



CITY COUNCIL MINUTES REGULAR MEETING NOVEMBER 2, 2015

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 6:00 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Councilmembers Debbie Bertlin, Jane Brahm, Mike Cero, Terry Pottmeyer, Benson Wong, Deputy Mayor Dan Grausz, and Mayor Bruce Bassett were present.

STUDY SESSION

AB 5113 & AB 5125 Emergency Management & Communities That Care Updates

Emergency Manager Jennifer Franklin presented the Emergency Management update. She showed some emergency management and crime prevention pictures from 2015 and spoke about the 2015-2016 key initiatives. She also spoke about the services and products of the City's Emergency Management program, the 2015 Operation Safe Community Active Shooter Full Scale Emergency Exercise, and provided an Emergency Management Boil Water Update.

YFS Administrative and Professional Services Manager Derek Franklin presented the Communities that Care update. He spoke about the mission, funding, focus on alcohol and marijuana, youth involvement at Mercer Island High School, and partnerships. He provided a chart showing outcomes and data comparison. He also spoke about the privatization of alcohol and marijuana and about the variables influencing underage substance use rates.

Hannah Stewart, a sophomore at Mercer Island High School, spoke about starting the SAFE Club at Mercer Island High School which shows that there is a group of kids at the high school that can have fun while being safe. They focus on substance abuse prevention, prevention work, and fun and safe sober events. She spoke about the Club's prevention activities and showed a prevention activities public service announcement video.

SPECIAL BUSINESS

Mercer Island Library Board Update

Mercer Island Library Board Chair Bryan Cairns summarized the Library Boards' actions regarding the Mercer Island Library Renovation Project. He noted that KCLS is now ready to move forward with the project, which will be approximately one month in duration in 2016. He thanked KCLS Director Gary Wasdin for his time, energy, and thoughtful response to the expressed desires of the Mercer Island community.

KCLS Director Gary Wasdin spoke about the process and about coming to an agreement on moving forward to maintain the general look and feel of the Mercer Island Library. He spoke about trying to keep the original bond issues as the guiding principles and about the work that will be done during the time that the library will be closed. He noted that a temporary site will be established during the closure. Director Wasdin also spoke about the future of libraries, makerspaces, and embracing new and creative ways of learning.

Deputy Mayor Grausz, Council liaison to the Library Board, noted that a lot has changed over the last couple of years. He spoke about the importance of having a Library Board in place and stated that things are now moving in a good direction. He thanked Director Wasdin for his time working on Island issues and looks forward to building the relationship between the City and KCLS. He also thanked Chair Cairns for his work on the Library Board.

Leadership Eastside Day Proclamation

Mayor Bruce Bassett proclaimed November 9, 2015 as Leadership Eastside Day to recognize its 10 year anniversary and the many contributions that Leadership Eastside has made in the community.

APPEARANCES

Dick Winslow, 3761 77th Ave SE, thanked the Council for being responsive to public opinion. He noted that being a City Councilmember is a difficult job and hopes that the Council continues its same responsiveness in the coming months and years.

Marty Gale, 9404 SE 54th Street, spoke about the Camicia case. She provided some background on the case and read portions of the judges' statement. She feels that Mercer Island has been shamed again and that the citizens of Mercer Island deserve better from its leaders.

Ira Appelman, 4036 Ferncroft Road, thanked Gary Wasdin for doing a great job. He would like the Council to spend some time focusing on what went wrong in its court cases and what is going to be done to correct it. He submitted for the record a motion from the Camicia case.

Salim Nice, 5619 89th Ave SE, spoke about the results of the I-90 origin destination study and about the amount of cut-through traffic. He asked why these results are not being included in the Sound Transit mitigation.

Gary Robinson, 6026 East Mercer Way, spoke about the success and resolution of the library issue. He noted that the City Council finally got engaged and moved with the community. He asked for that same engagement to be applied in regards to Mercerdale Park and to have a vote.

Tom Acker, 2427 84th Ave SE, spoke about the elections, the cut-through issue, and the Camicia lawsuit. He also spoke about the provisions that are being put in place to make sure that Mercer Island stays compliant within the courts and within the public disclosure rules.

MINUTES

Regular Meeting Minutes of September 8, 2015

It was moved by Brahm; seconded by Bertlin to:

Adopt the Regular Meeting Minutes of September 8, 2015 as written.

Passed 7-0

FOR: 7 (Bassett, Bertlin, Brahm, Cero, Grausz, Pottmeyer, Wong)

Regular Meeting Minutes of October 5, 2015

It was moved by Brahm; seconded by Bertlin to:

Adopt the Regular Meeting Minutes of October 5, 2015 as written.

Passed 7-0

FOR: 7 (Bassett, Bertlin, Brahm, Cero, Grausz, Pottmeyer, Wong)

Special Joint Meeting with MISD Board Minutes of October 8, 2015

It was moved by Bertlin; seconded by Wong to:

Adopt the Special Joint Meeting with MISD Board Minutes of October 8, 2015 as written.

Passed 6-0

FOR: 6 (Bassett, Bertlin, Brahm, Grausz, Pottmeyer, Wong)

ABSTAIN: 1 (Cero)

CONSENT CALENDAR

Payables: \$1,033,504.03 (10/22/15) & \$555,360.91 (10/29/15)

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

Payroll: \$745,156.74 (10/30/15)

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

It was moved by Bertlin; seconded by Brahm to:

Approve the Consent Calendar and the recommendations contained therein.

Passed 7-0

FOR: 7 (Bassett, Bertlin, Brahm, Cero, Grausz, Pottmeyer, Wong)

REGULAR BUSINESS

AB 5124 Town Center Code Amendment Work Plan

DSG Director Scott Greenberg presented the Town Center Visioning and Code Update. He provided a project update, and spoke about the recommended work plan, the work plan flow, and communicating the draft Town Center Vision. He also spoke about funding for the requested additional information and outreach and the recommended funding sources.

Following discussion, the Council approved funding for the following items from the requested additional information and outreach as follows:

Requested Additional Information and Outreach	Amount
1. Town Center Traffic Analysis (REQUIRED)	\$15,000
2. Karen Reed Contract Extension	\$10,000
3. Code graphics	\$19,190
4. Review and assessment of proposed incentives	\$20,000
5. Review and assessment of proposed retail frontage requirements	\$25,000
6. All-address mailing	\$6,500
TOTAL	\$95,690

It was moved by Grausz; seconded by Wong to:

Approve the work plan recommended by the Joint Commission (AB 5124, Exhibit 2) for a total of \$95,690 using the remaining 2014 General Fund Surplus for Miscellaneous Professional Services in the amount of \$29,704 and funding the balance from the available Beautification Fund balance.

Passed 7-0

FOR: 7 (Bassett, Bertlin, Brahm, Cero, Grausz, Pottmeyer, Wong)

AB 5120 Public Hearing Regarding Moratorium on Town Center Building Permits

City Attorney Kari Sand provided a chronology of the moratorium. She stated that, if renewed, the current moratorium will extend until mid-June 2016. She noted that the City has worked diligently to complete the Town Center Visioning and Development Code update process but that additional time is necessary to complete the work plan and that the moratorium should be renewed and extended accordingly. She also spoke briefly about the proposed Hotel Mercer project and the request to change the Town Center moratorium's northern boundary.

The Mayor opened the public hearing at 9:34 pm.

John Houlihan, 100 N 35th Street, Seattle, attorney for Dollar Development and the Cassans, requested that the moratorium boundary be changed to SE 27th to allow the Hotel Mercer project to proceed. He described the project and expressed his concern that, if the moratorium continues to be extended, it may approach almost two full years. He noted that this is a good, solid project that brings many benefits to Mercer Island.

Leon Cohen, 9219 SE 33rd Place, spoke in favor of changing the boundary of the moratorium.

At 9:40 pm the Mayor continued the public hearing to Monday, November 16, 2015 at 7:00 pm.

It was moved by Brahm; seconded by Pottmeyer to:
Set Ordinance No. 15-20 to the November 16, 2015 Council meeting for a second reading.
Passed 7-0
FOR: 7 (Bassett, Berlin, Brahm, Cero, Grausz, Pottmeyer, Wong)

Council directed staff to add language to the ordinance to prohibit conditional use permit requests so that a property owner cannot become vested in leased parking.

AB 5123 Adoption of New Standards for Indigent Defense

City Attorney Kari Sand spoke about adopting new standards for indigent defense. She noted that under state law, the City is required to have public defense standards in place. She also noted that the standards are created to ensure that public defenders are competent, not overworked, and to ensure effective representation of counsel as is constitutionally required.

It was moved by Brahm; seconded by Wong to:
Suspend the City Council Rules of Procedure 5.2 requiring a first and second reading of all ordinances.
Passed 6-1
FOR: 6 (Bassett, Berlin, Brahm, Grausz, Pottmeyer, Wong)
AGAINST: 1 (Cero)

It was moved by Brahm; seconded by Wong to:
Adopt Ordinance No. 15-21 adopting new Standards for Indigent Defense as adopted by the Washington State Supreme Court on recommendation of the Washington State Bar Association.
Passed 7-0
FOR: 7 (Bassett, Berlin, Brahm, Cero, Grausz, Pottmeyer, Wong)

OTHER BUSINESS

Councilmember Absences

There were no absences.

Planning Schedule

There were no changes.

Board Appointments

There were no appointments.

Councilmember Reports

Councilmember Wong spoke about the annual Mercer Island Schools Foundation phone-a-thon. He attended a Sustainability Committee meeting on October 22. He noted that the City now owns its first electric vehicle and that the Maintenance Department is looking at new ways to promote sustainability practices.

Councilmember Berlin attended the Superintendents Advisory Board meeting in which there was an update on the progress with the schools and a recognition of Chief Holmes participation on the Diversity Committee. She noted the great progress that has been made between the School Board and the City Council in recent years.

Councilmember Cero reminded everyone that tomorrow is election day.

Councilmember Brahm spoke about the Sister City visit and City reception. She complimented the City for putting on an amazing Halloween spread. She noted that Mercer Island has been named one of the best American suburbs in the annual ranking of Business Insider.

Mayor Bassett spoke about the French Sister City visit and asked that everyone vote.

EXECUTIVE SESSION

At 10:10 pm, Mayor Bassett convened the Executive Session to discuss planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or

proceedings while in progress pursuant to RCW 42.30.140(4)(b) for approximately 30 minutes.

The Mayor adjourned the Executive Session at 10:32 pm.

ADJOURNMENT

The Regular Meeting adjourned at 10:32 pm.

Bruce Bassett, Mayor

Attest:

Karin Roberts, Deputy City Clerk