



# CITY COUNCIL MINUTES

## REGULAR MEETING

### JUNE 20, 2016

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#### CALL TO ORDER & ROLL CALL

Deputy Mayor Debbie Bertlin called the meeting to order at 6:15 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Deputy Mayor Debbie Bertlin and Councilmembers Dan Grausz, Jeff Sanderson, Wendy Weiker, and Benson Wong were present. Mayor Bruce Bassett and Councilmember David Wisenteiner were absent.

#### AGENDA APPROVAL

It was moved by Wong; seconded by Grausz to:

**Approve the agenda as presented.**

Passed 5-0

FOR: 5 (Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 2 (Bassett, Wisenteiner)

#### EXECUTIVE SESSION

At 6:15 pm, Deputy Mayor Bertlin convened Executive Session #1 pursuant to RCW 42.30.110(1)(g) to evaluate the qualifications of an applicant for public employment for approximately 15 minutes.

At 6:29 PM, Deputy Mayor Bertlin adjourned Executive Session #1.

At 6:29 pm, Deputy Mayor Bertlin convened Executive Session #2 pursuant to RCW 42.30.110(1)(i) to discuss with legal counsel pending or potential litigation for approximately 30 minutes.

At 7:00 pm, Deputy Mayor Bertlin extended the Executive Session for an additional 15 minutes.

At 7:14 pm, Deputy Mayor Bertlin adjourned Executive Session #2.

The Regular Meeting reconvened at 7:18 pm.

#### APPEARANCES

Tom Acker, 2427 84<sup>th</sup> Ave SE, on behalf of the PTA Board and Legislative Committee, provided comments on the Transportation Improvement Plan regarding safe routes to school for the new Northwood Elementary School. He also spoke about the Growth Management Act targets.

Meg Lippert, 4052 94<sup>th</sup> Ave SE, read a letter on behalf of Sharon Smith regarding siting MICA on the King property.

#### SPECIAL BUSINESS

Deputy Mayor Bertlin presented Interim City Manager Steve Lancaster with a gift from the Council for his past six months of service to the City. She wished him well in his second round of retirement and thanked him for all of his work and support.

Councilmembers thanked Mr. Lancaster and wished him well.

## CONSENT CALENDAR

### **Payables: \$244,386.94 (06/02/16) & \$447,863.90 (06/09/16)**

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

### **Payroll: \$763,566.16 (06/10/16)**

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

### **AB 5195 Island Crest Way Resurfacing Phase 2 Bid Award**

**Recommendation:** Award the Island Crest Way Resurfacing Phase 2 project to Lakeridge Paving Company in the amount of \$913,830. Set the project budget to \$1,259,341, and direct the City Manager to execute the construction contract.

### **AB 5192 Calkins Landing Stormwater and Park Improvement Project Closeout**

**Recommendation:** Accept the completed Calkins Landing Stormwater and Park Improvement project and authorize staff to close out the contract.

It was moved by Weiker; seconded by Wong to:

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

Passed 5-0

FOR: 5 (Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 2 (Bassett, Wisenteiner)

## REGULAR BUSINESS

### **AB 5199 Interim City Manager Appointment**

Human Resources Director Kryss Segle spoke about the process for finding a permanent City Manager. She noted that the Council formally declined to offer employment to any of the four finalists recruited and interviewed in May. She also noted that Interim City Manager Steve Lancaster's commitment will end on June 30, 2016, as he plans to return to retired status at that time. She spoke about Pam Bissonnette who is available and able to take over in the position of Interim City Manager effective July 1, 2016.

It was moved by Grausz; seconded by Sanderson to:

**Authorize the Mayor to sign the attached employment agreement with Pam Bissonnette to serve as the Mercer Island Interim City Manager effective July 1, 2016 in the amended form [Section 3(C)].**

Passed 5-0

FOR: 5 (Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 2 (Bassett, Wisenteiner)

### **AB 5193 Automated School Bus Safety Camera System Ordinance and Interlocal Agreement (1st Reading)**

Police Operations Commander Dave Jokinen presented an ordinance and interlocal agreement to implement an automated school bus safety camera system. He explained that, in order to fully implement the program, the City must (1) update MICC 10.36.110 to expressly allow for the enforcement of bus paddle violations through the use of school bus cameras; and (2) enter into an Interlocal Agreement (ILA) with the School District. He presented an ordinance which simply adopts by reference RCW 46.63.180, which allows school districts to install and operate automated school bus safety cameras to detect violations of RCW 46.61.370(1).

He also spoke about the public information campaign involving the School District and the City announcing that the program is scheduled for activation at the beginning of the 2016-17 school year.

It was moved by Wong; seconded by Weiker to:

**Suspend the City Council Rules of Procedure 5.2 requiring a first and second reading of all ordinances.**

Passed 5-0

FOR: 5 (Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 2 (Bassett, Wisenteiner)

It was moved by Wong; seconded by Bertlin to:

**Adopt Ordinance No. 16C-10, amending MICC 10.36.110 regarding overtaking and passing buses.**

Passed 5-0

FOR: 5 (Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 2 (Bassett, Wisenteiner)

Assistant City Manager Christina Schuck will strike the word court from Section 4.3 of the Interlocal Agreement.

It was moved by Wong; seconded by Weiker to:

**Authorize the City Manager to execute an Interlocal Agreement in substantially the form attached hereto as Exhibit 2 and as amended.**

It was moved by Grausz; seconded by Sanderson to:

**Amend the Interlocal to have the MISD report to the City on how the school zone safety projects are funded with the revenues.**

Motion to Amend Passed 5-0

FOR: 5 (Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 2 (Bassett, Wisenteiner)

Passed 5-0

FOR: 5 (Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 2 (Bassett, Wisenteiner)

#### **AB 5198 Fireworks Code Amendments (1st Reading)**

Fire Chief Steve Heitman presented the Fireworks Code Amendments. He provided some background and summarized the proposed changes as follows:

- Impose new restrictions on the sale of consumer fireworks within the City of Mercer Island
- Change the designated authority for approval or denial of the permit application as long as the applicant meets all of the requirements as per the state law and the City Code
- Change the days and times fireworks sales are allowed
- Authorize the Fire Chief to impose a ban on the discharge of fireworks due to extreme fire danger

He noted that the proposed changes do not alter the permit approval process for public displays.

It was moved by Weiker; seconded by Grausz to:

**Suspend the City Council Rules of Procedure 5.2 requiring a first and second reading of all ordinances.**

Passed 5-0

FOR: 5 (Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 2 (Bassett, Wisenteiner)

It was moved by Weiker; seconded by Grausz to:

**Adopt Ordinance No. 16C-02, amending chapter 8.35 MICC regarding fireworks regulations as amended.**

It was moved by Wong; seconded by Grausz to:

**Amend the previous motion as follows:**

**8.35.020 Fireworks**

**E. Application for permit.**

- 1. Any person applying for an activity listed in MICC 8.35.020(C) or (D) shall first make written application for a permit to the local fire official. The application for a permit shall be signed by**

**the applicant. If the application is made by a partnership, it shall be signed by each partner of the partnership, if the application is made by a limited liability company, it shall be signed by a manager or member of the limited liability company, and, if the application is made by a corporation, it shall be signed by an officer of the corporation and bear the seal of the corporation. The application shall be in such form as the local fire official shall require and shall include, at a minimum, the following information:**

Motion to Amend Passed 5-0

FOR: 5 (Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 2 (Bassett, Wisenteiner)

Passed 5-0

FOR: 5 (Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 2 (Bassett, Wisenteiner)

### **AB 5196 2015 Year-End Surplus Disposition**

Finance Director Chip Corder presented his recommendations for disposition of the 2015 General Fund surplus. He spoke in greater detail about the nine staff recommendations and the two one-time needs which have already been approved by Council.

Councilmember Grausz asked questions about the increase in compensated absences liability as of 12/31/15 for employee vacation and comp time. Council asked staff to bring this topic back during the budget process to review the vacation leave policy.

Council directed staff to appropriate \$150,000 for terminable design services for the Freeman Landing Landslide repair with the remaining amount held over pending further discussion and engineering work; and hold off on the street fund disposition until July 5.

### **AB 5189 DSG Development and Construction Permit Fees Update**

Assistant City Manager Kirsten Taylor presented the DSG Development and Construction Permit Fees Update. She reviewed the direction given by Council and spoke in general about the fee changes. She also spoke about the new fees and the change of fees for planning and engineering.

It was moved by Wong; seconded by Grausz to:

**Adopt Resolution No.1516 adopting new development and construction permit fees effective August 1, 2016.**

Passed 5-0

FOR: 5 (Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 2 (Bassett, Wisenteiner)

## **OTHER BUSINESS**

### **Councilmember Absences**

Mayor Bassett and Councilmember Wisenteiner's absences were excused.

### **Planning Schedule**

City Manager Lancaster reviewed the Planning Schedule and the upcoming Council Meetings.

Councilmember Grausz asked about the status of the vacant positions in Development Services.

### **Board Appointments**

There were no appointments.

### **Councilmember Reports**

Councilmember Wong noted that the Community Advisory Board will hold a community forum this fall on how to make Mercer Island a healthier place for youth. He also attended the PSRC Transportation Policy Board meeting and spoke about the presentation on travel trends.

Councilmember Sanderson noted that the Mercer Island Library is scheduled to reopen on July 23.

Councilmember Weiker noted that Summer Celebration is July 9-10.

**ADJOURNMENT**

The Regular Meeting adjourned at 9:15 pm.

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Bruce Bassett, Mayor

Attest:

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Allison Spietz, City Clerk