

**MEDINA CITY COUNCIL
SPECIAL AND REGULAR MEETING MINUTES**

Medina City Hall, Council Chambers
501 Evergreen Point Road, Medina
Monday, July 8, 2013

CALL TO ORDER

Mayor Luis called the July 8, 2013 Special Meeting of the Medina City Council to order at 6:15 pm.

EXECUTIVE SESSION

Mayor recessed into Executive Session at 6:16 pm for an estimated time of 15 minutes pursuant to 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.

Council members Boyd, Decker, Dicharry, D. Lee, J. Lee, Luis and Phelps; city attorney Jay Long, Kenyon Disend; and city clerk were present.

Executive session concluded at 6:30 pm.

CALL TO ORDER

Mayor Luis called the July 8, 2013 Regular Meeting of the Medina City Council to order at 6:35 pm and led members of the audience, council members, and staff in the Pledge of Allegiance.

ROLL CALL

Council Members Present: Patrick Boyd, Jay Decker, Doug Dicharry, David Lee, Janie Lee, Michael Luis, and Katie Phelps

City Staff Present: Jay Long, City Attorney, Kenyon Disend; Mark Thomas, Police Chief; Robert Grumbach, Development Services Director; Joe Willis, Public Works Director; and Rachel Baker, City Clerk

APPROVAL OF MEETING AGENDA

Council member Dicharry motioned to add presentation item to appoint an interim city manager. Council member Decker seconded motion and motion carried 7-0 at 6:37 pm.

Council member Decker motioned to add discussion item concerning FAA flight paths and council member Boyd seconded motion. Motion carried 7-0 at 6:37 pm.

Council member Boyd motioned to strike work "interim" in other business item, Interim City Manager RFP Discussion, and council member Dicharry seconded motion. Motion passed 7-0 at 6:38 pm.

Council member Decker motioned to approve agenda as amended and council member Dicharry seconded motion. Motion passed 7-0 at 6:38 pm.

PRESENTATIONS

Council member Dicharry motioned to appoint Robert Grumbach as interim city manager following departure of current city manager with a thirty-day review. Council member Phelps seconded motion. Motion carried 7-0 a 6:39 pm. Grumbach moved to dais.

Police Chief Thomas introduced Mark Painter, Director of Professional Services, Washington Association of Sheriffs and Police Chiefs. Mr. Painter congratulated the City for its reaccreditation and defined the accreditation process.

Police Chief thanked department staff for its contributions to successful accreditation.

Mayor recognized two departing volunteers: Ching-Pi Wang for his service on the planning commission and Marelaine Dykes for her service to the park board.

Mayor provided comments regarding the agreement for the mutual separation between the city manager and the City.

PUBLIC COMMENT

Mayor read guidelines for public comment period and opened floor at 6:48 pm.

Jim Girardot inquired if the dollar amount of the separation agreement can be provided. He stated that if the city manager would have resigned there would not have been severance and suggested hiring of new city manager be delayed until new council is seated.

Bruce Hand said it was with regret he read about the departure of the city manager in the newspaper. He said her service as a public servant was outstanding and courageous.

Heija Nunn spoke about Medina Days and said the website and calendar of events have been updated. She added that donations are being accepted. Ms. Nunn disclosed she read the city manager's release agreement and said language in contract seems to be at odds and agreed with Mr. Girardot's suggestion to delay hiring of city manager so new council members can participate in the process.

Being no further comments, mayor closed comment period at 6:55 pm.

REPORTS AND ANNOUNCEMENTS

Planning Commission Chair, Heija Nunn, summarized current work of the commission and encouraged residents to attend meetings and provide feedback.

Public Works Director Willis reported he requested ECC to look at potentially hazardous cottonwood trees on NE 28th Street and remove them. He provided summaries on street overlay project and Evergreen Point Road sidewalk project.

Police Chief Thomas reported on recent vehicle prowls in Medina Heights, said officers are patrolling the area and all vehicles prowled were left unlocked by owners.

Interim City Manager Grumbach reported back about SR 520 proposed revisions for truck traffic noting the planning commission will hold a public hearing concerning the matter. He conveyed WSDOT will hold a presentation on the viewpoint trail platform in the council chambers on the Monday, July 15, at 1:00 pm.

CONSENT AGENDA

Council member J. Lee expressed she was unable to attend the June 26 meeting and would like to have her vote concerning the city manager separation agreement reflected in the record. J. Lee added she agreed with the resignation and separation agreement but did not agree to the terms of the agreement and her vote would reflect a nay.

MOTION PHELPS AND SECOND BOYD TO ADOPT CONSENT AGENDA AS PRESENTED AND MOTION CARRIED 7-0 AT 7:08 PM.

- Approval of June 10, 2013 City Council Special and Regular Meeting Minutes
- Approval of June 24, 2013 City Council Special Meeting Minutes
- Approval of June 26, 2013 City Council Special Meeting Minutes
- Approval of July 1, 2013 City Council Special Meeting Minutes
- Approval of June, 2013 Check Register
 - Claim check numbers 54101 through 54194 in the amount of \$486,347.32, payroll check numbers 3597 through 3613 in the amount of \$238,304.99, voided payroll check number 3605 and reissued, and voided payroll check number 3612
- Adoption of Six-Year CIP/TIP (2014-2019)
- Confirmation of Appointment to Medina Civil Service Commission
- Confirmation of Appointments to Medina Planning Commission
- Confirmation of Appointments to Medina Park Board
- Receipt of Approved May 20, 2013 Park Board Meeting Minutes

PUBLIC HEARING

SMP/DOE Conditional Approval (7:08 pm)

Grumbach summarized timeline, highlighted efforts to date, and proposed actions requested of council this evening.

Mayor opened floor to public comment at 7:14 pm.

Steve Burnstead expressed property owners' rights must be taken into consideration and he would like to continue his participation in process moving forward. He said land use attorney Aaron Laing is currently funded by Medina NOW and suggested he could possibly assist the City with this matter as it advances ahead.

Murray Sargent said he did not understand maintenance of existing structures, for example bollards under item 29, He said bollards are essential to his property and grandfather clause does not seem fair.

Suzanne Cohen complimented Grumbach on his work thus far and noted this is not forum to determine final items, rather details must be studied at greater length. Ms. Cohen named several items as examples which require additional review and urged council to

accept proposal to form an ad-hoc committee to review these items. She said items 17, 34 are of concern and require further study.

Colin Radford thanked Grumbach for his efforts to make document readable, supports energies of Medina NOW, and echoes Ms. Cohen's requests. Mr. Radford pointed out areas of disputable language in document.

Bob Rudolph explained some of Ecology's proposals are capricious and arbitrary and hopes the City will challenge these. He expressed support for the committee to review further.

Heija Nunn suggested council consider hiring a consultant to advocate on behalf of the City with the Department of Ecology.

Jim Girardot commented he is interested in property owner rights and to work for all citizens, not just waterfront property owners.

Chandau Chauhau reported Lake Washington facts he read from Wikipedia and said it is in everyone's interest to make lake viable. He expressed this should be a partnership effort rather than an individual one, and to listen to those who spoke before him.

Mayor closed comment period at 7:39 pm

OTHER BUSINESS

SMP/DOE Conditional Approval and Follow-up Work Program Discussion (7:39 pm)

MOTION BOYD AND SECOND DICHARRY TO 1: PROVIDE DIRECTION TO STAFF TO ADD ACCEPTING STAFF'S RECOMMENDATIONS UNDER ITEMS # 8, 14, AND 43 IN THE DEPARTMENT OF ECOLOGY'S CONDITIONAL APPROVAL OF MEDINA'S SHORELINE MASTER PROGRAM; AND 2: MOVE TO DIRECT STAFF TO FORM AN ADVISORY COMMITTEE CONSISTING OF PLANNING COMMISSIONER ALEX MORCOS, ONE MEDINA NOW REPRESENTATIVE, AND TWO CITY COUNCIL MEMBERS, TO ASSIST STAFF IN PREPARING FOR THE CITY COUNCIL A RESPONSE TO THE DEPARTMENT OF ECOLOGY'S CONDITIONAL APPROVAL OF THE MEDINA'S SHORELINE MASTER PROGRAM. MOTION CARRIED 7-0 AT 7:53 PM.

Council members David Lee and Patrick Boyd volunteered to represent the city council on the committee.

Adoption of Ordinance Enacting Zoning Code Updates (7:53 pm)

Grumbach summarized history of revised proposed ordinance.

MOTION J.LEE AND SECOND BOYD TO APPROVE AN ORDINANCE OF THE MEDINA MUNICIPAL CODE REPEALING CERTAIN CHAPTERS OF THE ZONING CODE AND TITLE 14, AND ADOPTING NEW CHAPTERS IN THE UNIFIED DEVELOPMENT CODE AND SETTING AN EFFECTIVE DATE OF SEPTEMBER 2, 2013 AND MOTION CARRIED 7-0 AT 7:55 PM.

City Manager RFP Discussion (7:55 pm)

MOTION BOYD AND SECOND DICHARRY TO AUTHORIZE INTERIM CITY MANAGER TO CONTACT UP TO FIVE SEARCH FIRMS AND TO SCHEDULE MEETINGS IN FRONT OF COUNCIL BETWEEN JULY 15 AND 19, ENSURING PROPER NOTICE. MOTION CARRIED 7-0 AT 8:19 PM.

Interim city manager directed to post job opening announcement on ICMA website for up to \$600 and elsewhere

Council member Lee proposed personnel committee meet to review city manager job description and Mayor asked Grumbach to circulate job announcement language to personnel committee for review prior to posting.

City Council Agenda Calendar (8:02 pm)

Study session date changed from July 29 to July 22 and the agenda will include city manager search and 2014 Budget. Dicharry and D. Lee said they would not be able to attend.

Aviation Discussion (8:25 pm)

Council member Decker asked why the City would monitor flight paths if its consultant might not have any influence on the FAA and perhaps the City is wasting its resources. Discussion followed.

PUBLIC COMMENT

Mayor opened public comment period at 8:28 pm. No comments were presented and mayor subsequently closed it.

ADJOURNMENT

MOTION PHELPS AND SECOND DICHARRY TO ADJOURN THE JULY 8, 2013 MEETING OF THE MEDINA CITY COUNCIL AND MOTION CARRIED 7-0 AT 8:28 PM.

The July 8, 2013 Regular Meeting of the Medina City Council adjourned 8:28 pm.

The Medina City Council will hold its next regular meeting on Monday, August 12, 2013, at 6:30 pm in the Council Chambers at Medina City Hall, 501 Evergreen Point Road, Medina.

/s/

Michael Luis, Mayor

Attest:

/s/

Rachel Baker, City Clerk