



CITY COUNCIL MINUTES SPECIAL MEETING DECEMBER 10, 2019

CALL TO ORDER & ROLL CALL

Mayor Debbie Bertlin called the Special Meeting to order at 7:00 pm at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Debbie Bertlin, Deputy Mayor Salim Nice, and Councilmembers Lisa Anderl, Bruce Bassett, Wendy Weiker, David Wisenteiner and Benson Wong were present.

AGENDA APPROVAL

Councilmember Wong requested to remove AB 5638: 2019 Minor Code Amendments (Ordinance No. 19C-21, 2nd Reading & Adoption) from the Consent Calendar. Mayor Bertlin added it as the first item of Regular Business

It was moved by Nice; seconded by Wisenteiner to:

Approve the agenda as amended.

Passed: 7-0

FOR: 7 (Anderl, Bassett, Bertlin, Nice, Weiker, Wisenteiner, and Wong)

CITY MANAGER REPORT

Interim City Manager Jessi Bon reported on the following:

- YFS Emergency Family Assistance Holiday Gift Program
- Two Projects on I-90 Trail:
 - King County Wastewater Treatment Division
 - Sound Transit
- ST Park & Ride Permit Parking Program
- Project Updates: Mercer Island Fire Department:
 - Organizational Assessment
 - MIFD Back at Full Staffing Soon
- Project Updates: Community Planning & Development:
 - Small Cell Ordinance
 - Organizational Assessment
 - Critical Areas Regulations / Shoreline Master Program
 - Community Facility Zone
- Parks & Recreation:
 - 2020 Parks, Recreation, and Open Space (PROS) Plan
- YFS Health Youth Initiative
- Holiday Closures
- Upcoming Events

APPEARANCES

The following Mercer Island residents thanked the outgoing Council for their service and recognized those individuals that will serve on the Council going forward:

- Craig Reynolds
- Carolyn Boatsman
- Lucia Pirzio-Biroli
- Todd Fiala
- Jake Jacobson

CONSENT CALENDAR

Accounts Payable Report for the period ending December 5, 2019 in the amount of \$367,647.31:

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

Certification of Payroll dated December 6, 2019 in the amount of \$838,586.01

Recommendation: Certify that the materials or services specified have been received and that all fund warrants are approved for payment.

Approve the minutes of the November 19, 2019 Regular Meeting.

AB 5646: 2020 – 2021 AFSCME Collective Bargaining Agreement

Recommended Action: Authorize the Interim City Manager to sign the AFSCME Collective Bargaining Agreement for the period of January 1, 2020 through December 31, 2021, in substantially the form attached hereto as Exhibit 1

It was moved by Nice; seconded by Bassett to:

Approve the Consent Calendar and the recommendations contained therein as presented.

Passed: 7-0

FOR: 7 (Anderl, Bassett, Bertlin, Nice, Weiker, Wisenteiner and Wong)

REGULAR BUSINESS

AB 5638: 2019 Minor Code Amendments (Ordinance No. 19C-21, 2nd Reading & Adoption)

Community Planning and Development Director Evan Maxim reported that following City Council's first reading of Ordinance No. 19C-21 on December 3, Council provided additional direction regarding the proposed amendments which staff observed to include the following:

- No code amendment docketing period in 2019,
- A desire to manage legislative work plan items,
- Allow for a transition period that is consistent with past practice, and
- Comply with the Hearings Board order by February 18, 2020.

It was moved by Wong; seconded by Nice to:

Adopt Ordinance No. 19C-21 amending Title 19 of the Mercer Island City Code to clarify development and administrative standards and to create a procedure to docket and consider suggested amendments to development regulations with an effective date for the amendments no earlier than February 18, 2020.

Passed: 6-1

FOR: 6 (Anderl, Bassett, Nice, Weiker, Wisenteiner and Wong)

AGAINST: 1 (Bertlin)

AB 5644: Acquisition of ARCO/Tully's Property

Interim City Attorney Bio Park explained that staff is seeking explicit authorization from the City Council for the City Manager to sign all necessary closing documents on behalf of the City in the acquisition of ARCO/Tully's Property, explaining that the closing entails the following:

- Closing must be completed by December 31, 2019
- Purchase price remains \$2,000,000
- Funds from REET 1 were previously appropriated and earnest money of \$150,000 was deposited into escrow, and
- Closing date is currently scheduled for December 27, 2019.

It was moved by Nice; seconded by Wong to:

Authorize the Interim City Manager, or the Interim City Manager's designee if she is unavailable, to

execute the closing documents to complete the City's acquisition of the real property at 7810 SE 27th Street, Mercer Island, WA.

Passed: 7-0

FOR: 7 (Anderl, Bassett, Bertlin, Nice, Weiker, Wisenteiner and Wong)

AB 5645: 2020 Comprehensive Plan Amendment Docket

Community Planning and Development Director Evan Maxim provided an overview of the process to date and the Planning Commission's preliminary docket, which included the following recommendations:

- Establish economic development policies and goals that establish a policy direction around the development of an economic development plan and related priorities, values, and strategies.
- Establish goals and policies supporting the planting of trees in the public right-of-way for the purposes of carbon sequestration, shade to reduce urban heat-island effect, and wildlife habitat.

Director Maxim further explained that the City Council options included:

- Adopt the Planning Commission's recommended docket; or
- Adopt the Planning Commission's recommended docket with changes; or
- Decline to adopt a final docket of Comprehensive Plan amendments

After discussing the issue, Council chose not to act on either recommendation made by the Planning Commission.

It was moved by Bassett; seconded by Bertlin to:

Not docket any items for the 2020 Comprehensive Plan

Passed: 7-0

FOR: 7 (Anderl, Bassett, Bertlin, Nice, Weiker, Wisenteiner and Wong)

AB 5643: Code of Ethics Revisions (Third Reading and Adoption)

Chief of Administration Ali Spietz outlined the changes made to the Code of Ethics since its second reading on December 3 and requested Council direction on the maximum amount the City would reimburse an official for the defense of an ethics complaint that results in a dismissal of the complaint by the city council without penalties subsequent to a hearing by the hearing examiner. Council also requested that complaints be submitted within two years rather than three.

It was moved by Bassett; seconded by Nice to:

Adopt Ordinance No. 19C-20 to amend chapter 2.60 of the Mercer Island City Code revising the Code of Ethics and pass Resolution No. 1572 revising the Code of Ethics Statement.

Passed: 7-0

FOR: 7 (Anderl, Bassett, Bertlin, Nice, Weiker, Wisenteiner and Wong)

OTHER BUSINESS

Public Issues Committee – There was Council Consensus that Benson Wong serve as the PIC voting delegate. Councilmember Wong noted that Councilmember Weiker had expressed a desire to serve on the SCA Board and he intended to nominate her.

COUNCIL REPORTS

Councilmember Wong reminded Councilmembers to purchase their Christmas Tree.

SPECIAL BUSINESS

Deputy Mayor Nice read Resolution No. 1575 acknowledging Councilmember Dave Wisenteiner's four years in office and his contributions to the Mercer Island Community.

Washington State Representative Tana Senn read a Resolution No. 1574 acknowledging Mayor Debbie Bertlin's eight years in office and her contributions to the Mercer Island Community.

Chief of Administration Ali Spietz read a Resolution No. 1573 acknowledging Councilmember Bruce Bassett's twelve years in office and his contributions to the Mercer Island Community.

On behalf of its citizens, the City Council commended Councilmember Wisenteiner, Mayor Bertlin, and Councilmember Basset for their distinguished public service and extended its sincerest thanks and appreciation for their time and many significant contributions to Mercer Island over the past several years. A reception honoring the Mayor and Councilmembers was held directly following the meeting.

ADJOURNMENT

There being no additional business to come before City Council, the Regular Meeting adjourned at 9:26 pm.

Attest:

Debbie Bertlin, Mayor

Deborah Estrada, City Clerk