



CITY COUNCIL MINUTES REGULAR HYBRID MEETING DECEMBER 6, 2022

EXECUTIVE SESSION

At 5:02 pm, Mayor Nice convened an Executive Session in the Farside Room at City Hall, 9611 SE 36th Street, Mercer Island, WA and via Microsoft Teams. The Executive Session was to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(I).

Mayor Salim Nice, Deputy Mayor David Rosenbaum and Councilmembers Lisa Anderl, Jake Jacobson, and Ted Weinberg participated in person in the Farside Room at City Hall.

Councilmembers Craig Reynolds and Wendy Weiker joined via Microsoft Teams.

Mayor Nice adjourned the Executive Session at 5:44 pm.

CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the regular meeting to order at 6:00 pm in the Council Chambers at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Salim Nice, Deputy Mayor David Rosenbaum and Councilmembers Lisa Anderl, Jake Jacobson, and Ted Weinberg participated in person in Council Chambers.

Councilmembers Craig Reynolds and Wendy Weiker joined via Zoom.

PLEDGE OF ALLEGIANCE

The City Council delivered the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Jacobson; seconded by Rosenbaum to:

Amend the agenda to add “Action on Sound Transit Litigation” as the first item of Regular Business and to approve the amended agenda.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

CITY MANAGER REPORT

City Manager Bon reported on the following items:

- Mayor Nice, City Manager Bon and MIPD staff attended the Celebration of Life for fallen Bellevue Police Officer Jordan Jackson.
- **Council, Boards & Commission Meetings Update:** Likely canceling the December 20 City Council meeting, the next scheduled City Council Meeting is January 3, 2023. Final boards and commission meetings of the year, Utility Board Hybrid Meeting on December 13, and Planning Commission Hybrid Meeting on December 14.
- **City Services Updates:** Increase in MIYFS Food Pantry Visits, Thanksgiving Holiday Meal program assisted 119 households this year, Thank you IAFF Local 1762 YFS Food Pantry drives, Thrift Shop Giving Tree is back, all month long the Thrift Shop will feature special discounts and sales, Welcome Officers Jensen and Owen, City Facilities are closed on Monday December 26 and Monday January 2

- **Upcoming Events:** Community Conversations Series final session on Thursday, December 8, Battle of the Badges this Friday December 9 holiday light decorating, Friends of the Library Book sale December 8-10 & 12, Holiday Tree Lot final weekend.
- **News:** Thanksgiving Meal for MIPD, Illuminate MI Tree Lighting and Firehouse Munch thank you sponsors and community groups.

APPEARANCES

Gardner Morelli, Mercer Island, spoke in support of the Beach Club docket item.

Katie Boissoneault, Mercer Island, spoke in support of the Beach Club docket item.

Brad Thiele, Seattle, spoke in support of the Beach Club docket item.

Dan Thompson, Mercer Island, spoke in support of the docket of the 2023 Comprehensive Plan and Development Code amendments.

Debbie Hansen, Mercer Island, spoke in support of the Beach Club docket item.

Dan Nordale, Mercer Island, Mercer Island Country Club, spoke about a code interpretation that was issued by CPD in November.

Jordan Friedman, Mercer Island, spoke about a code interpretation that was issued by CPD in November.

CONSENT AGENDA

AB 6189: November 18, 2022 Payroll Certification

Recommended Action: Approve the November 18, 2022 Payroll Certification (Exhibit 1) in the amount of \$913,780.51 and authorize the Mayor to sign the certification on behalf of the entire City Council.

Certification of Claims:

A. Check Register | 213749-213824 | 11/11/2022 | \$963,651.87

B. Check Register | 213853-213930 | 11/18/2022 | \$439,032.04

C. Check Register | 213931-213986 | 11/23/2022 | \$269,407.32

D. EFT Payments | October 2022 | \$2,406,148.66

Recommended Action: Certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

City Council Meeting Minutes of:

November 15, 2022 Regular Hybrid Meeting

November 29, 2022 Special Hybrid Meeting

Recommended Action: Approve the minutes of the November 15, 2022 Regular Hybrid Meeting and of the November 29, 2022 Special Hybrid Meeting.

AB 6191: Basin 40 Cured-In-Place (CIPP) Sewer Lining Project Phase 1 Bid Award

Recommended Action: Award the Basin 40 CIPP Lining Project Phase 1 to Insta-Pipe, Inc in the amount of \$547,681, set the total project budget at \$999,518, and authorize the City Manager to execute the construction contract.

AB 6196: Ordinance No. 22C-18, Extending Interim Development Regulations to Allow Outdoor Dining Expansion by Eating and Drinking Establishments

Recommended Action: Adopt Ordinance No. 22C-18 extending interim development regulations to allow

outdoor dining expansion by Mercer Island eating and drinking establishments.

AB 6197: Compost Procurement Ordinance

Recommended Action: Adopt Ordinance No. 22C-22, adding Section 4.040.50 MICC regarding the use of locally produced, certified compost in City Public Works and other maintenance projects.

AB 6192: Letter of Support for Mercer Island School District’s Position on Cost-of-Living Adjustments for State Basic Education Compensation Allocations

Recommended Action: Authorize the Mayor to sign a letter of support for Mercer Island School District’s request to maintain cost-of-living adjustments for state basic education compensation allocations.

AB 6200: Heat Pump Campaign Update and Eastside Climate Partnership ILA

Recommended Action: Approve extension of the 2022 heat pump pilot program into 2023; and authorize the City Manager to sign the Eastside Climate Partnership Interlocal Agreement.

It was moved by Anderl; seconded by Jacobson to:

Approve the Consent Agenda and the recommended actions contained therein.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

REGULAR BUSINESS

No AB: Action on Sound Transit Litigation

It was moved by Jacobson; seconded by Rosenbaum to:

Ratify and approve the CR 2A agreement to end the litigation with Sound Transit as discussed in Executive Session

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

AB 6198: 2023 Comprehensive Plan and Development Code Amendment Docket

Interim CPD Director Jeff Thomas and Deputy CPD Director Alison Van Gorp presented the 2023 Comprehensive Plan and Development Code Amendment Docket. Deputy Director Van Gorp discussed the process of the docket and how it creates the workplan for CPD. She spoke about the criteria for docketing an item, about the City’s available resources and capacity for legislative work and gave an overview of the eight items that were submitted for consideration and Planning Commission recommendation for each item.

Council discussed the proposed docket items and asked questions of staff.

It was moved by Rosenbaum; seconded by Jacobson to:

Approve Resolution No. 1641 to include item No. 1 setting the final docket of Comprehensive Plan and development code amendments for 2023, additionally instruct staff to include items Nos. 2-6 as the scoping for the Residential Development Standards review begins.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

It was moved by Reynolds; seconded by Weinberg to:

Amend to also add Item No. 7 as a docket item.

FAILED: 3-4

FOR: 3 (Reynolds, Weiker, and Weinberg)

AGAINST: 4 (Anderl, Jacobson, Nice, and Rosenbaum)

AB 6177: Receive the 2023-2024 Preliminary Budget

Finance Director Matt Mornick presented the 2023-2024 biennial budget. He presented the process that the 2023-2023 biennial budget to get to approval and about the strategy that was used in creation of the budget.

Management Analyst Robbie Cunningham Adams spoke about the passage of Proposition No. 1, the base level goals that will be funded over the next biennium, and the implementation of annual year-end status updates on the levy implementation with the first update being presented to Council at the end of 2023.

Council discussed the budget.

It was moved by Rosenbaum; seconded by Reynolds to:

Adopt Ordinance No. 22-23, adopting the biennial budget for the City of Mercer Island, Washington, for fiscal years 2023-2024

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

OTHER BUSINESS

Planning Schedule

It was moved by Jacobson; seconded by Anderl to:

Cancel the December 20, 2022 City Council Meeting.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

City Manager Jessi Bon spoke about the January 3, 2023 meeting being a special meeting due to the ordinance setting the start time of Council meetings at 5pm expires on December 31, 2022. She also previewed items on the January 3 Agenda including a proposed permanent change to meeting start time, a look at the City Council Rules of Procedure, and 2023 City Council Liaison assignments.

Councilmember Absences and Reports

Councilmember Jacobson attended the SCA Annual meeting on November 30, Eastside Transportation partnership meeting on December 9, and thanked City Manager Bon and staff for all of their work.

Mayor Nice thanked Council and staff for all of their work over the past year.

Councilmember Reynolds attended the Parks & Recreation Commission meeting that talked about the conceptual design of the Bike Skills Area.

Deputy Mayor Rosenbaum SCA PIC meeting next week.

Councilmember Weiker save the date for YFS Breakfast on February 8, thanked Council and staff for their efficient work this year, and thanked the community for the passage of Proposition No. 1.

ADJOURNMENT

The regular Council Meeting adjourned at 7:29 pm.

Salim Nice, Mayor

Attest:

Andrea Larson, City Clerk