

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

Medina City Hall, Council Chambers
501 Evergreen Point Road, Medina
Tuesday, November 13, 2012; 6:00 pm

CALL TO ORDER

Mayor Luis called November 13, 2012 Special Meeting of the Medina City Council to order at 6:00 pm.

CLOSED SESSION

Mayor announced council would recess into closed session pursuant to RCW 42.30.140(4) to review progress of collective bargaining negotiations. Council members Boyd, Dicharry, Decker, D. Lee, J. Lee, Luis and Phelps, city manager, city attorney, special counsel Cabot Dow, and city clerk were present. Closed session adjourned at 6:16 pm.

EXECUTIVE SESSION

Mayor recessed into executive session at 6:17 pm pursuant to RCW 42.30.110(g)(1) for the purpose of discussion to review performance of a public employee for an estimated time of 13 minutes. Council members Boyd, Dicharry, Decker, D. Lee, J. Lee, Luis and Phelps, and city attorney were present. Executive session adjourned at 6:30 pm. Council member J. Lee departed meeting.

ROLL CALL

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

Council Members Absent: Janie Lee (*excused*)

City Staff Present: Donna Hanson, City Manager; Kari Sand, City Attorney, Kenyon Disend; Mark Thomas, Police Chief; Robert Grumbach, Development Services Director; Joe Willis, Public Works Director; Nancy Adams, Finance Director, and Rachel Baker, City Clerk

Council member Decker proposed a motion to excuse absence of Janie Lee and council member Dicharry seconded motion. Motion carried 6-0. Council members suggested January discussion item concerning council member absences.

Mayor called public meeting to order at 6:35 pm then led members of the audience, council members, and staff in the Pledge of Allegiance.

APPROVAL OF MEETING AGENDA

Council member Phelps proposed to place two Teamsters labor agreements on consent agenda and council member Dicharry seconded. Motion carried 6-0. Dicharry noted a correction to October 8 meeting minutes to amend roll call and Phelps voiced addition of continued executive session to end of meeting agenda. The amended agenda was approved 6-0.

PRESENTATION

On behalf of the council, mayor recognized Mr. John Dern Palmer's twenty years of service to the civil service commission.

PUBLIC COMMENT

Mayor read guidelines for public comment period and opened floor to public comment at 6:43 pm.

Sherrie Wen addressed council about her concern of residential fires caused by lightning strikes to trees throughout the United States and how the danger could be addressed through legislation in the City's Tree Code. Ms. Wen emphasized threat of fallen trees and fires in Medina during windstorms and landslides.

No other statements were presented and mayor closed comment period at 6:50 pm.

REPORTS AND ANNOUNCEMENTS

Mayor reported he toured drained Locks and structure is sound. There were no council member or board and commission reports.

City manager followed up on citizen request to enforce unsightly garbage and yard waste bin placement and noted only one city was found to have an enforcement policy. City will send an email to subscribers reminding residents to pull cans back in.

City manager said Roger Ngouenet was appointed to the temporary civil service commission meeting for the November 14 hearing.

Police chief reported new hire will be in the police academy through March and in field training until July. He said a lateral officer position will be advertised soon. Responding to accreditation question he said the department remains on target for May however recognition could occur in November.

CONSENT AGENDA

MOTION BOYD AND SECOND PHELPS TO ADOPT CONSENT AGENDA AS AMENDED AND MOTION CARRIED 6-0 (J. LEE ABSENT) AT 7:11 PM.

- Approval of Corrected October 8, 2012 City Council Regular Meeting Minutes
- Approval of October, 2012 Check Register
Claim check numbers 53416 through 53510 in the amount of \$809,777.74; and payroll check numbers 3506 through 3518 in the amount of \$233,659.51
- Approval of Resolution Adopting a Revised Fee Schedule
- Approval of Resolution Approving the 2013 NORCOM Budget Allocation
- Receipt of Approved June 12, 2012 Civil Service Commission Meeting Minutes
- Receipt of Approved September 17, 2012 Park Board Meeting Minutes
- Receipt of Approved September 25, 2012 Planning Commission Meeting Minutes
- Approval of Teamsters, Local 763 Labor Agreement, Public Works, 2012-2014
- Approval of Teamsters, Local 763 Labor Agreement, Office-Clerical, 2012-2014

PUBLIC HEARINGS, OTHER BUSINESS

2013 Utility Tax Ordinance and Adoption of 2013 Utility Tax Ordinance (7:14 pm)

Finance director summarized agenda bill. At 7:15 pm, mayor opened public hearing and invited public to comment. No comments were presented and hearing was subsequently closed.

MOTION DICHARRY AND PHELPS SECOND TO ADOPT AN ORDINANCE AMENDING SECTION 5.04.030 OF THE MEDINA MUNICIPAL CODE TO INCREASE THE UTILITY TAX RATE TO FOUR PERCENT WITH A NEW EXPIRATION DATE OF JANUARY 31, 2014. MOTION CARRIED 6-0 (J. LEE ABSENT) AT 7:19 PM.

2013 Property Tax Levy and Adoption of 2013 Property Tax Levy and Resolution (7:20 pm)

Finance director summarized proposed levy. At 7:21 pm, mayor opened floor to public comment and then closed it since no comments were made.

MOTION PHELPS AND DICHARRY SECOND TO APPROVE RESOLUTION ADOPTING THE 2013 PROPERTY TAX LEVY FOR THE CITY OF MEDINA SETTING FORTH THE ESTIMATED LEVY AMOUNT. MOTION CARRIED 6-0 (J. LEE ABSENT) AT 7:22 PM.

2013 Annual Budget and Adoption of 2013 Annual Budget, 2013 Budget Ordinance and 2013 Salary Schedule (7:22 pm)

Finance director summarized history of 2013 budget development, and provided an overview of revenues and expenditures for 2013.

Mayor opened public hearing at 7:39 pm. No one presented comments and hearing was then closed.

Council discussed funding for jet noise consultant and city manager salary and wages.

Council member Phelps proposed motion to delete 2008 contract verbiage from proposed 2013 city manager salary and wage line item and increase amount five-percent as a placeholder. Motion seconded by council member Boyd and carried 6-0 (J. Lee absent) at 7:49 pm.

Council member Phelps proposed friendly amendment to budget motion to increase FAA consultant line item to \$2,150 from \$1,500. Council member D. Lee seconded motion. Phelps amended motion to move \$650 from general fund balance and D. Lee concurred. Motion failed 2-4 (Phelps and Luis in favor, J. Lee absent).

At council member J. Lee's request, mayor read into record her statement disapproving budget.

MOTION DICHARRY AND BOYD SECOND TO APPROVE ORDINANCE ADOPTING THE 2013 BUDGET FOR THE CITY OF MEDINA SETTING FORTH THE SUMMARY OF ESTIMATED REVENUES AND EXPENDITURES FOR EACH FUND AND THE 2013 SALARY SCHEDULE. MOTION CARRIED 5-1 (D. LEE OPPOSED, J. LEE ABSENT) AT 8:07 PM.

OTHER BUSINESS

Adoption of 2013 Franchise Fee Ordinance (8:07 pm)

MOTION PHELPS AND DICHARRY SECOND TO ADOPT AN ORDINANCE AMENDING SECTION 5.06.020 OF THE MEDINA MUNICIPAL CODE TO INCREASE FRANCHISE FEES TO FOUR PERCENT. MOTION CARRIED 6-0 (J. LEE ABSENT) AT 8:09 PM.

City Council Agenda Calendar (8:09 pm)

Council member absence discussion scheduled for December instead of January. Board and commission chairs invited to speak to council in December. Mayor proposed discussion with aviation consultant at January study session.

PUBLIC COMMENT

Mayor opened public comment period at 8:11 pm. No public comments were brought forward and the floor was subsequently closed.

EXECUTIVE SESSION

Mayor recessed into executive session at 8:15 pm pursuant to RCW 42.30.110(g)(1) for the purpose of discussion to review performance of a current public employee for an estimated time of 30 minutes. Council members Boyd, Dicharry, Decker, D. Lee, Luis and Phelps, and city attorney were present. Executive session adjourned at 8:45 pm.

ADJOURNMENT

MOTION PHELPS AND SECOND DICHARRY TO ADJOURN THE NOVEMBER 13, 2012 MEETING OF THE MEDINA CITY COUNCIL. MOTION CARRIED 6-0 (J. LEE ABSENT) AT 8:45 PM.

The November 13, 2012 Regular Meeting of the Medina City Council adjourned at 8:45 pm.

The Medina City Council will hold its next meeting on Monday, December 10, 2012, 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