



## MEDINA, WASHINGTON

MEDINA CITY COUNCIL  
SPECIAL & REGULAR MEETING MINUTES  
Medina City Hall, Council Chambers  
501 Evergreen Point Road, Medina  
Monday, March 14, 2016  
5:00 PM

**MAYOR**  
ALEX MORCOS

**DEPUTY MAYOR**  
SHEREE WEN

**COUNCIL MEMBERS**  
CYNTHIA ADKINS  
PATRICK BOYD  
DAVID LEE  
JOHN MAFFEI  
CURT PRYDE

**CITY MANAGER**  
MICHAEL SAUERWEIN

**CITY ATTORNEY**  
KATHLEEN J. HAGGARD

**CITY CLERK**  
AIMEE KELLERMAN

## MINUTES

### SPECIAL MEETING

Council and staff toured the 2016 Public Works and Parks projects

Council Members Present: Adkins, Boyd, Lee, Morcos, Pryde, and Wen

Park Board Members Present: McMullen

Council Members Absent: Maffei

Staff Present: Sauerwein, Burns, and Osada

### 1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Mayor Morcos called the regular meeting of the Medina City Council to order at 6:30 pm.

Council Members Present: Adkins, Boyd, Lee, Maffei, Morcos, Pryde, and Wen

Council Members Absent: None

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

## 2. PLEDGE OF ALLEGIANCE

Mayor Morcos led the pledge.

## 3. APPROVAL OF MEETING AGENDA

**ACTION:** Council approved the meeting agenda as presented.

## 4. PRESENTATIONS

### 4.1 State Representative Joan McBride will address the Council

Council Member Boyd introduced State Representative Joan McBride.

State Representative Joan McBride updated Council on the legislative session. Her updates included affordable housing where she sponsored bills that would provide more local funding options for affordable housing.

One of her stated priorities was a public records bill that would give relief to agencies from harassing and overly broad public records requests. Although there wasn't a vote on the bill; she said she will continue to make public records requests reform a priority. McBride also commented about waiting on the final budget. She noted that funds for the 2016 Capital Budget are limited and believes funding for affordable housing and homeless shelters should be prioritized.

She also reported that she along with 10 other 405 corridor legislators wrote a letter last month to WSDOT requesting several changes and improvements to include:

- Eliminating tolls during evening non-peak hours, weekends, and holidays
- Adjusting access points to increase access, including at the SR 520 and SR 527 interchanges
- Improving customer service and the billing system
- Enhanced system monitoring and reporting

Lastly, McBride stated that she primed and co-sponsored several bills this year, in which two of the bills were passed and are now with the Governor waiting for signature. The two bills are HB 2971: Reet Flexibility Fix bill that cleaned up last year's bill allowing cities and counties to use REET 2 funds for capital maintenance projects, and HB 2396: Homeless Youth Access bill will allow school counselors and nurses to give consent for homeless students to access primary, non-emergency health care.

### 4.2 WSDOT 520 Project Update by SR 520 Program Deputy Administrator, Denise Cieri.

Cieri gave an update on the SR 520 floating bridge and landings program. She gave an overview of the program and a timeline, noting that the new floating bridge will be opening spring of 2016.

Cieri also gave an overview of the remaining work activities at 84<sup>th</sup> Avenue Northeast and 92<sup>nd</sup> Avenue Northeast. Activities include curb adjustments, installation of signage and striping.

#### 4.3 ARCH Business - Annual presentation by Arthur Sullivan

Sullivan gave an overview of ARCH, noting that it is an East King County Interlocal Agency, comprised of 15 cities in East King County and King County. Sullivan explained that ARCH assists its members by developing housing policies and regulations, directly assists below market rate housing, implements and administers housing programs, and engages the broader community on local housing issues.

### 5. PUBLIC COMMENT PERIOD

Mayor Morcos opened the public comment period at 7:39 pm. The following individuals addressed the Council:

- Hester Winn thanked the City Council for their ongoing support of ARCH for affordable housing.
- Mark Nelson commented on possible comprehensive plan amendments and that he didn't think the process needed to be changed. He suggested that any comprehensive plan amendments follow the process outlined in the municipal code.
- Heija Nunn commented on Council bullying and the three items on the agenda that appears to be targeting the Deputy Mayor.

### 6. REPORTS AND ANNOUNCEMENTS

#### 6.1 Commissions, Boards, and Advisory Committee Reports.

Council Member Lee reported the on the Eastside Transportation Partnership meeting which discussed funding needs for unincorporated areas and commented that there will be an upcoming technology conference around June or September. He will pass on more information to Council once it's available.

Emergency Preparedness Chair Kay Koelemay reported that the medical radio emergency response team became activated yesterday when the power went out. Mayor Morcos notified the team by radio that the bridge over SR 520 was closed due to a downed power pole and transformer. Nine members of the radio response team signed on and provided each other information about other areas of the community. She thanked the police department for their service.

There was not a representative for the Park Board in attendance; however, Council did acknowledge a report by email from Park Board Chair Drew Blazey.

Council Member Boyd commented that previous Council had requested that if the Chair of a commission or board is unable to attend that a representative come to answer any questions that Council may have.

Planning Commissioner Mark Nelson reported that at the last Planning Commission meeting, there were only four Planning Commissioners in attendance; however, four City Council Members showed up for the presentation from the City's hearing examiner on Judging Quasi-judicial matters.

## 7. CITY MANAGER'S REPORT

- 7.1 Department Directors: Police, Development Services, Finance, Central Services and Public Works.
- 7.2 City Manager.

City Manager Michael Sauerwein reported that department directors will no longer give oral reports at City Council meetings; however, they will continue to attend meetings to answer any questions from Council on their written reports. Sauerwein thanked the police department, fire department, public works department, members of Emergency Preparedness, and Council Members who were involved with getting the emergency team up and running from the wind storm over the weekend.

## 8. CONSENT AGENDA

**ACTION:** Motion Adkins second Wen and carried by a 7:0 vote; Council approved the Consent Agenda.

- 8.1 Approved January 19, 2016 Park Board Minutes
- 8.2 Approved January 26, 2016 Planning Commission Minutes
- 8.3 City Council Minutes:
  - a) February 8, 2016 City Council Regular Meeting Minutes; and
  - b) February 27, 2016 City Council Special Meeting
- 8.4 February 2016, Check Register
- 8.5 **Subject:** Park Board Confirmation  
**Recommendation:** Approve.  
**Result of Recommended Action:** Action on this item will approve confirmation of the Personnel Committee's recommendation to appoint Karen Sparks to the remaining term of Position 1 and Andrea Perry to the remaining term of Position 6 on the Medina Park and Recreation Board.  
**Staff Contact:** Aimee Kellerman, City Clerk

## 9. PUBLIC HEARING

- 9.1 **Subject:** Housekeeping Code Amendments to the Medina Municipal Code  
**Recommendation:** Approve.

**Result of Recommended Action:** Adopting Ordinance No. 932 will amend sections of Chapter 2.78 and amend and adopt new sections in the Unified Development Code (Title 20) to clarify provisions, resolve conflicts within the regulations, and to reduce administrative burdens in the permitting process.

**Staff Contact:** Robert Grumbach, Development Services Director

Director of Development Services Robert Grumbach gave a brief overview of Housekeeping Code Amendments including:

- Changes clarifying the clock for filing a reconsideration on a hearing examiners decision, adding definitions for free standing wall gutters, raised planter bed boxes, and amending an existing definition for fence.

Council Member Adkins recommended language change to the provisions for filing a reconsideration on a hearing examiner decision.

- Changes to 20.16.010 clarifying that not following the conditions of an approved permit is a violation
- Clarifying the maximum amount of dwelling units allowed on a lot

Several Council Members expressed concerns on the maximum amount of dwelling units. Grumbach responded that the City previously had a provision on the maximum amount of dwelling units, but that this had been inadvertently left out during the 2013 comprehensive zoning code update.

- Establishing a methodology for applying the definitions of property lines when a curved property line is involved
- Extending the treatment of roof gutters to be the same as roof eaves for the purpose of calculating structural coverage
- Remove gazebos as a garden structure and treat them similar to covered decks and patios in terms of the one percent setback exemption
- Add a 1,000 foot distance radius limit to the noticing when notice is required for a project

Mayor Morcos opened the public hearing period at 9:13 p.m. The following individuals addressed the Council:

- Huan Bouy commented that he didn't understand the additional wording for design plan and expressed concerns of having the gutter as part of the easement plan and constraints of the new heights and designs. He asked Council to make considerations to the constraints of heights and design.

Mayor Morcos closed the public hearing period at 9:16 p.m.

**ACTION:** Motion Adkins to refer this back to Planning Commission to work with the director to address Council and citizen concerns and come back to Council with updated language. This was seconded by Wen.

Grumbach asked clarification on direction for Planning Commission.

Adkins identified the following to go back to the Planning Commission for updated language 1) motion for reconsideration from hearing examiner with her earlier suggestion that either the decision is denied or granted and the hearing is reopened; 2) clarify the definition of a fence with language that says "without a roof" to differentiate between a fence and a house; 3) clarify the definition of gutter; 4) change language to raised planter boxes to remove "one foot wide or less" and not include a height restriction; 5) Section 6c violation of a permit should be on a permit by permit basis.

Discussion on sending this back to the Planning Commission ensued.

Mayor Morcos proposed that Council Member Adkins work with the Development Services Director to understand these changes and come back at the next meeting with a revised version of the draft ordinance.

Grumbach suggested a revision to his proposal, that if there are other Council Members that have concerns, that they email him and he will put them together and have a summary ready at the next City Council meeting.

**ACTION:** Adkins withdrew her motion.

**ACTION:** By consensus Council agreed to send their comments to Grumbach on their concerns on the housekeeping amendments. This item will come back to Council at their next meeting on April 11.

## 10. OTHER BUSINESS

- 10.1 **Subject:** Discussion on Emergency Amendments to the Medina Comprehensive Plan  
**Recommendation:** Discussion item only.  
**Result of Recommended Action:** Direction on whether to proceed and if so, how to receive public comments.  
**Staff Contact:** Robert Grumbach, Development Services Director

Deputy Mayor Wen gave a brief report about the 2016 PRSC's transportation grants that may be available to Medina for bicycle and walkway improvements and she expressed her reasons for amending the comprehensive plan to improve our chances at obtaining these grants this year. The Council Members expressed their appreciation for the work Deputy Mayor Wen did on this matter.

Mayor Morcos went around the room and asked each of the Council Members to provide their comments.

Council Member Pryde expressed concerns on not having seen anything in writing on the grant. He does not want the council to be reactionary and would prefer a plan be prepared on deciding on a project, then looking at grants to support the project, and then looking at comprehensive plan amendments to support the project and the grant.

Council Member Maffei expressed concerns about having enough public notice. He asked whether a comprehensive plan amendment was necessary at this point to apply

for a grant. He also noted that a project had not yet been defined which to seek grants for.

Council Member Lee asked about what other jurisdictions have done regarding emergency amendments. He wanted to know about process options. He also noted the motion authorizing Deputy Mayor Wen to help find grants.

Council Member Adkins commented that the council determines what an emergency is. She also asked about the deadline for submitting grants this year.

A discussion ensued between the council and staff regarding the grant application process and deadlines.

Council Member Adkins also expressed concerns about the limits on the recent comprehensive plan amendment process and the fact there was no budget to support comprehensive plan amendments this year. She was glad there appeared to be support for a comprehensive plan amendment review next year.

Mayor Morcos commented that the proposed changes are not significant, but he felt they were important. He briefly discussed how they were developed.

Council Member Boyd expressed concerns that the grant is supposed to back up a project that has not yet been approved by the council. He felt some of the amendments are not factual and the current efforts are premature.

A majority of the council members agreed to table the emergency comprehensive plan amendment and to incorporate possible comprehensive plan amendments into an effort this year that follows the normal annual process. Suggested updates to the comprehensive plan to be sent by Council Members and Planning Commissioners to Robert Grumbach by August 2016 for review and editing and preparation for Council review in September.

**ACTION:** Discussion item only; no action taken.

10.2 **Subject:** Continued discussion of Council role in grant applications

**Recommendation:** Discussion item only.

**Result of Recommended Action:** No action required.

**Staff Contact:** Michael Sauerwein, City Manager

Council discussed their role in working with staff on grants.

**ACTION:** Discussion item only; no action taken.

10.3 **Subject:** Discussion of Councilmember Wen's letter to the City re: Tree Mitigation as it pertains to Council Guidelines.

**Recommendation:** Discussion item.

**Result of Recommended Action:** No action required.

**Staff Contact:** Michael Sauerwein, City Manager

Mayor Morcos commented that this issue has been resolved and asked Council if there needs to be further discussion.

Council had a brief discussion.

**ACTION:** Discussion item only; no action taken.

- 10.4 **Subject:** Further discussion of duties of the Deputy Mayor  
**Recommendation:** Discussion only.  
**Result of Recommended Action:** No action required.  
**Staff Contact:** Michael Sauerwein, City Manager

Council had a brief discussion on a rotating deputy mayor. Mayor Morcos commented that at the retreat there was a motion for a rotating deputy mayor and the motion failed.

**ACTION:** Discussion item only; no action taken.

- 10.5 **Subject:** Bocce Ball Court  
**Recommendation:** Approve.  
**Result of Recommended Action:** Action will implement Park Board recommendations.  
**Staff Contact:** Michael Sauerwein, City Manager

Council Member Boyd commented that he does not see a need for a Bocce Ball Court and recommended to postpone action on the Park Board recommendation.

Council Member Adkins commented that there may have been a misunderstanding and that the residents who approached her were in favor of having a bocce ball court at Medina Park where their children play at the playground equipment. She had also talked to the Park Board and they are in favor of having it and putting it in at Medina Park.

Council Member Maffei commented that he is not comfortable voting against the Park Board again.

Mayor Morcos commented that he felt bad that Council voted against the Park Board last time as it resulted in two Park Board members resigning. He voted in support of the Park Board recommendation last time.

**ACTION:** Motion Adkins second Pryde and carried by a 6:1 (Boyd dissented) vote; Council approved the Park Board recommendation for the Bocce Ball Court.

- 10.6 **Subject:** Council Work Plan Resolution following Spring 2016 City Council Retreat  
**Recommendation:** Approve.  
**Result of Recommended Action:** Adopting Resolution No. 383 will enable the City Council to proceed with a formal mandate.  
**Staff Contact:** Michael Sauerwein, City Manager



City Manager Sauerwein gave a brief summary of the three proposed 2016 work plan items from the City Council retreat which includes cell tower code review and revision that staff recommends referring to the Planning Commission, strategies to restructure or outsource high-risk areas of operation to ensure effective process and reduce risk of legal challenges, and streets and sidewalk masterplan.

He noted that Council Member Adkins provided an amended agenda bill earlier to include the 2016 Work Plan Item #1, the wireless communication facilities code review and revision, will be referred to the City's wireless attorney, Tim Lay, who will work in consultation with the City Attorney and the City Manager, and that, as to 2016 Work Plan Item #2, the focus will be to ensure effective process and reduce risk of loss and litigation.

**ACTION:** Motion Lee second Boyd and carried by a 7:0 vote; Council adopted Resolution No. 383 as revised.

10.7 **Subject:** City Council Agenda 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 and no changes were made.

## 11. PUBLIC COMMENT


Mayor Morcos opened the public comment period at 11:09 p.m. The following individuals addressed the Council:

- Heija Nunn commented on the tone of the discussion towards the Deputy Mayor.
- Kay Koelemay commented that she supports Council's earlier decision to not change the Comprehensive Plan.

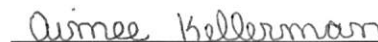
Mayor Morcos closed the public comment period at 11:13 p.m.

## 12. ADJOURNMENT

Motion Boyd second Pryde; Council adjourned the regular meeting at 11:13 p.m.

  
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Alex Morcos, Mayor

Attest:

  
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Aimee Kellerman, City Clerk