

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

Medina City Hall, Council Chambers  
501 Evergreen Point Road, Medina  
Monday, November 14, 2011; 5:30 pm

**SPECIAL MEETING**

The November 14, 2011, Special Meeting of the Medina City Council was noticed pursuant to RCW 42.30.080 and was held for the purpose of an informal community meet and greet for newly hired Police Chief Mark Thomas. The special meeting began at 5:30 pm and adjourned at 6:30 pm when the regular meeting was called to order.

**REGULAR MEETING**

Mayor Bret Jordan called the November 14, 2011 Regular Meeting of the Medina City Council to order at 6:31pm.

**ROLL CALL**

Council Members Present: Patrick Boyd, Doug Dicharry, Bret Jordan, Katie Phelps, Janie Lee, Mark Nelson, and Shawn Whitney

City Staff Present: Donna Hanson, City Manager; Bruce Disend, 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

Mayor led members of the audience, council members, and City staff in the Pledge of Allegiance.

**OATH OF OFFICE**

City clerk delivered ceremonial oath of office to Police Chief Mark Thomas.

City manager thanked Lieutenant Yourkoski for his service as Acting Chief over the past ten months.

**APPROVAL OF MEETING AGENDA**

MOTION PHELPS AND SECOND DICHARRY TO ADOPT AGENDA AS PRESENTED AND MOTION CARRIED 7-0 AT 6:35 PM.
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**PUBLIC COMMENT**

Mayor read public comment period guidelines and opened floor to comment at 6:35pm.

Medina resident Connie Gerlitz thanked council members for their efforts, and recognized outgoing council member Shawn Whitney during her last meeting and to Bret Jordan and Mark Nelson in advance of their meeting in December.

Medina resident Miles Adam congratulated the police department and thanked Acting Chief Yourkoski for outstanding performance. He stated he would like to register his disappointment in council's fiscal responsibility with the proposed budget.

Medina resident Kay Koelemay expressed the council should not embark on the proposed 84 Avenue Northeast improvement project, claiming unless trees are evergreen the fallen autumn leaves would be messy and dangerous to traffic, there would be no shoulder for emergencies and the money could be better spent on something other than aesthetics, such as the Evergreen Point Road sidewalks.

Medina resident Anne-Marie Ryan complained about removal of right-hand parking lane and three traffic control signs installed as a part of the Northeast 12 Street improvement project. She requested street lighting, painting the island curbing, and relocating signs.

Medina resident Heija Nunn thanked outgoing council member Shawn Whitney for her service and contributions while serving on the Medina City Council.

Mayor closed public comment period at 6:49 pm.

## **REPORTS AND ANNOUNCEMENTS**

Council member Nelson spoke about State Route 520 open house tentatively planned for December council meeting.

Planning commission chair Judie O'Brien asked if council had any questions about planning commission memo regarding its concerns related to the 84 Avenue Northeast improvement project. Mayor noted council has expressed similar concerns.

Emergency committee chair Kay Koelemay reported the committee would be meeting November 16 at 7:00 pm at City Hall.

City manager noted Good to Go! Passes would be sold at City Hall November 15 and December 2.

Police chief summarized recent crime activity, stated a firewall was repaired to ensure timely delivery of future E-Alerts, and responded to questions from audience and council members.

## CONSENT AGENDA

MOTION NELSON AND SECOND DICHARRY TO ADOPT CONSENT AGENDA AND MOTION CARRIED 7-0 AT 7:04 PM.

- Approval of October 10, 2011 City Council Regular Meeting Minutes
- Approval of October 24, 2011 City Council Special Meeting Minutes
- Approval of October, 2011 Check Register  
*Claim check numbers 52170 through 52282 in the amount of \$311,665.19, payroll check numbers 3329 through 3340 in the amount of \$213,434.16, voided AP check number 52172 (wrong vendor number used)*
- Adoption of Ordinance Amending 2011 Annual Budget (Amendment C)
- Approval of Revised Fee Schedule and Resolution Adopting Fee Schedule
- Approval of Resolution Adopting GASB 54
- Approval of Interlocal Agreement for Jail Services with King County
- Approval of Fire Services Agreement with City of Bellevue
- Receipt of Approved July 18, 2011 Park Board Meeting Minutes
- Receipt of Approved July 20, 2011 Emergency Committee Meeting Minutes
- Receipt of Approved September 28, 2011 Planning Commission Meeting Minutes
- Approval of Resolution to Adopt NORCOM 2012 Annual Budget

## PUBLIC HEARINGS

### 2012 Annual Property Tax Levy (7:04 pm)

Finance director summarized item and mayor opened public hearing to comment at 7:06 pm. No comment was presented and the hearing was subsequently closed.

### 2012 Preliminary Annual Budget (7:08 pm)

Finance director summarized budget listing key points from previous meeting. Mayor opened floor to public comment at 7:12 pm.

Connie Gertliz inquired if funding for the 84 Avenue Northeast improvement project was included in the budget. Council responded affirmatively.

Heija Nunn asked if any revenue projections changed. Finance director pointed out funding changes.

Judie O'Brien questioned whether salary increases were included in the budget and how property tax revenues could increase when property values have depreciated. Finance director responded.

Mayor closed public hearing at 7:18 pm.

## **OTHER BUSINESS**

### Property Tax Levy Resolution Adopting of 2012 Property Tax Levy (7:07 pm)

MOTION DICHARRY AND SECOND NELSON TO APPROVE RESOLUTION ADOPTING THE 2012 PROPERTY TAX LEVY FOR THE CITY OF MEDINA SETTING FORTH THE ESTIMATED LEVY AMOUNT. MOTION CARRIED 7-0 AT 7:07 PM.

### Adoption of 2012 Franchise Fee Ordinance (7:18 pm)

Finance director introduced ordinance. Development services director described franchise fee agreement with the city of Bellevue. Council discussion followed.

MOTION PHELPS AND SECOND DICHARRY TO ADOPT AN ORDINANCE AMENDING SECTION 5.06.020 OF THE MEDINA MUNICIPAL CODE TO REPEAL THE LIMITATION TO CHANGE THE THREE PERCENT FRANCHISE FEE TO ZERO ON JANUARY 31, 2012. MOTION CARRIED 6-1 (WHITNEY OPPOSED) AT 7:25 PM.

### Adoption of 2012 Utility Tax Ordinance (7:25 pm)

Finance director introduced ordinance. Council comments provided.

MOTION NELSON AND SECOND BOYD TO ADOPT AN ORDINANCE AMENDING SECTION 5.06.020 OF THE MEDINA MUNICIPAL CODE TO EXTEND THE THREE PERCENT UTILITY TAX RATE CHANGE FROM THREE PERCENT TO ZERO WITH A NEW EXPIRATION DATE OF JANUARY 31, 2013. MOTION CARRIED 6-1 (WHITNEY OPPOSED) AT 7:28 PM.

### Budget Ordinance Adopting 2012 Annual Budget and 2012 Salary Schedule (7:29 pm)

Council members took an opportunity to comment.

MOTION NELSON AND SECOND DICHARRY TO APPROVE ORDINANCE ADOPTING THE 2012 BUDGET FOR THE CITY OF MEDINA SETTING FORTH THE SUMMARY OF ESTIMATED REVENUES AND EXPENDITURES FOR EACH FUND AND THE 2012 SALARY SCHEDULE. MOTION CARRIED 5-2 (LEE AND WHITNEY OPPOSED) AT 7:41 PM.

### Authorize Design for 84 Avenue Northeast Improvement Project (7:42 pm)

Public works director summarized project status and council discussion followed.

COUNCIL MEMBER BOYD AMENDED MOTION TO AUTHORIZE KPG TO PROCEED WITH DESIGN THROUGH THE BID PHASE WITH GOAL OF COMPLETING BID PHASE IN EARLY 2012 AND COUNCIL MEMBER NELSON SECONDED AMENDED MOTION. MOTION CARRIED 4-3 (DICHARRY, LEE, WHITNEY OPPOSED) AT 8:15 PM.

*Original motion offered by council member Boyd and seconded by council member Nelson was to authorize KPG to proceed with design with goal of going to bid in early 2012. Council member Boyd amended motion to authorize KPG to proceed with design through the bid phase with goal of completing bid phase in early 2012, and council member Nelson seconded amended motion.*

Mayor conveyed matter will be brought back to council with design cost estimates.

Building Permit Application Code Update (8:15 pm)

Council member Nelson claimed to possess a potential conflict of interest with matter and recused himself from the discussion at 8:15 pm and returned to the meeting at 8:29 pm.

Development services director introduced proposed ordinance and building official was present to respond to questions.

Council members agreed to table discussion until December 12.

City Council Guidelines (8:28 pm)

City attorney provided status on draft guidelines and item was continued to December 12.

City Council Agenda Calendar (8:31 pm)

Council member Whitney departed meeting at 8:31 pm.

Council members discussed hosting an open house for WSDOT prior to the December 12 meeting and to schedule a SR 520 presentation during the regular meeting.

Council Member Phelps requested an Eastside Pathways update in next month's city manager report and Mayor Jordan requested 2012 agenda planning calendars in December.

**PUBLIC COMMENT**

Mayor opened public comment period at 8:35 pm.

Heija Nunn requested an update pertaining to her agenda item requests from October 16.

Doug Allen asked for verification whether or not the speed limit would be reduced on 84 Avenue Northeast if a median were installed.

Comment period expired at 8:38 pm since no additional comments were presented.

## EXECUTIVE SESSION

City attorney announced executive session item pursuant to RCW 42.30.110 (1)(i) was not needed and would be stricken. Mayor stated council would take a five minute recess before convening in executive session.

At 8:45 pm mayor announced council would enter into executive session for 45 minutes pursuant to RCW 42.30.140(4)(a) related to collective bargaining sessions with employee organizations, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement; or (b) that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress; and pursuant to RCW 42.30.110 (1)(g) to review the performance of a public employee.

City council members Jordan, Boyd, Dicharry, Lee, Nelson, and Phelps, and city attorney Bruce Disend were present for entire executive session. City manager Hanson, Police Chief Thomas, city clerk Baker, and special council Cabot Dow were present between 8:45 pm and 9:23 pm.

Executive session was extended 24 minutes at 9:30 pm and concluded at 9:54 pm. Council re-entered regular meeting at 9:54 pm

## ADJOURNMENT

MOTION NELSON AND SECOND DICHARRY TO ADJOURN THE NOVEMBER 14, 2011 REGULAR MEETING OF THE MEDINA CITY COUNCIL. MOTION CARRIED 6-0 (WHITNEY ABSENT) AT 9:54 PM.
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The November 14, 2011, Regular Meeting of the Medina City Council adjourned at 9:54 pm.

The Medina City Council will hold its next Regular Meeting on Monday December 12, 2011, at 6:30 pm in the Council Chambers at Medina City Hall, 501 Evergreen Point Road, Medina.

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Bret Jordan, Mayor

Attest:

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Rachel Baker, City Clerk