

Question & Answer Matrix
September 2, 2025 - City Council Meeting

Log #	AB No.	Received From	Question	Staff Response
1	6745	Reynolds	PO 2026530: What art was damaged and what is the repair plan?	The damaged items are the Gateway Sign (damaged/removed in 2019) and one of the Gateway Figures (damaged/removed in 2020) from the Town Center installation. The damage occurred as a result of multiple traffic accidents over the years. However, with the installation of new crosswalk improvements at 78th, staff believe the likelihood of future damage has been significantly reduced. At this time, there is no confirmed plan to repair or reinstall the damaged pieces. Staff are still evaluating whether restoration is the best course of action or if the pieces will remain out of rotation.
2	6752	Reynolds	Reference is made to “sign up for emergency alerts”. How and where does one do this?	The City partnered with King County to offer emergency alerts via Code Red – publicly known as Alert King County. Islanders can sign up at www.mercerisland.gov/emergencyalert Alerts can be provided in one of 29 different languages and will be sent to whatever email and/or phone numbers are provided. Community members can receive alerts for up to five locations (home, work, school, a relative’s home, etc.) The City has promoted the opportunity to sign-up multiple times and will continue to do so.
3	6757	Weinberg	Do we plan on recovering all or part of this \$660,000 capital expense through the amounts we charge our neighboring cities for providing them with marine patrol services?	Finance is working with the Police Department to update the cost recovery model for providing marine patrol services to partner jurisdictions. All costs for marine patrol services – including vessel replacements – are included in the current cost recovery model analysis. The interlocal agreements with partner jurisdictions are planned to be renegotiated at the end of 2025/early 2026, with the hope that they can be fully implemented by Q1 2027.

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4	6758	Becker	Do we have any sense of compliance rates for Business License registrations, in particular for out-of-city-businesses with more than \$4,000 in sales? Do we do any enforcement to find businesses that fail to register? Does the \$30 registration fee even cover the cost of the work required by the city to process an application?	The City does not review state business licenses for Mercer Island endorsements for companies doing business in Mercer Island. Some cities do retain the option of requiring a “no-fee” registration for out-of-city businesses below the \$4,000 exemption threshold. The “no-fee registration” is not currently a City requirement, largely due to the administrative burden it entails. Staff verifies whether a business has an active Mercer Island endorsement on their state business license before the City enters into an agreement with the company for goods or services as required by MICC Chapter 5.01. The fee is established in Section 2 of the City’s fee schedule, which is reviewed and updated annually. The \$30 fee increased from \$25 in 2006. Prior City Council’s have advocated for keeping the fees low to reduce/minimize the financial burdens on Mercer Island businesses, thus the fee has not been revisited in quite some time. This fee analysis could be added to a future work plan at the direction of the City Council.
5	6763	Reynolds	What rule prevents prosecution below age 16 in our municipal court? Can we change it, or is this a matter of county or state law?	Under RCW 13.04.030, the City’s Municipal Court does not have jurisdiction over defendants under 16 years of age. Crimes committed by those 15 years old or younger must be filed with the King County Prosecuting Attorneys Office (KCPAO) - Juvenile Division. The City’s prosecutor believes it is unlikely that KCPAO would charge these types of offenses. This is a matter of State Law. It would not be practical to pursue a change to this law.

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6	6763	Reynolds	<i>“Consumers are not aware that the item they are purchasing is in fact an e-motorcycle and it is not legal to operate in the rights-of-way.”</i> Are you saying that they are ALREADY illegal in the ROW? If so, please provide applicable law.	E-motorcycles often lack the requisites for legal operation within the ROW. For example, e-motorcycles are often sold without license plates and are not registered with the Washington State Department of Licensing. RCW 46.61.705 Off-road motorcycles provides the legal requirements to operate an e-motorcycle in the ROW. The WA State Patrol has a Motorcycle Resource Sheet that lists the requirements for a motorcycle to be operated in the ROW. These requirements also apply to e-motorcycles.
7	6763	Reynolds	<i>“No person may operate an electric motorcycle that is not registered with the Washington State Department of Licensing and does not have a valid license plate.”</i> Do you mean “or” rather than “and”?	No.
8	6763	Reynolds	How are “parks” defined for this regulation. Does it include “open spaces”, street end parks, etc.? Does it include Aubrey Davis?	<i>Park</i> means and includes all city parks, public squares, public drives, parkways, boulevards, golf courses, park museums, pools, bathing beaches and play and recreation grounds under the management and control of the parks and recreation department, as defined in MICC 9.30.030. Per the broad definition of “under the management and control of the parks and recreation department”, Aubrey Davis Park is included.
9	6763	Reynolds	<i>“No person without a valid driver’s license with a motorcycle endorsement may operate an electric motorcycle.”</i> Given this provision, is the age limit needed, since I think you need to be 16 to get a driver’s license?	The State of Washington regulates the operation of vehicles on roadways and the age to obtain a license is 16. Other provisions are in place related to obtaining a motorcycle endorsement.

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10	6763	Reynolds	Am I correctly understanding that the “enforcement gap” is not an issue for infractions?	Persons age 16 or 17 can be charged in municipal court for civil infractions (think minor driving offenses/traffic infractions). Juvenile court has exclusive jurisdiction over traffic and civil infractions issued to those younger than 16 years of age.
11	6763	Reynolds	Do “infractions” such as are contemplated here create a “criminal record”?	No, they are <u>not</u> criminal in nature.
12	6763	Reynolds	Does the scope of 9.63.150 include e-bikes? It would seem so, since e-bikes are bikes, correct? Would this change apply even to paved trails within parks? Or are those trails defined as “designated”? If so, how and where does the designation happen?	The City has not proposed to edit this section. Regulation of e-bikes and potential code changes related to “bikes” are still under analysis. See response to Question 13 below.
13	6763	Becker	“Staff will return to the City Council with a separate ordinance to establish regulations for e-bikes.” – when do you anticipate this?	From the agenda bill Executive Summary: <i>Staff are currently working on new regulations related to e-bike use on Mercer Island and those work items will be coming to the City Council by Q1 2026, or sooner, if possible.</i> This was included in the bulleted list at the beginning of the AB, but the timeline notation was not carried to the end of the document in the “Next Steps” section.
14	6763	Weinberg	When someone sends a photo or video to the police of a minor riding an e-bike recklessly in a public space, what is the current procedure for identifying the youth in question so that the police can contact their parents?	We are not pursuing video identification of minors. The Police Department is not resourced for that kind of work and the videos submitted may not be used to establish probable cause. Individuals observing unlawful behavior should call 911 immediately.

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15	6763	Weinberg	To what extent have youth leaders -- such as the student body presidents of the middle school and high school, scout leaders, sport team captains, drum majors, and other peers who e-bike riders may respect -- been leveraged in spreading the message of e-bike usage expectations?	City staff are not able to answer the question about the work that students are doing on this issue. The City outreach work included the following as was noted in the AB: <i>Staff have conducted a robust public outreach and education campaign about e-bikes, e-scooters, and e-motorcycles that included the following items.</i> • Creation and maintenance of the E-Bike Safety page on the City of Mercer Island website. • Social media posts across various platforms. • Multiple features in the MI Weekly. • An email, distributed by the Mercer Island School District, to all parents of children who attend Islander Middle School. • Attending a PTA meeting in December 2024. • Hosting two assemblies for all IMS students in April 2025. • Tabling at Summer Celebration and National Night Out. <i>The goal of the public outreach and education campaign was to promote safe ridership, inform the community of the differences between e-bikes and e-motorcycles, and to share how to report an incident of unsafe or illegal behavior involving an e-bike or an e-motorcycle.</i>
16	6763	Weinberg	To what extent can MI Police enforce e-bike usage on private property? For example, if an officer catches a kid riding an e-bike down the aisle inside Rite Aid, can the officer impound the bike?	If a crime is being committed, MIPD has the statutory authority to respond.

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17	6763	Weinberg	Perhaps I missed it, but does the current draft ordinance contain any language about parents/guardians being responsible for e-motorcycle infractions committed by minors?	The current draft does not contain parental responsibility language—this is being evaluated as part of the future phases of policy work.
18	6763	Weinberg	Are we advising AWC to advise the state to include requirements for e-motorcycle retailers , such as requiring that the retailer retain a copy of the purchaser’s motorcycle- endorsed drivers license before selling an e-motorcycle?	We requested legislative assistance last year in requiring manufacturers to label e-bikes based on their classification and to restrict the sale of e-motorcycles. Unfortunately, our request did not gain traction with the legislature and we seemed to be the lone voice on the topic. Recently, many other cities are requesting assistance from the State as the problems have worsened in the region. We are currently working with AWC on issues Mercer Island and other cities are experiencing with e-motorcycles and the best strategy for legislative action in the 2026 session. Information on the proposed legislative work will be included in the PPT presentation tonight.
19	6763	Weinberg	What is the City’s plan to solicit, receive, and factor in input from residents before bringing the draft e-bike ordinance to Council in Q1 2026?	The draft code will go through the Parks Commission and the Open Space Conservancy Trust. Other community engagement will be planned, but this is not yet scoped.