the September 6, 2016 Regular Meeting Meetings as written.

**AB 5218 AFSCME 2016-2017 Collective Bargaining Agreement**

**Recommendation:** Authorize the Interim City Manager to sign the AFSCME Collective Bargaining Agreement with the AFSCME Bargaining Unit for the period of January 1, 2016 through December 31, 2017, in substantially the form attached hereto as Exhibit 1.

It was moved by Wong; seconded by Wisenteiner 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 5216 Mercer Island Library Board Resolution and Charter Update**

Parks & Recreation Director Bruce Fletcher presented a Resolution, which would extend the Mercer Island Library Board's charter until December 21, 2018. He stated that the proposed two-year extension allows time for the MILB to transition from a focus on library renovations to a focus on more traditional Library Board agendas to ensure that library services and facilities meet the needs of Mercer Island residents.

Mary Kay Woolsten, MI Library Board Chair, spoke to the Council about what the Board is working on and what they would like to focus on in the future.

It was moved by Sanderson; seconded by Weiker to:

**Authorize Resolution No. 1519 to extend the Mercer Island Library Board to sunset on December 31,**

**2018 as amended.**

It was moved by Bertlin; seconded by Grausz to:

**Amend Section 2, number 3 of the Charter as follows:**

3. **To ensure that any significant proposed changes in Mercer Island Library services and facilities, as determined by the Library Board, are only implemented after input has been provided from Mercer Island residents.**

Motion to Amend Passed 6-1

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

AGAINST: 1 (Weiker)

Amended Motion Passed 6-1

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

AGAINST: 1 (Weiker)

**AB 5214 Residential Development Standards Community Engagement Update**

DSG Administrative Services Manager Alison Van Gorp presented the community engagement plan for the residential development standards code update. She spoke about the outreach staff has already done and the key findings from discussions with each Councilmember about their feedback on the Town Center process, as well as ideas for improved public engagement going forward. She reviewed each of the three phases for the Residential Development Standards Update Process and provided a timeline for each phase as follows:

Phase 1: Project Kick Off

Phase 2: Policy Analysis and Recommendations (Planning Commission)

Phase 3: Review and Approval of Code Update (City Council)

She also presented an optional budget allocation which would enable staff to engage consultant resources for meeting facilitation as well as to develop graphics for use in community meetings, Planning Commission discussions, and ultimately inclusion in the updated code as several Councilmember's expressed the importance of these.

Council asked about the timeline and whether it could be compressed. Staff responded that ten months from kick-off to code adoption is needed in order to conduct thorough outreach to all residents and thorough review of the proposed changes by the Planning Commission.

It was moved by Weiker; seconded by Wong to:

**Approve the \$21,500 optional budget request, which would be funded by the 2015 General Fund surplus, for graphic development and meeting facilitation for the community engagement plan related to the single family residential development code update.**

Passed 6-1

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

AGAINST: 1 (Wisenteiner)

**AB 5217 I-90 Loss of Mobility Negotiations Status Report**

Assistant City Manager Kirsten Taylor presented a draft presentation that staff will be sharing with the community over the next few months regarding Mercer Island I-90 Access & East Link Light Rail Project Update. The presentation covered the historical context of I-90 formal agreements, current negotiation topics, how this affects Island residents, upcoming outreach, and opportunities for the community to give input.

**AB 5213 City Council Requests for 2017 Comprehensive Plan Preliminary Docket**

Planning Manager Evan Maxim spoke about the recently created process for adding items to the Comprehensive Plan preliminary docket and noted that this is the Council's only opportunity to add items to be studied and debated in 2017.

Following discussion of the telecommunication policies in the Utilities Element, the Council did not place any items on the 2017 preliminary docket.

## OTHER BUSINESS

### Councilmember Absences

There were no absences.

### Planning Schedule

Interim City Manager Bissonnette spoke about upcoming Special Meetings on 9/23, 9/30, and 10/13.

### Board Appointments

It was moved by Bertlin; seconded by Weiker to:

**Affirm the appointment of Matt Lome to Position #6 (expiring May 2020) on the Arts Council and Tim Ong to Position #3 (expiring December 2016) on the Mercer Island Library Board.**

Passed 7-0

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

### Councilmember Reports

Councilmember Wong: thanked the Chamber, MIVAL, and the other sponsors of Art Uncorked for a great event; spoke about a letter regarding the Healthy Youth Initiative; asked Council for a response regarding a SCA PIC request for direction on issues.

Councilmember Weiker: thanked staff for the Island Crest Way paving project; invited all to the YFS Open House on October 2 at Luther Burbank Park; invited all to the Pumpkin Walk hosted by MIPA on October 22 in Pioneer Park.

Councilmember Sanderson: gave kudos to staff on the Island Crest Way paving project.

Deputy Mayor Bertlin: spoke about the upcoming Growth Management Planning Committee meeting.

Councilmember Grausz: spoke about a recent Regional Policy Committee where they discussed the mental illness and drug dependency levy.

Councilmember Wisenteiner: spoke about the recent Utility Board meeting.

Deputy Mayor Bertlin: asked for an update on the intersection of SE 40<sup>th</sup> Street and 86<sup>th</sup> Ave SE and an update on the MICA SEPA process estimated timeline.

Mayor Bassett: spoke about the agenda for the Joint Meeting with the School Board on October 13; asked the Council Effectiveness Committee to review the guideline for who comments during Appearances should be directed to and if the chair should enforce the guideline.

## EXECUTIVE SESSION

### **Executive Session #2 to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes.**

At 9:15 pm, Mayor Bassett convened Executive Session #2 pursuant to RCW 42.30.110(1)(i) to discuss, with legal counsel, pending or potential litigation for 60 minutes.

At 9:52 pm, Mayor Bassett adjourned Executive Session #2 and the Regular Meeting reconvened.

## ADJOURNMENT

The regular meeting adjourned at 9:52 pm.

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Bruce Bassett, Mayor

Attest:

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Allison Spietz, City Clerk