



CITY COUNCIL MINUTES

REGULAR MEETING

MAY 15, 2017

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 5:02 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Bruce Bassett, Deputy Mayor Debbie Bertlin (participated by phone until arriving in person at 5:10 pm), and Councilmembers Wendy Weiker, Jeff Sanderson, Dan Grausz, David Wisenteiner (arrived at 5:04 pm) and Benson Wong were present.

AGENDA APPROVAL

It was moved by Sanderson; seconded by Weiker to:

Approve the agenda as presented.

Passed 5-0

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

ABSENT: 2 (Bertlin, Wisenteiner)

EXECUTIVE SESSION

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

At 5:04 pm, Mayor Bassett convened an Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes.

At 6:00 pm, Mayor Bassett adjourned the Executive Session and the Regular Meeting resumed.

SPECIAL BUSINESS

Safe Boating and Paddling Week Proclamation

Mayor Bassett proclaimed May 20 – 26, 2017 as Safe Boating & Paddling Week. The Mayor asked all Mercer Island residents to dedicate themselves to learning about and practicing safe boating, including wearing life jackets.

Public Works Week Proclamation

Mayor Bassett proclaimed May 21 – 27, 2017 as Public Works Week. The Mayor asked citizens to join the Council in honoring our Public Works Department professionals, engineers, managers, and employees, and in recognizing the substantial contributions they have made to our health, safety, welfare, and quality of life.

CITY MANAGER REPORT

City Manager Julie Underwood presented her report to the Council about the state of the City. She noted several upcoming events in the community:

- King County Metro will be holding a community discussion on May 16, from 6:30 - 7:30 pm at MICEC prior to renewing 630 Shuttle service in Mercer Island.
- Upcoming Affordable Housing Week Events

- Mercer Island Chamber of Commerce is hosting a Town Center Parking Meeting scheduled May 18, from 9:00 - 10:00 am at the Mercer Island Fire Station, 3030 78th Ave., SE.
- Dog Walking community discussion at Pioneer Park on Saturday, May 23, at 5:30 pm. Staff will meet with participants at the kiosk on island Crest Way at SE 68th St, provide a 10-minute update and then proceed to leading a walk through the park.

City Manager Underwood praised Mercer Island PD on their successful "Bike to School Event". She noted several summer job openings with the City. She advised that this would be a great way to get involved and help provide a valuable service to the community, while making a little extra money during the summer.

APPEARANCES

Jim Stanton, 7812 SE 78th St, Neighbors in motion, regarding TIP agenda item spoke about the need for safe bike routes through the community.

Kirk Griffin, 7845 SE 73rd Pl, Neighbors in motion, echoed previous speaker's comments about TIP agenda item. Spoke about the need for safe bike routes through the community.

Jeff Koontz, 4234 E Mercer Way, Neighbors in motion, thanked staff with traffic engineering team for their partnership throughout the year to address the need for safe bike routes through the community. Thanked Council for providing the opportunity for the community to give feedback on the TIP. Spoke about the section between 86th and Island Crest Way shoulder improvements being proposed by City staff.

Daniel Thompson, 7265 N Mercer Way, spoke about second reading of appeals and review processes code amendments. Asked Council to send building permit appeals to the Hearing Examiner if they decide to allow for appeals.

Salim Nice, 5619 89th Ave SE, praised the efforts of the Council and the Planning Commission in undertaking the residential code update. Spoke in support of the City providing neighbors with notice of application and notice of decision as is being considered. He also requested Council consider providing citizens with the ability to appeal to the Hearing Examiner.

CONSENT CALENDAR

Payables: \$559,652.57 (05/04/2017)

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

Payroll: \$852,539.65 (05/12/2017)

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

Minutes: May 1, 2017 Regular Meeting Minutes and May 4, 2017 Special Meeting Minutes

Recommendation: Adopt the May 1, 2017 Regular Meeting Minutes and May 4, 2017 Special Meeting Minutes as written.

AB 5291 Island Crest Way Resurfacing Phase 2 Project Close Out

Recommendation: Accept the completed Island Crest Way Resurfacing Phase 2 project and authorize staff to close out the contract.

AB 5302 First Quarter 2017 Financial Status Report

Recommendation: Receive report.

It was moved by Bertlin; seconded by Wisenteiner to:

Approve the Consent Calendar and recommendations therein.

Passed 7-0

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

REGULAR BUSINESS

AB 5301 I-90 Loss of Mobility Status Report

City Manager Julie Underwood advised of a mailer scheduled to be sent out to the community regarding temporary traffic improvements being facilitated by Sound Transit to help mitigate impacts due to closure of the I-90 center roadway.

City Attorney Kari Sand advised that the City filed a motion for preliminary injunction in follow-up to the lawsuit filed by the City claiming breach of contract. The motion is tentatively scheduled to be heard on May 23. The date should be finalized on Wednesday, May 17.

Chief Ed Holmes spoke about the City's plan for parking impacts from the closure of South Bellevue Park and Ride, as well as increase traffic in the town center.

Assistant City Manager Kirsten Taylor, spoke about discussions taking place with local business owners to see how the current parking permit program is working for them. She advised that staff has made many requests for Sound Transit to come address the community, she noted that they have committed to holding a community meeting, but have not yet set a date.

AB 5303 Public Hearing and Approval of a Public Benefit Rating System Application for Pioneer Park Youth Club.

Planning Manager Evan Maxim provided a brief presentation on public benefit rating system application for Pioneer Park Youth Club.

Mayor Bassett opened the public hearing at 7:04 pm.

Emma Sparrow, Seattle, Barn Manager Mercer Island Saddle Club. Spoke about the need for tax relief to financially be able to maintain the property.

Michelle Martin, 7427 91st Ave SE, Member of Mercer Island Saddle Club, spoke in support of providing tax relief to the property due to the valuable charitable services they provide the community.

Tina Lanzinger, 4115 97th Ave SE, Member of Mercer Island Saddle Club, spoke in support of approving the application. Advised that there is a lot of foot traffic utilizing the open space on the property from Pioneer Park.

Ira Appleman, 9039 E Shorewood Drive, spoke in support of the application stating that the property helps preserve the rural character of the island.

Mayor Bassett closed the public hearing at 7:10 pm.

It was moved by Weiker; seconded by Wisenteiner to:

Pass Resolution No. 1531, approving the proposed public benefit rating system current use assessment for 3.41 acres of the Pioneer Park Youth Club property.

Passed 7-0

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

AB 5299 Public Hearing for Interim Zoning Ordinance Allowing Light Rail Facilities as a Permitted Use Within the I-90 Center Roadway Portion of the Public Institution Zone

City Attorney Kari Sand provided a history on the interim zoning ordinance allowing light rail facilities as a permitted use within the I-90 center roadway portion of the Public Institution zone.

Mayor Bassett opened the public hearing at 7:16 pm.

Ira Appleman, 9039 E Shorewood Drive, spoke against the interim zoning ordinance.

Mayor Bassett closed the public hearing at 7:20 pm.

City Attorney Kari Sand responded to Mr. Appleman's concern about the City accepting Sound Transit's building permit if the City originally concluded that the light rail station is not a permitted use in the public institution zone.

AB 5294 Public Hearing and Preview of the 6-Year Transportation Improvement Program

City Engineer Patrick Yamashita presented the 2018-2023 Transportation Improvement Program (TIP). He noted that chapter 35.77 RCW requires the City to update the TIP annually by July 1.

Mayor Bassett opened the public hearing at 7:49 pm.

There being no comments, Mayor Bassett closed the public hearing at 7:50 pm.

City Engineer Yamashita noted that City Council adoption of the final TIP is expected June 19, 2017.

AB 5300 Initiate Street Vacation Process for a Portion of Freeman Avenue

Public Works Director Jason Kintner presented background information about the vacation of a portion of Freeman Avenue and detailed specific issues the City would face if it maintained ownership.

It was moved by Wong; seconded by Bertlin to:

Pass Resolution No. 1529, initiating proceedings for the vacation of a portion of Freeman Avenue SE and setting the public hearing dates.

Passed 7-0

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

AB 5298 Appeals and Review Processes Code Amendments (2nd Reading & Adoption)

Development Services Director Scott Greenberg reviewed the proposed code changes discussed during first reading of the ordinance regarding appeals and review processes on May 1, 2017. He also noted the changes that were made to the ordinance at Council's direction.

It was moved by Grausz; seconded by Sanderson to:

Adopt Ordinance No. 17C-12, amending Mercer Island City Code Titles 3, 15, 17 and 19 and repealing Chapter 3.28 MICC regarding development permit appeals procedures and actions as amended. Add the following to Section 10 of Ordinance No. 17C-12, MICC 19.15.010(E), Ministerial Actions:

ACTION	DECISION AUTHORITY	CRITERIA	APPEAL AUTHORITY
Major Single-Family Dwelling Building Permit	Code Official	Chapter 19.02 MICC but not Title 15 MICC or Title 17 MICC	Hearing examiner

And to change the appeal authority for SEPA Threshold Determination in Section 10 of Ordinance No. 17C-12, MICC 19.15.010(E) and Section 19.07.120(T), Administrative Actions from Superior Court to Hearing Examiner.

Passed 7-0

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

It was moved by Grausz; seconded by Wisenteiner to:

Ask the Planning Commission to include on their next work plan the issue of building permit appeals. Focusing on the appeals of page 2 of Agenda Bill 5298.

Passed 7-0

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

It was moved by Sanderson; seconded by Wisenteiner to:

Pass Resolution No. 1530, amending development and construction permit fees to add a "Public

Notice Fee” that can be applied on a case-by-case basis for major single-family dwelling building permit applications that require a Notice of Application.

FAILED 3-3-1

FOR: (Bassett, Sanderson, Wong)

AGAINST: (Grausz, Wisenteiner, Weiker)

ABSTAIN: (Bertlin)

After deliberation, the Council directed staff who are working on complying with the new noticing requirements, to track these hours on their time sheet to allow later review of the impacts to workload and determine if additional staffing is needed.

OTHER BUSINESS

Councilmember Absences

There were none.

Planning Schedule

City Manager Underwood noted the next Council Meeting is scheduled for June 5, 2017. The Island Crest Park field improvement plan will be on the Agenda as well as the first reading of the Planning Commission’s Residential Code update recommendations. The Council has Executive Sessions scheduled for May 16 and May 22.

City Manager Underwood noted a Special Meeting has been scheduled for July 24. The 2017 mini-planning session which had been scheduled for mid-June has been suspended due to workload.

Mayor Bassett noted that he will be absent from the July 24, 2017 meeting. Councilmember Weiker advised that she will be absent from the May 22, 2017 Executive Session.

Board Appointments

There were none.

Councilmember Reports

Councilmember Wisenteiner noted June 3 is National Letterboxing Day. He praised Julie and Kirsten’s efforts for the Prospective Council Candidate meeting.

Deputy Mayor Bertlin attended Eastside Transportation Partnership meeting.

Councilmember Sanderson thanked Julie for her first City Manager Report.

Councilmember Weiker advised that Eastside Transportation Partnership is attempting to decide if they are a networking forum, or an advocacy group. She praised MIYFS Director Goodwin for a “Staying Connected to Your Children” flyer.

Councilmember Wong noted SCA public issues committee presented on the Veteran’s and Human Services levy that is expected on the November ballot. There is also a cultural access levy expected on the ballot in August.

ADJOURNMENT

The Regular Meeting adjourned at 9:52 pm.

Bruce Bassett, Mayor

Attest:

Ellie Hooman, Deputy City Clerk