



MEDINA, WASHINGTON

MEDINA CITY COUNCIL
REGULAR MEETING MINUTES
Medina City Hall, Council Chambers
501 Evergreen Point Road, Medina
Monday, May 11, 2015
6:30 PM

MAYOR
PATRICK BOYD

DEPUTY MAYOR
DAVID LEE

COUNCIL MEMBERS
JAY DECKER
MICHAEL LUIS
JOHN MAFFEI
ALEX MORCOS
CURT PRYDE

CITY MANAGER
MICHAEL SAUERWEIN

CITY ATTORNEY
KARI SAND

CITY CLERK
AIMEE KELLERMAN

MINUTES

1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Mayor Boyd called the regular meeting to order in the Medina Council Chambers at 6:30 p.m.

Council Members Present: Decker, Lee, Luis, Maffei, Morcos and Mayor Boyd

Council Members Absent: Pryde

Staff Present: Sauerwein, Sand, Noe, Grumbach, Burns and Kellerman

ACTION: Motion Luis second by Maffei and carried by a 6:0 vote; Council excused the absence of Council Member Pryde.

Mayor Boyd clarified a typo in the agenda that the meeting tonight is a regular meeting and not a special and regular meeting. The Council will move into Executive Session at the end of the regular business.

2. APPROVAL OF MEETING AGENDA

ACTION: Motion Maffei second Decker and carried by a 6:0 (Pryde absent) vote; Council approved the meeting agenda as presented.

3. PRESENTATIONS

None.

4. PUBLIC COMMENT PERIOD

Council Member Luis asked that the City Manager recognize departing City Attorney Kari Sand and introduce the new City Attorney.

City Manager Michael Sauerwein announced that City Attorney Kari Sand is leaving the City and has accepted an in-house position with the City of Mercer Island as their City Attorney. He also introduced the Robert "Bob" Noe as the new City Attorney for Medina.

Mayor Boyd opened the public comment period at 6:35 p.m. The following individuals addressed the Council:

- City Clerk Aimee Kellerman acknowledged three letters into the record that were addressed to Council for the meeting tonight regarding the phase two tree code amendments: George Ko voiced concerns for the proposed amendments, Doug Dicharry in support of the proposed amendments, and Kay Koelemay in support of the proposed amendments.
- Miles Adam thanked Kari Sand for her services to the Park Board and wished her luck with her new position at Mercer Island. Adam also commented on the strategic plan and walkability for Medina, more specifically the vegetation overgrowth on sidewalks. He urged the City Council to address the problem and staff to help. Lastly, Adam commented we may have overreacted on the tree code and asked Council for a better compromise.
- David Yee commented on the tree code and the use of TRAQ vs. TRACE.
- Paul Saad commented on the phase two tree code amendments. He also commented on the hardship of understanding the code and asked Council to make it easier to understand and implement. He also disagrees with using the word "Sylvan" in the code because he felt it was too limiting to describe Medina.
- Steve Burnstead concurred with Paul Saad's comments. He also commented on the lack of walkability and bicycling in Medina.
- Doug Hutson commented on the phase two tree code and felt that there were improvements around the edges; however he still feels that it is bureaucratic. He also requested an appeals process as well as a public record of all the applications of people who wanted trees to be removed and what the result was. He would also like an account of the owners who encountered the City regarding tree removal and how they felt the process went, which would be reviewed one year later.

Mayor Boyd closed the public comment period at 6:52 p.m.

5. REPORTS AND ANNOUNCEMENTS

5.1 Mayor and Council Member Reports.

Deputy Mayor David Lee reported he attended an Eastside Transportation Partnership meeting last Friday and PRSC presented on "Stuck in Traffic 2015". He noted two items from the presentation. The first was delays on I-5; more specifically from Fife to Seattle where there was a 28 percent increase in delays from 2013 to 2014, and the second was the failure of the HOV lanes. The report can be found on PRSC's website.

5.2 Commissions, Boards, and Advisory Committee Reports.

Planning Commission Chair Randy Reeves reported that the Planning Commission finished the Phase Two Tree Code and are now moving on to the Comprehensive Plan Update. Planning Commission will work on the draft Comp Plan in June and have a Public Hearing in July.

Park Board Chair Miles Adam reported that on June 22, 2015 the Park Board will host an open house to showcase the proposed plan for the post office park and proposed expansion of the Medina Park playground.

Council Member Luis asked Chair Adam about the three public docks in Medina and if the Park Board had any interest in how they are used, whether they are available for boat pickups and drop offs or commercial uses.

Chair Adam responded that a couple years ago they had regulated the dock at Medina City Hall to prevent it from being tied up at the request of the Police Department. Adam stated that they will add the docks to the Park Board Work Plan.

6. CITY MANAGER'S REPORT

6.1 Department Directors: Police, Development Services, Finance, and Public Works.

Chief Burns reported that April had very low reported activity. He reported that there were 14 IRS fraud cases where someone else is using someone else's social security number to file taxes. He also noted that there was one traffic incident on April 30th where a car ran into a mailbox stand and did about \$2,000 worth of damage and took off. The Police Department is investigating.

Acting Public Works Director Pat Crickmore reported that the post cards educating residents on right-of-way overgrowth responsibilities went out on May 6 and one complaint has already been received by Public Works regarding a neighbor's overgrown hedge. Public Works has hired two Seasonal Maintenance Workers for the summer with one starting next week and the other starting in June. He also reported that the shrub planting and maintenance in the island on 84th between Clyde Hill and Medina will begin in two weeks. Crickmore also commented on the three public docks in Medina, noting that the dock at City Hall is the only one that has cleats for tie downs; however, there are signs that says "no mooring", you can only pick up and drop off. ViewPoint dock and

Lake Lane docks do not have any signs as they do not have cleats to tie down any boats.

Development Services Director Robert Grumbach reported on Development Services monthly report and a Section 6409 application received in early May from AT&T to add antennas to their facility at Bellevue Christian School. The Federal Communication Commission (FCC) added new requirements for local governments to process modifications to existing wireless communication facilities. FCC changes included a 60-day shot clock to issue the approval or potentially have the application declared already approved. Staff will work with the City Attorney's office to make sure we are following our processes and complying with the federal rules. Lastly, Grumbach commented on the upcoming SR-520 ramp closure, which was discussed in 2014. KGM plans to request a modification to their approved Construction Mitigation Plan to complete the project. They're estimating closing ramps by the end of the year.

City Manager Michael Sauerwein reported that Finance Director Nancy Adams is on vacation and offered to answer any Finance questions. There were no questions.

6.2 City Manager.

City Manager Michael Sauerwein reported that the City is in the process of hiring a new Public Works Director and the first review of applications will be this Wednesday. Interviews are tentatively scheduled for June 19. Public Works will have an open-house and barbeque on Friday, June 5 and finally, there will be another SR-520 bridge tour on May 29 for the Lake Washington Mayors Association, City staff, and the public.

7. CONSENT AGENDA

ACTION: Motion Maffei second Decker and carried by a 6:0 (Pryde absent) vote; Council approved the Consent Agenda.

These items will be acted upon as a whole unless called upon by a council member.

7.1 **Subject:** Proclamation in Recognition of National Police Week and Peace Officer Memorial Day; May 11 - 15, 2015

Recommendation: Approve.

Staff Contact: Stephen Burns, Chief of Police

7.2 **Subject:** Approved March 16, 2015 Park Board Meeting Minutes

Recommendation: Receive and file.

Staff Contact: Jen Newton, Deputy City Clerk

7.3 **Subject:** Approved March 24, 2015 Planning Commission Meeting Minutes

Recommendation: Receive and file.

Staff Contact: Kristin McKenna, Development Services Coordinator

- 7.4 **Subject:** April 2013, Check Register
Recommendation: Approve.
Staff Contact: Nancy Adams, Finance Director
- 7.5 **Subject:** Meeting Minutes of:
a) March 9, 2015 Special and Regular Meeting; and
b) April 13, 2015 Special and Regular Meeting.
Recommendation: Adopt Minutes.
Staff Contact: Aimee Kellerman, City Clerk
- 7.6 **Subject:** 2015 Budget Amendment
Recommendation: Approve.
Result of Recommended Action: Approval will amend Ordinance No. 913 and increase the General Fund Expenditure \$95,245.
Staff Contact: Nancy Adams, Finance Director
- 7.7 **Subject:** Confirmation of Appointment to the Planning Commission
Recommendation: Appoint David Doud.
Result of Recommended Action: Action on this item will appoint Medina resident David Doud to Medina's Planning Commission, effective immediately. Following appointment, David Doud will attend his first meeting as a Commissioner on Tuesday, June 23, 2015.
Staff Contact: Aimee Kellerman, City Clerk
- 7.8 **Subject:** Acceptance of Public Works Shop Addition
Recommendation: Approve.
Result of Recommended Action: Approval will accept the Public Works shop addition.
Staff Contact: Michael Sauerwein, City Manager

8. PUBLIC HEARING

None.

9. OTHER BUSINESS

- 9.1 **Subject:** Planning Commission Recommendation on Phase Two Tree Code Amendments and Schedule Public Hearing
Recommendation: Approve.
Result of Recommended Action: Approval will allow staff to prepare an ordinance on Phase 2 Tree Code Amendments based on the Planning Commission's recommendation and schedule a public hearing for June 8, 2015.
Staff Contact: Robert Grumbach, Development Services Director

Development Services Director Robert Grumbach gave a brief summary of the proposed Phase Two Tree Code amendments. He also noted one new provision in the proposed tree code amendments which deals with site plan review. For owners that want to preserve larger trees on their lots in which they can build their house in a

different place on their lot to preserve a large tree, the City will allow flexibility in the setbacks as an incentive.

Council discussed the proposed tree code amendments presented to them. They requested that staff post examples on the City's website and also analyze 6 inches DBH versus 10 inches DBH for significant trees.

ACTION: Motion Morcos second Luis and carried by a 6:0 (Pryde absent) vote; Council directed staff to prepare an ordinance and schedule a Public Hearing for June 8, 2015.

9.2 **Subject:** City Council Agenda Calendar

Recommendation: Discussion item only; no action needed.

Result of Recommended Action: Council and staff will review upcoming meetings and make necessary changes as needed.

Staff Contact: Michael Sauerwein, City Manager

ACTION: There were no changes to the City Council Calendar.

10. PUBLIC COMMENT

Mayor Boyd opened the Public Comment Period at 8:00 p.m. The following individual addressed the Council:

- Doug Hutson thanked Council Member Morcos for his suggestion regarding the proposed tree code amendments and reiterated his earlier comments of having an appeals process and a public record of all applications.

Mayor Boyd closed the public comment period at 8:03 p.m.

At this point (8:03 p.m.) Mayor Boyd announced that Council will move into Executive Session for an estimated time of one hour.

EXECUTIVE SESSION

Mayor Boyd convened the Executive Session at 8:05 p.m. to discuss the following:

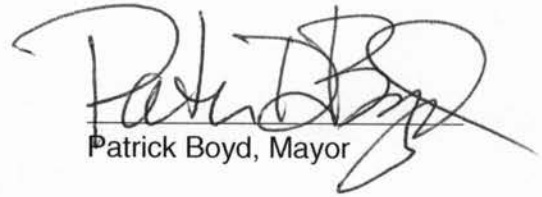
ES-1: RCW 42.30.110 (1)(i)

To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity 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 of the agency.

ACTION: Motion Decker second Luis and carried by a 6:0 (Pryde absent) vote; Council approved the settlement agreement with T-Mobile and Independent Towers and authorized the City Manager to execute the settlement agreement and take related necessary follow up actions to allow an 80 foot tower to close a significant service gap in exchange for improvements at Fairweather Park, specifically field resurfacing and installation of a drainage system.

11. ADJOURNMENT

Motion Maffei second Luis; Council adjourned the regular meeting at 9:40 p.m.



Patrick Boyd, Mayor

Attest:

Aimee Kellerman
Aimee Kellerman, City Clerk