



MEDINA, WASHINGTON

MEDINA CITY COUNCIL SPECIAL AND REGULAR MEETING MINUTES

Medina City Hall, Council Chambers
501 Evergreen Point Road, Medina

MONDAY, OCTOBER 13, 2014

5:30 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

EXECUTIVE SESSION - CALL TO ORDER / ROLL CALL

Mayor Boyd called the Executive Session to order in the Medina Council Chambers at 5:30 p.m. for an estimated time of one hour.

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

Council Members Absent: Maffei

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

EXECUTIVE SESSION

RCW 42.30.140 (4): To review the progress of collective bargaining negotiations; and

RCW 42.30.110 (b): To consider the minimum price at which real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price.

ACTION: No action was taken in Executive Session.

ADJOURNMENT

Mayor Boyd adjourned the Executive Session to the Regular meeting in the Medina Council Chambers at 6:27 p.m.

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, Morcos, Pryde, and Mayor Boyd

Council Members Absent: Maffei

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

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

2. APPROVAL OF MEETING AGENDA

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

3. PRESENTATIONS

3.1 None.

4. PUBLIC COMMENT

Mayor Boyd opened the public comment period at 6:32 p.m. The following individuals addressed the Council:

- Cynthia Adkins commented on the Hearing Examiners decision denying T-Mobile's request for reconsideration and encouraged the City Council to hire experienced federal litigators as special counsel to defend the City's land use codes.
- Roger Frey echoed Cynthia Adkins's comments above and acknowledged his support for the City of Medina to protect its land use codes and processes.
- Heijia Nunn commented that Council should be clear with the citizens of Medina on where the City stands with the Federal lawsuit and T-Mobile's application.
- Brad Husick thanked the City Council for the open house on the tree code that he attended a couple of weeks ago and commented that he was hoping to see more Council Members there to hear more direct input from the community. He expressed concern that all of the discussions from the consultants focused on the percentage of canopy cover.

Mayor Boyd closed the public comment period at 6:39 p.m.

5. COUNCIL / BOARDS AND COMMISSIONS REPORTS

5.1 Mayor and Council Member Reports.

Council Member Pryde reported that he met with Park Board Chair Adam and toured all of the city parks. He visited the projects that the Park Board completed over the last three or four years. He thanked Chair Adam for taking the time to show him around and discuss what Park Board would like to see in the upcoming budget for 2015.

Mayor Boyd reported that he attended his first Points Community Mayors meeting where the discussions focused on the 520 Project. He commented that there were safety concerns with construction and the future Hunts Point trail. Discussion also included public defender services and the traffic on 84th.

5.2 Commissions, Boards, and Advisory Committee Reports.

Park Board Chair Miles Adam offered to take any of the Council Members on a tour of the parks to see the projects that the Park Board is working on and asked the Council to approve the Park Board budget as presented for 2015. He also thanked Council for their support.

Planning Commission Chair Heija Nunn reported that the Planning Commission happy to participate in the Joint City Council / Planning Commission meeting in September. She reported on the Planning Commission meeting the next night including two construction mitigation plan hearings and the next steps in the tree code update process. She also said that the Planning Commission will work informally with the Tree Committee in developing a recommendation. Lastly, Nunn reported that she hosted a community meet and greet for new Police Chief Stephen Burns; which had a great turn out.

Emergency Preparedness Chair Kay Koelemay reported on the Seattle Times fold out storm article, which included a checklist and reminders on how to get ready for the upcoming winter weather. She also reported that the next emergency preparedness activity worldwide is coming up this Thursday, October 16 at 10:16 a.m., it's the "Great ShakeOut" to practice what happens when there is an earthquake in their region.

6. CITY MANAGER'S REPORT

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

Police Chief Stephen Burns thanked the City Manager and staff for their support over the last month as he has been adjusting into his new role

Director of Development Services Robert Grumbach followed up Heija Nunn's comments regarding the tree code and the October 28 Planning Commission meeting. He noted meeting with the tree committee and gave a briefing on the view and sunlight ordinance and noted that it will be discussed at the December meeting. He also briefed the Council on the hearing examiner's decision to deny Independent Tower's reconsideration motion.

Council Member Morcos asked what to do with the public comments received during the tree code outreach process.

Grumbach responded that the Council will need to decide if they want to do something more with them.

Finance Director Nancy Adams reported on the Year-to-Date finance report. She noted that the State Audit Exit conference is scheduled for October 26 and there were no findings, comments, and no recommendations for the managers.

6.2 City Manager

City Manager Michael Sauerwein reported on Public Work's monthly report. He noted that Bellevue Utilities repaired the bump on Evergreen Point Road. Sauerwein thanked Heija Nunn for hosting the Police Chief "Meet and Greet" at Tully's and thanked Robert Grumbach for the flag pole replacement at City Hall. He also noted that the City Council Retreat is tentatively scheduled for Saturday, November 1 at Overlake Golf and Country Club.

7. CONSENT AGENDA ITEMS

ACTION: Motion by Luis second by Morcos and carried by a 6:0 (Maffei 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:** Approved April 28, 2014 Civil Service Commission Meeting Minutes

Recommendation: Receive and file.

Staff Contact: Kristin McKenna, Deputy City Clerk

7.2 **Subject:** Meeting Minutes of:

a) September 8, 2014 Special and Regular Meeting;

b) September 22, 2014 Joint City Council and Planning Commission Meeting; and

c) September 29, 2014 Study Session.

Recommendation: Adopt Minutes.

Staff Contact: Aimee Kellerman, City Clerk

7.3 **Subject:** September 2014, Check Register

Recommendation: Approve.

Staff Contact: Nancy Adams, Finance Director

- 7.4 **Subject:** Resolution Accepting All of Volume 1 and the City's Portion of Volume 2 of the King County Regional Hazard Mitigation Plan Update
Recommendation: Adopt Resolution No. 372.
Result of Recommended Action: Adoption of this resolution will accept all of Volume 1 and the City of Medina's portion of Volume 2 of the King County Regional Hazard Mitigation Plan.
Staff Contact: Kris Finnigan, Emergency Preparedness Coordinator
- 7.5 **Subject:** Contract with The Watershed Company for support on the 2015 Periodic Comprehensive Plan Update
Recommendation: Approve.
Result of Recommended Action: Action on this item will approve and authorize the City Manager to sign the contract
Staff Contact: Robert Grumbach, Development Services Director

8. PUBLIC HEARING ITEMS

- 8.1 **Subject:** Draft Preliminary 2015 Budget
Recommendation: Discussion item only; no action needed.
Result of Recommended Action: Council and staff will review the proposed 2015 budget and year-end forecast and make suggested changes.
Staff Contact: Nancy Adams, Finance Director

Finance Director Nancy Adams gave an overview of the 2014 General Fund, 2015 General Fund Revenue, 2015 property tax and gave an overview of how 2014 property taxes are distributed. Adams also commented on the 2014 King County Levy Rates per \$1000 assessed value and noted that the lowest levy rates include Hunts Point, Clyde Hill, Yarrow Point and Medina.

Director of Development Services Robert Grumbach reported back to Council on an analysis for a 2015 Planner position and possibly making it a two-year limited term position.

Council Member Pryde expressed concern about adding an additional staff person.

Council Member Morcos asked about an ordinance to modify the definition of the Medina Tree fund to allow funds to be used for more than planting trees.

Staff commented back that we can look at developing an amendment to the code and bring it back to Council.

Mayor Boyd opened the public comment period at 8:11 p.m. and the following individuals addressed the Council:

- Kay Koelema commented on the high increase on the Park Board budget. She also commented that she would like to see a human agility course rather than a dog agility course. She expressed concern about the Bocce Ball court and the continued development of Medina Park.
- Doug Dicharry commented on the tree fund and the possible motion to amend it and proposed that it be added to Phase 2.
- Wilma Edmonds commented that she was sympathetic to Council Member Luis's comment about the Library

Mayor Boyd closed the public comment period at 8:21 p.m.

ACTION: Council directed staff to leave budget as it is and come back to Council if we wanted to hire a person into the Planning position for follow up.

8.2 **Subject:** Ordinance Amending Section 5.04.030 of the Medina Municipal Code to Extend the Utility Tax Rate of Four Percent with a New Expiration Date of January 31, 2016

Recommendation: Adopt Ordinance 912.

Result of Recommended Action: Adoption of this ordinance will extend the utility tax rate of four percent with a new expiration date of January 31, 2016.

Staff Contact: Nancy Adams, Finance Director

Finance Director Nancy Adams gave brief summary of the Utility Tax Rate of four percent and extending the expiration date.

Council discussion to lower the utility tax rate to 3% and to make up the lost revenue with fund balances in the budget.

Mayor Boyd opened the public hearing at 8:23 p.m. The following individual addressed the Council:

- Doug Dicharry commented in support of the 4% utility tax rate.

Mayor Boyd closed the public hearing.

ACTION: Motion Decker second by Luis to approve extending the utility tax rate at 4% for one year.

City Manager Michael Sauerwein noted that the City will have to use fund balances to make up for the lower utility rate. There was consensus by the City Council that this was acceptable.

ACTION: Motion Pryde second by Morcos to amend the current motion from 4% to 3% and carried by a 6:0 (Maffei absent); Council adopted Ordinance No. 912.

- 8.3 **Subject:** Ordinance Prohibiting the Establishment of Medical and Recreational Marijuana Businesses
Recommendation: Adopt Ordinance No. 911.
Result of Recommended Action: Approval will amend the Unified Development Code to prohibit the establishment of marijuana related businesses.
Staff Contact: Robert Grumbach, Development Services Director

Development Services Director Robert Grumbach asked Council Members if there were any questions. There were no questions.

Mayor Boyd opened the public hearing at 8:33 p.m. There were no speakers. Mayor Boyd closed the public hearing.

ACTION: Motion Luis second by Morcos and carried by a 6:0 (Maffei absent) vote; Council adopted Ordinance No. 911.

9. OTHER BUSINESS ITEMS

- 9.1 **Subject:** iCompass Technologies Automated Agenda Packets
Recommendation: Approve.
Result of Recommended Action: Action on this item will allow staff to discontinue paper production of agenda packets and move towards automated agenda packets beginning at the December 8, 2014 City Council meeting.
Staff Contact: Aimee Kellerman, City Clerk

City Clerk Aimee Kellerman gave a brief summary to Council on going paperless for agenda packets. She said that beginning with the December 8 City Council meeting, staff will be using iPads and proposed that Council go paperless as well. She also commented that due to copier malfunction at City Hall last week that it cost \$608.00 for seven agenda packets to be printed at Kinko's, which is the cost of one iPad with a keyboard cover. She will also work with City Attorney Kari Sand to develop an "Electronic Use" policy before distributing iPads.

Deputy Mayor David Lee asked if we also considered purchasing Microsoft Surface in support of local businesses and if the software we are considering is compatible with the Surfaces.

Kelleman commented that the software that we have already purchased is not compatible and does not have an app for the Surface Pro, which is why staff made the recommendation to purchase iPads.

ACTION: Motion Morcos second by Luis and carried by a 6:0 (Maffei absent) vote; Council approved automated agenda packets beginning with the December 8 City Council meeting.

9.2

Subject: City Council 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: Council and staff reviewed upcoming meetings.

10. PUBLIC COMMENT

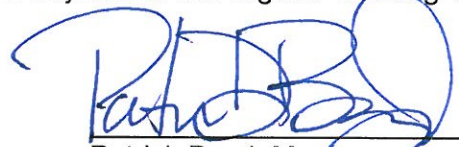
Mayor Boyd opened the public comment period at 8:48 p.m. The following individual addressed the Council:

- Wilma Edmonds commented on the electronic agenda packets and making sure that it will still be available for the public to download to their own computers.


Mayor Boyd closed the public comment period.

11. ADJOURNMENT

Motion by Morcos second by Pryde; Council adjourned the regular meeting at 8:50 p.m.


Patrick Boyd, Mayor

Attest:


Aimee Kellerman, City Clerk