



# CITY COUNCIL MINUTES REGULAR MEETING JANUARY 20, 2015

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## CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 7:01 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

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

## APPEARANCES

Ira Appelman, 4436 Ferncroft Road, objects to changing the procedure for appointment of a new Councilmember. He is concerned that the City Council does not solicit public comment on the applicants before making a decision and about the Council's lack of openness and transparency.

Tom Acker, 2427 84th Ave SE, spoke about the Save Our Suburbs Initiative. He questioned where things got lost on the path to making Mercer Island a beautiful place. He would like the Council to stand up and explain what they believe in, to take an opinion, and have fortitude and courageous leadership. He asked Council to listen to its citizens and take back control of Mercer Island. He spoke about a 1976 memorandum agreement that gives the City a veto over any changes on I-90 between I-5 and I-405.

Tom Imrich, 6231 Island Crest Way, urged Council to select Steve Marshall to fill the vacant Council position.

## CONSENT CALENDAR

### **Payables: \$520,510.50 (12/31/14) & \$271,590.20 (1/8/15)**

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

### **Payroll: \$818,825.94 (1/9/15)**

**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 Wong to:

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

Passed 5-0

FOR: 5 (Bassett, Bertlin, Cero, Grausz, Wong)

ABSENT: 1 (Brahm)

## REGULAR BUSINESS

### **AB 5034 City Council Vacancy – Candidate Appointment**

Mayor Bassett presented two options to the Council for appointing a candidate to the vacant position on the Council. The Council discussed each option and potential modifications to the process.

It was moved by Bertlin; seconded by Wong to:

**Adopt Option B (voting rounds of awarding 2 points to top candidate and 1 point to second from the top candidates, until two are left) with the modification of having Councilmembers speak to their choices for top candidates and second from the top candidates.**

Passed 4-1  
FOR: 4 (Bassett, Bertlin, Grausz, Wong)  
AGAINST: 1 (Cero)  
ABSENT: 1 (Brahm)

The Council also decided to use paper ballots, which would be collected and read by the Mayor, to alleviate any concerns that verbal voting may sway or influence those voting last.

The rounds of voting and points are as follows:

#### ROUND 1

**VOTES:**

**Bassett:** Wendy Weiker/Joel Wachs  
**Bertlin:** Joel Wachs/Wendy Weiker  
**Cero:** Steve Marshall/Bradley Jennison  
**Grausz:** Terry Pottmeyer/Carl Silverberg  
**Wong:** Terry Pottmeyer/Ralph Jorgenson

**POINTS:**

4 Terry Pottmeyer  
3 Joel Wachs  
3 Wendy Weiker  
2 Steve Marshall  
1 Carl Silverberg  
1 Bradley Jennison  
1 Ralph Jorgenson  
0 *Megan Coppersmith Szerwo*  
0 *Darren Gold*  
0 *Andrew Lamb*  
0 *Matthew Tardif*

#### ROUND 2

**VOTES:**

**Bassett:** Weiker/Wachs  
**Bertlin:** Wachs/Weiker  
**Cero:** Wachs/Marshall  
**Grausz:** Pottmeyer/Weiker  
**Wong:** Pottmeyer/Wachs

**POINTS:**

6 Joel Wachs  
4 Terry Pottmeyer  
4 Wendy Weiker  
1 *Steve Marshall*

#### ROUND 3

**VOTES:**

**Cero:** Wachs/Pottmeyer  
**Bertlin:** Wachs/Weiker  
**Grausz:** Pottmeyer/Weiker  
**Wong:** Pottmeyer/Wachs  
**Bassett:** Weiker/Wachs

**POINTS:**

6 Joel Wachs  
5 Terry Pottmeyer  
4 *Wendy Weiker*

#### ROUND 4

**VOTES:**

**Bassett:** Joel Wachs  
**Bertlin:** Joel Wachs  
**Cero:** Joel Wachs  
**Grausz:** Terry Pottmeyer  
**Wong:** Terry Pottmeyer

**POINTS:**

3 Joel Wachs  
2 Terry Pottmeyer

The final round of voting resulted in a majority vote for Joel Wachs to be appointed to Position #4 on the Mercer Island City Council. Mr. Wachs' term expires after the results of the general election on November 3, 2015 have been certified.

Mayor Bassett thanked all of the candidates who stepped forward and applied for the position. He noted that there will be five open positions on the ballot in November 2015 and he encouraged the candidates to run for office. He also noted that joining one of the City's boards and commissions is a great way to get involved.

The Council took a break for 15 minutes. When the meeting resumed Mayor Bassett noted that during the break City Clerk Ali Spietz conducted the Oath of Office for Joel Wachs in Position #4. Councilmember Wachs joined the Council at the dais for the remainder of the meeting.

## **AB 5033 EPSCA PSERN Interlocal Agreement**

Fire Chief Steve Heitman presented an interlocal agreement to create the Public Safety Emergency Radio Network (PSERN) between King County, Eastside Public Safety Communications Agency (EPSCA), City of Seattle and ValleyComm to establish one radio entity for all of King County and replace old systems that are becoming obsolete. He explained that this interlocal will govern the implementation of the new system and the process of transferring users from the current system to the new system. He noted that the PSERN project, including sites, equipment, labor, sales tax, and interest on bonds will cost approximately \$225 million and that the King County Executive anticipates asking the King County Council to put a funding measure on the ballot in April 2015.

City Manager Treat noted that he previewed this issue in his City Manager report a few weeks ago. He stated that there will be second interlocal that the Council will review at a later date to address the type of entity that will be responsible for operation and maintenance of the PSERN once full system acceptance has occurred.

It was moved by Bertlin; seconded by Cero to:

**Authorize the City Manager to sign the Public Safety Emergency Radio Network Implementation Period Interlocal Cooperation Agreement.**

Passed 6-0

FOR: 6 (Bassett, Bertlin, Cero, Grausz, Wong)

ABSENT: 1 (Brahm)

## **OTHER BUSINESS**

### **Councilmember Absences**

Councilmember Brahm's absence was excused.

### **Planning Schedule**

City Manager Treat noted that the Planning Session will be January 23-25, 2015, pointed out that since AT&T has withdrawn their cell tower application there will not be a second reading at the February 23, 2015 meeting. He also noted that he has asked staff to think through their work plans for the year in order to fill out the planning schedule.

Councilmember Bertlin asked for a review or presentation of the community outreach program that would address parking, transportation, and Town Center development.

### **Board Appointments**

Mayor Bassett noted that there are still openings on the Arts Council.

### **Councilmember Reports**

Councilmember Wong attended the Save Our Suburbs meeting on January 14, 2015 with over 120 people in attendance. He heard concerns and frustrations with respect to the Town Center development process and the current visioning, the bus intercept, etc. He noted that there are a lot of people who want to be engaged and feels it is important for the Council to develop ways to interact with the public in order to get their viewpoints and opinions.

Councilmember Bertlin also attended the Save Our Suburbs meeting and believes there is tremendous benefit to be gained from the diversity of opinions around the core set of issues. She also believes that Council is committed to creating a transparent and inclusive environment that will produce great outcomes.

Deputy Mayor Grausz attended the Sound Cities Public Issues Committee meeting on January 14, 2015 noting that there is a request to take monies from the hotel/motel tax to pay for affordable housing.

Councilmember Cero also attended the Save Our Suburbs meeting and was impressed by the orderly discussion. He noted that in general there was a consistent frustration about where the City is with development and density. He wished the Save Our Suburbs Coalition the best of luck with affecting change. He feels that Council needs to be careful about public outreach because citizens don't just want meetings, pamphlets, and emails, they want change.

Mayor Bassett spoke about the replacement bus service meeting, noting that progress has been made on a route.

Deputy Mayor Grausz noted that the new KCLS Director will be starting next week and that the City will be scheduling a meeting with him to start implementing the City Council's request to get public input into the library renovation process.

## EXECUTIVE SESSION

**Executive Session #1: To discuss with legal counsel representing the agency litigation or potential litigation to which the agency is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency pursuant to RCW 42.30.110(1)(i) for approximately 30 minutes**

At 8:40 pm, Mayor Bassett convened Executive Session #1 (as noted above) for approximately 30 minutes.

At 9:10 pm, Mayor Bassett extended Executive Session #2 for an additional 5 minutes.

The Mayor adjourned Executive Session #1 at 9:15 pm.

**Executive Session #2: To review the performance of a public employee pursuant to RCW 42.30.110(1)(G) for approximately 30 minutes**

At 9:15 pm, Mayor Bassett convened Executive Session #2 (as noted above) for approximately 30 minutes.

At 9:45 pm, Mayor Bassett extended Executive Session #2 for an additional 30 minutes.

At 10:15 pm, Mayor Bassett extended Executive Session #2 for an additional 30 minutes.

At 10:45 pm, Mayor Bassett extended Executive Session #2 for an additional 30 minutes.

At 11:15 pm, Mayor Bassett extended Executive Session #2 for an additional 15 minutes.

The Mayor adjourned Executive Session #2 at 11:30 pm.

## ADJOURNMENT

The Regular Meeting adjourned at 11:31 pm.

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Bruce Bassett, Mayor

Attest:

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Allison Spietz, City Clerk