



CITY COUNCIL MINUTES REGULAR MEETING AUGUST 3, 2015

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 7:00 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, and Mayor Bruce Bassett were present. Deputy Mayor Dan Grausz was absent.

APPEARANCES

Carv Zwingle, 6250 E Mercer Way, spoke about the Berk Consulting presentation in regards to using impact fees to acquire park lands. He noted the City's propensity to give away park lands, that Mercerdale Park is not free land but belongs to the Mercer Island taxpayers, and questioned what is being negotiated if there is no formal proposal. He is concerned about the amount of City funding that is being assumed.

Gary Robinson, 6026 E Mercer Way, asked for the Mayor to give a State of the City address. He spoke about the term groupthink and gave some examples of the consequences of the City Council's groupthink.

Bob Still, 4011 93rd Avenue SE, spoke about the commonness of the buildings in the business district and about the challenges in creating exceptional surroundings for Mercer Island citizens. He also spoke about moving ahead, striving for the exceptional and extraordinary, and asked the City to think big and think smart.

Will Knedlik, spoke on behalf of Eastside Rail Now, stated that the Council has the most short, mid, and long term interest in the I90 floating bridge structure. He spoke about the 23 structural matters that need to be resolved before the bridge can safely be used for light rail. He noted the useful life of the bridge and that it will be substantially shortened by light rail, and urged the City to take the lead before the bridge is shut down.

Mindy Landsman, 7210 79th Avenue SE, spoke on behalf of the Mercer Island Farmers Market. She thanked the City for its support over the past 8 years to provide a unique, community oriented, and well managed farmers market. She spoke in support of MICA, noting that it will be an asset to the community and will be a good community partner.

Holly Tabor, 8851 SE 74th Place, spoke in support of MICA and about her son who has participated in 19 plays, classes, and camps at Youth Theatre Northwest. She noted that YTN is unique in welcoming children with disabilities and learning challenges. She noted that YTN needs a home and believes that MICA will only enhance Mercerdale Park. She asked Council to please allow the plans to move forward.

Daniel Repp, 425 Kalmia Place NW, Issaquah, loves Youth Theatre Northwest for countless reasons, including the community. He noted that YTN feels like a second home to him and believes that public parks and the arts can both flourish in a symbiotic relationship.

Lauren Bouju Davies, 8405 SE 33rd Place, noted that Youth Theatre Northwest is an amazing place where she has learned about public speaking and professionalism, and has made great friends. She spoke in support of building MICA at Mercerdale Park.

Anais Galpois, 8363 Woodbrook Lane, has been with Youth Theatre Northwest since kindergarten. It broke her heart to see the building torn down and is happy for the new space where youth will be able to find their voice. She believes MICA will bring more people to Mercerdale Park and will help to create a stronger community.

Yasmeen Gaber, 4640 91st Avenue SE, and Madeline Dalton, 12131 SE 91st Street, Newcastle, spoke about their history with Youth Theatre Northwest and sang "For Good" from Wicked.

Jenni Mechem, 8451 SE 36th Street, thanked Council for the first reading of the School Impact Fees ordinance and for making sure that Sound Transit hears Mercer Island's concerns. She supports putting MICA in Mercerdale Park. She stated that MICA is something that many in the community support and believes the Hines site could be much better used for small businesses and housing.

Judy Kimelman, 9242 SE 46th Street, spoke in support of MICA as it is proposed and noted that her children's lives were incredibly enriched by being involved with Youth Theatre Northwest. She is impressed with how well thought out the performing arts center is and believes it will help bring the whole community together.

Paul Yano, is a Youth Theatre Northwest alumnus. He noted that Youth Theatre Northwest was the one place he could go on Mercer Island where he was listened to and was a part of what was happening. He noted that kids need a place to just be themselves.

Steve Hamilton, 7161 86th Avenue SE, stated that their son fell in love with Youth Theatre Northwest and found a home there. He thanked the Council for supporting MICA and asked that they keep MICA on track for Youth Theatre Northwest.

Kate Lamperti, 8320 SE 30th Place, is a strong supporter of MICA and believes that the new location will only enhance the community use and enjoyment of Mercerdale Park. She thinks it would be wonderful to have MICA downtown to draw people to Mercer Island and to help bring the community together.

Suzanne Zahniser, 7433 W Mercer Way, spoke in favor of locating MICA at Mercerdale Park. She does not believe that MICA will take anything away from the park. She noted that MICA is not asking for free land but is asking for a lease of land in order to provide services and facilities.

John Gordon Hill, 8914 SE 56th Street, spoke about the closing of the abandoned recycling center at Mercerdale Park. He noted that MICA is a gift to the community and will provide a home not only for Youth Theatre Northwest but for all manner of entertainment and culture. He stated that Mercerdale is a park for people and is at its best when it is filled with people. He believes that MICA would bring life and vitality to the park year round and that there is no better site for MICA on the island.

Anna Gordon, 3856 81st Avenue SE, spoke about volunteering for the Farmer's Market. She supports MICA because its volunteers want to have an opportunity to make a difference and can do so 365 days of the year. She noted that Mercerdale comes alive when the Farmer's Market is there and will do the same when MICA is there.

Lesley Bain, 4180 W Mercer Way, is the architect of MICA because she believes in it passionately. She spoke about Youth Theatre Northwest and believes MICA will be an amazing asset to the city, to the park, and to the community. She also spoke about the future of Mercer Island and the soul of this city.

Jessi Wasson, 4180 W Mercer Way, is an alumnus of Youth Theatre Northwest. She noted that in 2012 she was hired as the Registrar and is now the Development Director. She spoke about art and nature going hand-in-hand and that Mercerdale Park is only losing a small section of overgrown trees. She urged the Council to maintain the recycling center property for MICA.

Anne Jess, 4336 E Mercer Way, spoke in support of Youth Theatre Northwest and stated that the citizens want to do something exceptional and extraordinary for Mercer Island. She also spoke in support of moving forward with MICA.

Manny Cawaling, Youth Theatre Northwest Executive Director, thanked the Council for inspiring a movement that will lead to more creativity and dynamic play for children and families on Mercer Island. He noted that parks give communities natural breathing spaces and recreation programs make the grounds come alive. He stated that urban parks have great potential to build stronger communities and that MICA does not threaten the use of Mercerdale Park.

Tracy Drinkwater, 5912 83rd Place SE, spoke about volunteering for MIPA and supporting the "Train Park" playground. She also spoke in support of Youth Theatre Northwest and MICA.

Connie Wible, 3621 81st Avenue SE, spoke about her children, about developing a music program for autistic children, and about a space that people could come to hear music, use technology, and attend classes. She also spoke about developing music classes for seniors and noted that, in addition to Youth Theatre Northwest, MICA could be a place and a space for music.

Martina Dalton, 12131 SE 91st Street, Newcastle, noted that Mercer Islanders are extremely lucky to live in such a great community. She spoke on behalf of Lou Malakoff and Michelle Feder, who expressed their strong support for the current plan to locate MICA at the Mercerdale location. They believe it will make Mercer Island a different and better community, noted that Youth Theatre Northwest has been a valued and important member of the community, and believe MICA would make a positive impact on Mercerdale Park.

Grady Short, 8428 SE 34th Place, spoke in support of MICA. He noted that a Church is not a good fit for performing arts, that he practices music at home in his room because there is nowhere else for him to go, and supports MICA as a home for all of the arts. He spoke about the installation of the skate park and believes that parks are for recreation of all kinds.

Ira Appelman, 4436 Ferncroft Road, objects to the City Council giving a portion of Mercerdale Park to MICA and believes this Council is setting a record as the Council most hostile to parks in Mercer Island history. He stated that this City Council cannot be trusted to protect Mercer Island parks and believes it may be time for a citizen passed initiative to protect Mercerdale and all the other parks for current and future generations to enjoy.

Eric Swenson, 8541 E Mercer Way, thinks that Council often hears the voices of those that are most invested and believes the MICA issue should go before the citizens of Mercer Island. He questioned what the cost will be to the City over the years.

Lloyd Gilman, 7217 80th Avenue SE, stated that there is no constitutional right to a park. He applauded the benefits of Youth Theatre Northwest and their marriage with MICA, which he believes helps both causes. He urged the Council to get the process going and give the land away.

MINUTES

Regular Meeting Minutes of July 20, 2015

It was moved by Brahm; seconded by Wong to:

Adopt the Regular Meeting Minutes of June 15, 2015 as written.

Passed 5-0

FOR: 5 (Bassett, Brahm, Cero, Pottmeyer, Wong)

ABSTAIN: 1 (Bertlin)

ABSENT: 1 (Grausz)

CONSENT CALENDAR

Councilmember Cero requested removal of AB 5095: Grant and Sponsorship Request for Art Uncorked 2015 Event and AB 5096: Calkins Landing Shoreline Restoration & Stormwater Project Bid Award. Mayor Bassett moved them to the first items of Regular Business.

Payables: \$893,056.41 (07/23/15)

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

Payroll: \$815,297.29 (07/24/15)

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

It was moved by Brahm; seconded by Wong to:

Approve the Consent Calendar and the recommendations contained therein.

Passed 6-0

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

ABSENT: 1 (Grausz)

REGULAR BUSINESS

AB 5095 Grant and Sponsorship Request for Art Uncorked 2015 Event

Terry Moreman, Executive Director of the Mercer Island Chamber of Commerce, spoke about Art Uncorked noting that 500 people attended the event last year with 20% of those coming from off-Island. She explained that the Chamber cannot fund this on their own and is asking for monetary help from the City. She spoke about purchasing some equipment that can be shared with other organizations, such as the Farmers Market and the Parks & Recreation Department. She noted that more lighting and more wineries are needed, and that the overall foot print needs to be expanded. She stated that about \$4,000 was raised last year.

It was moved by Brahm; seconded by Bertlin to:

Appropriate \$2,500 from the Beautification Fund for a local grant to cover costs associated with the promotion and support of the Mercer Island Chamber of Commerce and MIVAL sponsored 2015 Art UnCorked event as a Town Center Revitalization Program.

Passed: 5-1

FOR: 5 (Bassett, Bertlin, Brahm, Pottmeyer, Wong)

AGAINST: 1 (Cero)

ABSENT: 1 (Grausz)

AB 5096 Calkins Landing Shoreline Restoration & Stormwater Project Bid Award

Finance Director Chip Corder spoke about the need to move this bid award along quickly. He noted that the King County Flood Control District will cover the additional 25% that was not originally budgeted and, if that does not happen, the City can rely on its Stormwater Fund to make up the difference. Parks Superintendent Jason Kintner spoke about the project being high up on the priority list for Parks and that it will align perfectly with the grant.

It was moved by Wong; seconded by Brahm to:

Award the Calkins Landing Shoreline Restoration and Stormwater Project to Sierra Pacifica Construction in the amount of \$263,436, including sales tax. Set the project budget to \$383,500 and direct the City Manager to execute the construction contract.

Passed: 5-1

FOR: 5 (Bassett, Bertlin, Brahm, Pottmeyer, Wong)

AGAINST: 1 (Cero)

ABSENT: 1 (Grausz)

AB 5092 Transportation Impact Fees

DSG Director Scott Greenberg presented Transportation Impact Fees. He provided a timeline of the GMA impact fees, with a potential Transportation Impact Fee effective date of January 15, 2016 and a School Impact fee effective date of October 16, 2015.

Fehr & Peers Sr. Associate Kendra Breiland spoke about what Transportation Impact Fees are and what City projects could be funded by Impact Fees. She compared the motorized projects totals for LOS D versus LOS C and spoke about eligible non-motorized projects. She noted the four ways to structure an impact fee program, the methodology in structuring impact fees, and the potential rates and revenues. She provided an example of a mixed-use development fee and spoke about next steps.

DSG Director Greenberg presented the staff recommendations and noted that the Phase 2 study would look at all four scenarios.

Council asked questions regarding bike paths along right-of-ways, whether growth will continue as forecasted if impact fees are put in place, if a split level of service would still be a possibility, and the validity of the potential impact fee rates and revenues.

Council directed staff to include both motorized and non-motorized projects in the impact fee program and that funding be appropriated for Phase 2.

It was moved by Bertlin; seconded by Brahm to:

Appropriate \$25,380 from the 2014 General Fund surplus for preparation of a transportation impact fees rate study by Fehr & Peers.

Passed: 6-0

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

ABSENT: 1 (Grausz)

AB 5093 School Impact Fees Ordinance (1st Reading)

DSG Director Scott Greenberg presented and reviewed the School Impact Fees Ordinance. He noted the fees that would be imposed for both new single family homes and multi-family residences, reminded Council of the Planning Commission's recommendation to consider an affordable housing exemption, and reviewed the policy issues associated with the proposed ordinance.

Council asked questions regarding how the fees would be applied to short plats, the administrative fees, if the impact fees will take into account the Shorewood Apartments, and confirmed that the student generation rate will be reviewed on an annual basis.

It was moved by Cero; seconded by Pottmeyer to:

Set Ordinance No. 15C-15 for second reading at the City Council's September 8, 2015 meeting with the proposed changes as numbered 1 thru 4 on the sheet titled "Proposed Changes to Ordinance 15C-15" dated August 3, 2015.

Passed 6-0

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

ABSENT: 1 (Grausz)

AB 5094 Emergency Amendment to the City's Comprehensive Plan to Adopt Updated Policies and Incorporate By Reference the Mercer Island School District's Six-Year Capital Facilities Plan to Support Collection of Impact Fees

DSG Director Scott Greenberg presented the Emergency Amendment and reviewed the proposed changes to the City's Comprehensive Plan.

Council asked why this ordinance is deemed an emergency and why some of the historical references were deleted in the Comprehensive Plan amendment.

It was moved by Cero; seconded by Brahm to:

Adopt on an emergency basis Ordinance No. 15-16 to amend the City's Comprehensive Plan to adopt updated policies to support the assessment and collection of impact fees for transportation, parks and school facilities and to adopt and incorporate by reference the Mercer Island School District's Six-Year Capital Facilities Plan as an element of the City's Capital Facilities Plan.

Passed 6-0

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

ABSENT: 1 (Grausz)

OTHER BUSINESS

Councilmember Absences

Deputy Mayor Grausz' absence was excused.

Planning Schedule

City Manager Noel Treat noted that an update on City Council Rules of Procedure related to Social Media has been scheduled for September 21, 2015 and that the MICA Proposed Lease will be added to one of the October meetings.

Councilmember Pottmeyer asked about getting the Best Starts for Kids Levy on the schedule sooner than October.

Councilmember Cero asked about scheduling the moratorium on November 2, 2015.

Council canceled the August 17 meeting.

Board Appointments

There were no appointments.

Councilmember Reports

Councilmember Brahm spoke about attending the Parks & Recreation Department's Volunteer Recognition dinner. She noted that Dr. Bob Coe, former Mercer Island Councilmember, has passed away.

Councilmember Pottmeyer expressed her appreciation to Councilmembers for their hard work with Sound Transit to delay the process so that there is a community voice for Mercer Island.

Councilmember Cero asked if the Town Center survey questions will be reviewed by Council and about getting a preliminary safety report from Sound Transit.

Council directed the City Manager to ask more questions of Sound Transit regarding the safety report.

Councilmember Wong spoke about the Town Center Liaison Group interviews being done by the consultant.

Councilmember Bertlin would like to follow up on getting feedback from the Town Center Liaison Group.

Mayor Bassett spoke about the motion passed by Sound Transit's Board to conduct a public input process.

ADJOURNMENT

The Regular Meeting adjourned at 10:29 pm.

Bruce Bassett, Mayor

Attest:

Karin Roberts, Deputy City Clerk