

**MEDINA CITY COUNCIL  
SPECIAL AND REGULAR MEETING MINUTES**

Medina City Hall, Council Chambers  
501 Evergreen Point Road, Medina  
Monday, December 10, 2012; 5:30 pm

**SPECIAL MEETING**

**CALL TO ORDER**

Mayor Luis called December 10, 2012 Special Meeting of the Medina City Council to order at 5:30 pm.

**EXECUTIVE SESSION**

Mayor recessed into executive session at 5:30 pm for an estimated time of one-hour pursuant to RCW 42.30.110(1)(i) for the purpose of discussing 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 to the agency.

Council members Dicharry, Decker, D. Lee, J. Lee, Luis and Phelps, city attorney Sand, city manager, city clerk, special counsel Jeff Myers (Law, Lyman, Daniel, Kamerrer, and Bogdanovich, P.S.) and special counsel Chris Bacha (Kenyon Disend) were present. Jeff Myers departed meeting at 5:55 pm. Executive session adjourned at 6:26 pm.

**REGULAR MEETING**

Mayor called public meeting to order at 6:30 pm, then led members of the audience, council members, and staff in the Pledge of Allegiance.

**ROLL CALL**

Council Members Present: Jay Decker, Doug Dicharry, David Lee, Janie Lee, Michael Luis, and Katie Phelps

Council Members Absent: Patrick Boyd (*excused*)

City Staff Present: Donna Hanson, City Manager; Kari Sand, City Attorney, Kenyon Disend; Mark Thomas, Police Chief; Robert Grumbach, Development Services Director; Joe Willis, Public Works Director; Nancy Adams, Finance Director, and Rachel Baker, City Clerk

Council member Decker proposed a motion to excuse absence of council member Boyd and council member Phelps seconded motion. Motion carried 6-0 at 6:31 pm.

## **APPROVAL OF MEETING AGENDA**

Council member Phelps added continued executive session to follow study session. Council member Phelps proposed motion to approve agenda as amended and council member D. Lee seconded motion. Motion carried 6-0 at 6:32 pm.

## **PUBLIC COMMENT**

Mayor read guidelines for public comment period and opened floor to public comment at 6:33 pm.

Medina resident Heija Nunn commented she received email records from WCIA in response to a public records request related to an email investigation and read aloud excerpts from the records.

Medina resident Jim Girardo expressed his opinion how the public was mistreated during public comment and implied council has been unprofessional in the past.

No other statements were presented and mayor closed comment period at 6:42 pm.

## **REPORTS AND ANNOUNCEMENTS**

Mayor reported he attended Points Mayors' meeting and state representative Cyrus Habib was also in attendance. He said discussions related to the communities' position regarding State Route 520 occurred. Council member D. Lee said he attended the National League of Cities annual conference in Boston and conveyed next year's conference will be held in Seattle. Council member Phelps thanked public works staff for installation of holiday lights in Medina Park.

Emergency preparedness committee chair Kay Koelemay reported the next meeting will be held January. She said the radio group held a successful unannounced drill running the radio network and said more noticed and unnoticed drills will be held in the future. She also suggested giving gifts of emergency preparedness for the holidays.

Public works director summarized traffic study conducted on Evergreen Point Road at 12<sup>th</sup> and 24<sup>th</sup> Streets and informed council stop signs will be installed at both locations in January and the public will be notified. He stated the 2014 CIP will be amended next year to reflect sidewalk improvements planned in 2014 with grant funds.

## CONSENT AGENDA

MOTION DICHARRY AND SECOND PHELPS TO ADOPT CONSENT AGENDA AS PRESENTED AND MOTION CARRIED 6-0 AT 6:52 PM.

- Approval of Corrected November 13, 2012 City Council Special & Regular Meeting Minutes
- Approval of November, 2012 Check Register  
*Claim check numbers 53511-53603, in the amount of \$185,604.42; payroll checks numbers 3519-3530 in the amount of \$260,949.09*
- Cascade Materials Contract Amendment
- Receipt of Approved October 15, 2012 Park Board Meeting Minutes
- Receipt of Approved October 23, 2012 Planning Commission Meeting Minutes

## OTHER BUSINESS

2012 Budget Amendment Ordinance (6:53 pm)

MOTION DICHARRY AND DECKER SECOND TO APPROVE ORDINANCE AMENDING THE 2012 BUDGET. MOTION CARRIED 6-0 AT 6:58 PM.

City Council Agenda Calendar (6:58 pm)

Mayor added item to discuss aviation attorney funding in January.

## PUBLIC COMMENT

Mayor opened public comment period at 7:00 pm.

Medina resident Shawn Whitney spoke about a document she defined as being presented to council to persuade them but later no longer exists.

Medina resident Heija Nunn read from passages from records she received from WCIA.

No other public comments were brought forward and the floor was closed at 7:03 pm.

## STUDY SESSION

Franchise Agreement Discussion (7:07 pm)

Attorney Chris Bacha provided status updates on PSE, Comcast and Allied Waste franchise agreements.

Airplane Noise Discussion (7:24 pm)

Consultant Allyson Jackson provided status of jet noise issue and discussion included consideration of use of aviation attorney.

### Council member Absences (7:51 pm)

Hanson said the item was removed from agenda prior to publication but to close the loop city attorney reminded council it is subject to RCW 35A.12.060 concerning council member absences.

### Zoning Code Update (7:55 pm)

Development services director provided a summary of ongoing preparations for zoning code updates.

## **EXECUTIVE SESSION**

Council recessed into executive session at 8:18 pm pursuant to RCW 42.30.110 (1)(g) for the purpose of discussion to review performance of a public employee for an estimated time of 30 minutes. Council members Dicharry, Decker, D. Lee, J. Lee, Luis and Phelps, and city attorney were present. Executive session adjourned at 8:48 pm and regular meeting resumed.

MOTION PHELPS AND SECOND DICHARRY TO CHANGE CITY MANAGER COMPENSATION FOR 2013 TO INCLUDE CPI THAT MATCHES OTHER NON-REPRESENTED EMPLOYEES. MOTION FAILED 3-3 (DECKER, D. LEE, J. LEE OPPOSED) AT 8:49 PM.

## **ADJOURNMENT**

MOTION DICHARRY AND SECOND DECKER TO ADJOURN THE DECEMBER 10, 2012 MEETING OF THE MEDINA CITY COUNCIL. MOTION CARRIED 6-0 AT 8:50 PM.

The December 10, 2012 Regular Meeting of the Medina City Council adjourned at 8:50 pm.

The Medina City Council will hold its next meeting on Monday, January 14, 2013, at 6:30 pm in the Council Chambers at Medina City Hall, 501 Evergreen Point Road, Medina.

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Michael Luis, Mayor

Attest:

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Rachel Baker, City Clerk

*Minutes approved 01/14/2013.*