



# CITY COUNCIL MINUTES

## REGULAR MEETING

### JANUARY 4, 2016

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#### **CALL TO ORDER & ROLL CALL**

City Clerk Ali Spietz called the meeting to order at 7:00 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Councilmembers Bruce Bassett, Debbie Bertlin, Dan Grausz, and Benson Wong and Councilmembers-Elect Jeff Sanderson, David Wisenteiner, and Wendy Weiker were present.

#### **SPECIAL BUSINESS**

##### **AB 5145 Councilmember Oaths of Office and Mayor and Deputy Mayor Elections**

City Clerk Ali Spietz welcomed the audience and explained the process for administering the oaths of office to recently elected Councilmembers and conducting the Mayor and Deputy Mayor elections.

City Clerk Spietz administered the Oaths of Office to newly elected Councilmembers David Wisenteiner and Wendy Weiker and re-elected Councilmembers Bruce Bassett and Debbie Bertlin.

City Clerk Spietz called for nominations from the floor for the office of Mayor for 2016-2017. Councilmember Wong nominated Bruce Bassett. There were no other nominations. Councilmember Bassett was elected Mayor by a unanimous voice vote of 7-0.

City Clerk Spietz called for nominations from the floor for the office of Deputy Mayor for 2016-2017. Councilmember Sanderson nominated Debbie Bertlin. There were no other nominations. Councilmember Bertlin was elected Deputy Mayor by a unanimous voice vote of 7-0.

City Clerk Spietz administered the Mayoral Oath of Office to Mayor Bassett and the Deputy Mayoral Oath of Office to Deputy Mayor Bertlin. She then turned the meeting over to Mayor Bassett.

##### **City Manager Transition**

Bruce Bassett spoke about Noel Treat's departure from the City to become General Counsel for Seattle Public Schools. He noted that there will be an Interim City Manager for six months while the City hires a permanent City Manager.

##### **New Seasons Market Recognition – Public Parking**

Mayor Bassett and Sustainability & Communications Manager Ross Freeman welcomed New Seasons Market to Mercer Island and spoke about the commuter parking that would be available on the property until the store opens in the fall of 2016.

##### **Councilmember Seating**

Mayor Bassett noted that Councilmembers would choose their seats at the dais during the Planning Session in a few weeks.

#### **APPEARANCES**

Carv Zwingle, 6250 East Mercer Way, asked the Council for a full and honest disclosure regarding MICA.

Katherine Taylor, PSE Senior Local Government Affairs Representative, 355 110<sup>th</sup> Ave NE, Bellevue, spoke about the City's Legislative Priorities regarding transitioning away from coal.

Rich Hill, Counsel for Legacy Partners, spoke about transportation impact fees.

Eric Swenson, 8541 East Mercer Way, read a statement from Gary Robinson regarding bow waves and the MICA lease.

Meg Lippert, 4052 94<sup>th</sup> Ave SE, read a letter from Betty Johnston regarding her opposition to siting MICA in Mercerdale Park.

Nancy Stewart, 6505 SE 28<sup>th</sup> Street, spoke in favor of building MICA at Mercerdale Park.

Al Lippert, 4052 94<sup>th</sup> Ave SE, read a statement from Peter Struck regarding the MICA lease for a portion of Mercerdale Park and asked for a citizens' advisory vote.

Jessi Wasson, 4180 West Mercer Way, the Development Director for YTN, spoke about the non-profit process and encouraged Council to let MICA work it out.

Tom Acker, spoke about starting a strategic think tank. He supports the concept of MICA and YTN and would like to see an amicable resolution. He also spoke in support of implementing impact fees and read his top 10 list of priorities.

Cy Baumgartner, 4851 90<sup>th</sup> Place, spoke about MICA and spoke in support of a citizen advisory vote.

Bonnie Godfred, 2920 74<sup>th</sup> Ave SE, supports YTN and MICA, but does not support using park space for commercial purposes.

John Gordon Hill, 8914 SE 56<sup>th</sup> Street, thanked the Council for allowing MICA to proceed on the abandoned recycling site and stated that MICA will add great value to the community.

Robert Thorpe, 2737 SE 27<sup>th</sup> Street, congratulated the new Councilmembers. He spoke about New Seasons Market, transportation impact fees, and exempting non-profit organizations from impact fees.

Terry Moreman, Mercer Island Chamber of Commerce Director, 3628 72<sup>nd</sup> Place SE, spoke about delaying the adoption of transportation impact fees.

Traci Granbois, 8440 SE 82<sup>nd</sup> Street, spoke about transparency and access to public records. She noted the statutory warranty deed requirement that the Mercer Island School District remove the recycling center.

Ira Appelman, 4436 Ferncroft Road, spoke about Noel Treat's departure from the City and New Seasons Market commuter parking. He objects to transportation impact fees as he believes it will give money to MICA. He also spoke about the Interim City Manager pay rate and does not agree with Council's legislative priorities which he believes damage the public records act.

## **CONSENT CALENDAR**

**Payables: \$137,440.55 (12/10/15), \$531,571.81 (12/16/15), \$507,655.95 (12/23/15) & \$369,400.90 (12/30/15)**

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

**Payroll: \$785,878.57 (12/11/15), \$759,393.09 (12/24/15)**

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

**Minutes: (1) October 19, 2015 Mercer Island Transportation Benefit District Meeting and (2) December 7, 2015 City Council Regular Meeting**

**Recommendation:** Adopt the City Council meeting minutes as written.

It was moved by Wong; seconded by Bertlin to:

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

Passed 7-0

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

## **REGULAR BUSINESS**

### **AB 5143 Transportation Impact Fees Ordinance (3rd Reading)**

DSG Director Scott Greenberg presented the following eight options for exempting all non-residential uses or only retail and restaurant uses from paying the proposed Transportation Impact Fees:

1. Exempt all non-residential land uses throughout Mercer Island.
2. Exempt retail and restaurant uses throughout Mercer Island.
3. Exempt all residential and non-residential land uses and redevelopment in the Town Center.
4. Exempt new and redeveloped retail and restaurant uses in the Town Center.
5. Do not charge a TIF for changes in use (redevelopment). This could be throughout Mercer Island or limited to the Town Center zone.
6. Reduce TIF rates in the Town Center by 20% in recognition of lower vehicle trip making.
7. Delay further discussion of TIF until completion of both the Comprehensive Plan update and Town Center visioning and code work. (Staff recommendation)
8. Do not adopt TIFs.

It was moved by Grausz; seconded by Wong to:

**Adopt Ordinance No. 16C-01 (Option 2) establishing a new chapter 19.19 of the Mercer Island City Code, entitled "Transportation Impact Fees."**

It was moved by Grausz; seconded by Bertlin to:

**Amend the Ordinance to include a fourth and fifth whereas as follows:**

**WHEREAS, in order to address the increasing difficulty that Islanders face in accessing retail and restaurant uses outside the City, it is necessary to encourage such uses within the City; and**

**WHEREAS, the City has already seen a loss of restaurant and retail uses that the Council desires to avoid perpetuating; and**

It was moved by Sanderson; seconded by Bertlin to:

**Call the question.**

Passed 6-1

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

AGAINST: 1 (Grausz)

Motion to Amend Passed 7-0

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

Amended Motion Passed 7-0

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

### **AB 5144 Department of Natural Resources (DNR) Aquatic Lands Lease for Luther Burbank Park**

Parks Superintendent Paul West presented information to the Council about how the City leases second class shorelands from DNR along the eastern portion of the Luther Burbank Park waterfront, which is up for renewal. He noted that the recently-performed survey of the land, subject to the lease required for the lease renewal, uncovered a discrepancy about the location of the actual boundary and the boundary presumed in previous leases. He explained that the discrepancy results in the City now being required to pay a lease fee for the non-water dependent use of the shorelands.

## **AB 5142 2016 Legislative Priorities**

Assistant City Manager Kirsten Taylor presented the final version of the City's 2016 Legislative Priorities.

Councilmember Sanderson requested that the priorities regarding education be moved to the top of the list. The Council discussed whether or not to prioritize all of the priorities.

It was moved by Bertlin; seconded by Wong to:

**Adopt the City of Mercer Island 2016 State Legislative Priorities as amended (moving Education Priorities to the top of the list.)**

Passed 7-0

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

It was moved by Wong; seconded by Bertlin to:

**Extend the City Council meeting past 10:00 pm to finish the agenda.**

Passed 7-0

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

## **AB 5146 Interim City Manager Appointment**

Human Resources Director Kryss Segle spoke about the process for hiring an Interim City Manager and the Subcommittee's recommended candidate.

## **EXECUTIVE SESSION**

At 10:10 pm, Mayor Bassett convened an Executive Session to evaluate the qualifications of an applicant for public employment pursuant to RCW 42.30.110(1)(g) for approximately 15 minutes.

At 10:27 pm, Mayor Bassett adjourned the Executive Session and the Regular Meeting reconvened.

Councilmembers Grausz and Wisenteiner asked questions about compensation.

It was moved by Grausz; seconded by Wong to:

**Authorize the Mayor to sign an employment agreement with Steve Lancaster for Mercer Island Interim City Manager effective January 12, 2016 amending section 2A to weekly salary of \$4400.**

Passed 7-0

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

## **OTHER BUSINESS**

### **Councilmember Absences**

There were no absences.

### **Planning Schedule**

Councilmember Grausz requested that the agenda item regarding MICA on the January 19 meeting would be to discuss and vote on the MICA lease. Mayor Bassett responded that staff will reword the title.

Councilmember Sanderson asked about receiving on the Joint Commission's progress on the Town Center Visioning and Development Code process. Assistant City Manager Taylor stated that DSG Director Greenberg would be providing a written update in advance of the open house. Councilmember Grausz noted that the Council will also receive an update during the Planning Session.

Mayor Bassett spoke about dates and times for the 2016 Planning Session. He asked Councilmembers to send him topics that they would like to discuss during the Planning Session.

### **Board Appointments**

There were no appointments.

Mayor Bassett noted that he would be making liaison appointments to committees. He requested that Councilmembers provide input as to which committees they would like to be on and passed out liaison assignment information.

**Councilmember Reports**

Councilmember Wong spoke about the performance audit of the City's Maintenance Department, providing the City's legislative agenda to SCA, and encouraged everyone to vote on February 9<sup>th</sup>.  
Deputy Mayor Bertlin thanked HR Director Kryss Segle and the Subcommittee for their work on hiring an Interim City Manager.  
Mayor Bassett thanked the Council for putting their trust in him by voting for him for Mayor again.

**ADJOURNMENT**

The Regular Meeting adjourned at 11:05 pm.

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Bruce Bassett, Mayor

Attest:

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Allison Spietz, City Clerk