



MEDINA, WASHINGTON

MEDINA CITY COUNCIL
REGULAR MEETING MINUTES
Medina City Hall, Council Chambers
501 Evergreen Point Road, Medina
Monday, December 8, 2014
5:30 PM

MAYOR
PATRICK BOYD

DEPUTY MAYOR
DAVID LEE

COUNCIL MEMBERS
JAY DECKER
MICHAEL LUIS
JOHN MAFFEI
ALEX MORCOS
CURT PRYDE

CITY MANAGER
MICHAEL SAUERWEIN

CITY ATTORNEY
KARI SAND

CITY CLERK
AIMEE KELLERMAN

MINUTES

EXECUTIVE SESSION - CALL TO ORDER / ROLL CALL

Mayor Boyd called the Executive Session to order in the Medina Council Chambers at 5:40 p.m. for an estimated time of fifty minutes.

Council Members Present: Decker, Lee, Luis, Maffei in at 5:41 p.m., Morcos, Pryde, and Mayor Boyd

Council Members Absent: None

Staff Present: Sauerwein, Sand, Grumbach, and Kellerman

EXECUTIVE SESSION

ES-1: RCW 42.30.110 (1)(i)

To discuss 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 of the agency.

ACTION: No action was taken in Executive Session.

ADJOURNMENT

Mayor Boyd adjourned the Executive Session to the Regular meeting in the Medina Council Chambers at 6:27 p.m.

1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Mayor Boyd called the regular meeting to order in the Medina Council Chambers at 6:30 p.m.

Council Members Present: Decker, Lee, Luis, Maffei, Morcos, Pryde, and Mayor Boyd

Council Members Absent: None

Staff Present: Sauerwein, Sand, Grumbach, Adams, Burns, and Kellerman, Willis, and Ketter

2. APPROVAL OF MEETING AGENDA

ACTION: Council Member Morcos added agenda item 9.35 regarding a tree on private property.

ACTION: Motion by Morcos second by Decker and carried by a 7:0 vote; Council approved the meeting agenda as presented with added agenda item 9.35.

3. PRESENTATIONS

None.

4. PUBLIC COMMENT PERIOD

Mayor Boyd opened the public comment period at 6:34 p.m. The following individuals addressed the Council:

- Miles Adam congratulated the City Council on the real estate investment. He also commented on the nature of the subject and it being done in secret and hoped that going forward that Council will be more open in providing details to the citizens on what is happening with the investment. He asked that Council provide financial information on a regular basis by setting up a department financial statement to capture income and expenses on the property. Lastly, Adam asked that Council provide the citizens with a total cost after closing of the deal.
- Cynthia Adkins commented on T-Mobile and Fairweather Park and saving the park from an illegal and oversized tower. She encouraged the City to defend our land use codes from the T-Mobile and Independent Towers lawsuit.
- Doug Hudson encouraged Council to move forward with a reasonable solution for the tree code issue.
- David Yee regarding a problem tree on his property and the urgency to have it removed for easier access for emergency response vehicles to get through to his neighbor's house. He has requested an interpretation of "emergency tree removal" from Development Services Director Grumbach. Mr. Yee also

read into the record a letter from neighbor Carol Barer.

Mayor Boyd closed the public comment period at 6:47 p.m.

5. REPORTS AND ANNOUNCEMENTS

5.1 Mayor and Council Member Reports.

Deputy Mayor Lee reported that he attended the Sound Cities Association annual meeting on Wednesday, December 3, 2014. He also attended the Global Partnership reception with Trade Development Alliance in Bellevue on Tuesday, December 2, 2014.

Council Member Morcos reported that he attended the SR-520 Bridge tour arranged by City Manager Michael Sauerwein.

Mayor Boyd reported that he attended the Points Mayors meeting where State Representative Ross Hunter was in attendance.

5.2 Commissions, Boards, and Advisory Committee Reports.

Park Board Chair Miles Adam thanked Council and the City Manager for supporting the Park Board with the 2015 budget. He noted that the Park Board would like for Council to allow them to spend \$35,000 from the tree fund to plant trees at Medina Park along 12th Street so they would match the tree line across the street at St. Thomas Church. The Park Board along with Public Works has identified spots for the dog agility run and the bocce ball court placements. Lastly, he reported that the Park Board has referred to the new lid as the "Evergreen Point Lid" and encouraged Council to use the same terminology.

6. CITY MANAGER'S REPORT

6.1 Department Directors: Police, Development Services, Finance, and Public Works.

Police Chief Steve Burns gave a summary on the November Police monthly report and noted an increase in car prowls.

Finance Director Nancy Adams and Police Sergeant John Kane gave a summary of the 2015 Kirkland IT proposal and provided Council with the cost for a two to five year implementation plan and the benefits of moving from our contract IT services with DataNode to Kirkland IT.

Development Services Director Robert Grumbach reported that the Planning Commission at the last meeting discussed the tree code and will be taking a break until January with the plan to have a complete draft of the tree code for that meeting. He also commented that the Fairweather parking lot was closed due to having T-Mobile come out and do some testing on the signal strength at the cell tower site. The City will be provided with their data and analysis at some point in January.

Public Works Director Joe Willis reported that the Public Works crew spent a lot of time in November cleaning up debris due to windstorms. He also noted that the Triangle Park bench has been refurbished and the Points Loop Trail is open from 28th to 84th. Willis also reported that WSDOT picked up TransPo traffic study on the 84th Street meter to SR-520 and is monitoring the metering.

6.2 City Manager.

City Manager Michael Sauerwein thanked City staff, City Attorney Kari Sand, and Deanna Gregory from Pacifica Law Group for their work in purchasing the post office property for the City. He also discussed scheduling of Finance Committee, Facilities Committee, and Personnel Committee meetings and reducing the amount of Study Sessions throughout the year.

7. CONSENT AGENDA

ACTION: Motion Maffei second by Decker and carried by a 7:0 vote; Council approved the Consent Agenda as presented.

These items will be acted upon as a whole unless called upon by a council member.

- 7.1 **Subject:** September 23, 2014 Approved Planning Commission Meeting Minutes
Recommendation: Receive and file.
Staff Contact: Donna Goodman, Development Services Coordinator
- 7.2 **Subject:** October 14, 2014 Approved Park Board Meeting Minutes
Recommendation: Receive and file.
Staff Contact: Kristin McKenna, Deputy City Clerk
- 7.3 **Subject:** November 10, 2014 Special and Regular Meeting Minutes
Recommendation: Adopt Minutes.
Staff Contact: Aimee Kellerman, City Clerk
- 7.4 **Subject:** November, 2014 Check Register
Recommendation: Approve.
Staff Contact: Nancy Adams, Finance Director
- 7.5 **Subject:** 2015 Fee Schedule
Recommendation: Approve.
Result of Recommended Action: Approval will adopt updates to the fee schedule for 2015.
Staff Contact: Robert Grumbach, Development Services Director

8. PUBLIC HEARING

- 8.1 **Subject:** Limit on the Renting of Multiple Rooms Ordinance (Boardinghouse)
Recommendation: Adopt Ordinance No. 916.
Result of Recommended Action: Adoption of this ordinance will limit the renting of rooms in a single-family dwelling.
Staff Contact: Robert Grumbach, Development Services Director

Development Services Director Robert Grumbach gave a brief summary of proposed ordinance to limit the renting of multiple rooms in a single-family dwelling to four unrelated adults.

Mayor Boyd opened the public hearing period at 7:45 p.m. The following individual addressed the Council:

- Jim Clark commented on the amount of time that it has taken to get to this point and felt that the proposed ordinance isn't good enough. He also commented that he would like to see Council be more restrictive.

Mayor Boyd closed the public hearing period at 7:50 p.m.

ACTION: Motion Morcos second by Luis to adopt Ordinance No. 916 of the Medina Municipal Code Relating to the Renting of Multiple Rooms in a Single-family Dwelling.

The council discussed Mr. Clark's comments.

ACTION: Morcos withdrew his motion.

ACTION: Council directed staff to add this discussion to Executive Session at the January meeting.

9. OTHER BUSINESS

- 9.1 **Subject:** 2014 Budget Amendment
Recommendation: Adopt Ordinance No. 917.
Result of Recommended Action: Adoption of this ordinance will amend Ordinance No. 904 amending the 2014 budget.
Staff Contact: Nancy Adams, Finance Director

Finance Director Nancy Adams gave a brief summary of the proposed 2014 budget amendment, which includes the purchase of the new police vehicle, ride-on mower for public works, and the purchase of the post office property.

ACTION: Motion Luis second by Morcos and carried by a 7:0 vote; Council adopted Ordinance No. 917.

9.2 **Subject:** Discussion on View and Sunlight

Recommendation: Discussion item only; no action needed.

Staff Contact: Robert Grumbach, Development Services Director

Development Services Director Robert Grumbach summarized his memorandum on the view and sunlight ordinances. Discussion included Medina's current view and sunlight ordinance and a brief history of the view and sunlight ordinance.

Mayor Boyd asked for clarification on how this ordinance pertains to Medina Heights.

Grumbach responded that the ordinance wasn't applicable just to Medina Heights; it covers the community as a whole. He also gave a brief explanation of the word "voluntary" in the ordinance.

City Attorney Kari Sand clarified that a person could just go to court and would not have to follow the steps in the ordinance.

Mayor Boyd said he thought the discussion would include more about Medina Heights and asked that there be more presented on this.

ACTION: Council tabled the item to a later date.

9.3 **Subject:** Ordinance Amending Ordinance No. 914 Adopted by the City Council on December 1, 2014 Authorizing the Issuance and Sale of a Limited Tax General Obligation Bond of the City in the Principal Amount of Not to Exceed \$1,350,000

Recommendation: Adopt Ordinance No. 915.

Result of Recommended Action: Adoption of this ordinance will amend Ordinance No. 914.

Staff Contact: Michael Sauerwein, City Manager

Deanna Gregory of Pacifica Law Group gave a brief summary of the proposed ordinance amendment, which included negotiations that were more favorable to the City regarding the purchase and sale agreement of the post office property. The new terms included no prepayment penalty with three days' notice and 20 year amortization.

ACTION: Motion Pryde second by Lee and carried by a 7:0 vote; Council adopted Ordinance No. 915.

ADDED Discussion 9.35 – Removal of Problem Tree on Dr. David Yee's Property

Development Services Director Robert Grumbach explained Dr. Yee's interpretation request. He stated that Dr. Yee's request was to have a tree on his property declared an emergency removal, which is exempt from the tree code. He brief the council that a decision on the interpretation has not yet been reached. Grumbach also stated that the subject tree is Dr. Yee's responsibility because it is on his property and that he doesn't need an interpretation from the City in order to remove the tree. He said, however, that an interpretation favoring Dr. Yee's request would make it easier for him to decide on removing it because of the exemption.

9.4 **Subject:** City Council 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: There were no changes to the upcoming City Council Calendar.

10. PUBLIC COMMENT

Mayor Boyd opened the public comment period at 8:51 p.m. The following individuals addressed the Council:

- David Yee thanked Council and staff regarding the tree on his property and commented on the urgency of the need to remove it without mitigation. He asked Council to give direction and guidance to Development Services to revise the Code.
- Wilma Edmonds commented on view and sunlight ordinance.

Mayor Boyd closed the public comment period at 8:56 p.m.

11. ADJOURNMENT

Council adjourned to Executive Session at 8:56 p.m.

12. EXECUTIVE SESSION - CALL TO ORDER / ROLL CALL

Mayor Boyd called the Executive Session to order in the Medina Council Chambers at 9:00 p.m. for an estimated time of one hour.

Council Members Present: Decker, Lee, Luis, Maffei, Morcos, Pryde, and Mayor Boyd

Council Members Absent: None

Staff Present: Sand

13. EXECUTIVE SESSION

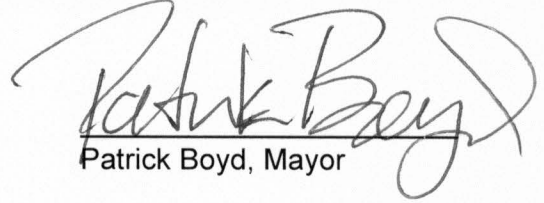
ES-1: RCW 42.30.110 (1)(g)

To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee

ACTION: No action was taken in Executive Session.

14. ADJOURNMENT

Motion Maffei second by Decker; Council adjourned the Executive Session at 9:55 p.m.



Patrick Boyd, Mayor

Attest:

Aimee Kellerman
Aimee Kellerman, City Clerk