

**MEDINA CITY COUNCIL
REGULAR MEETING MINUTES**
*Medina City Hall Council Chambers
May 12, 2008; 6:00 pm*

CALL TO ORDER

The May 12, 2008 Regular Meeting of the Medina City Council was called to order by Mayor Nelson at 6:12 pm.

EXECUTIVE SESSION

Council recessed into Executive Session at 6:12 pm for an estimated time of fifteen minutes to discuss six items of litigation, including cases of pending litigation and potential litigation, pursuant to RCW 42.30.110(1)(i).

Council Members Biglow, Blazey, Jordan (*arrived at 6:25 pm*), Lawrence, Nelson, Rudolph, and Whitney; City Manager; City Attorney; and City Clerk were present. Executive Session adjourned at 6:36 pm. No action was taken.

Following a recess, the Regular Meeting was called back to order at 6:40 pm.

ROLL CALL

Council Members Present: Lucius Biglow, Drew Blazey, Bret Jordan, Jim Lawrence, Mark Nelson, Robert Rudolph, and Shawn Whitney

City Staff Present: Mike Caldwell, Interim City Manager; Wayne Tanaka, City Attorney, Ogden Murphy Wallace; Jeff Chen, Chief of Police; Robert Grumbach, Director of Development Services; Joe Willis, Director of Public Works; Jan Burdue, Finance Officer; and Rachel Baker, City Clerk

Mayor Nelson led Council, staff and audience members in the Pledge of Allegiance.

APPROVAL OF AGENDA

Agenda approved as amended by unanimous consent of the Council at 6:41 pm. The Johnston Architects presentation was reordered to coincide with discussion of "City Hall Facility Expansion and Design Options". The "Lot Coverage for Undersized Lots" discussion was reordered to follow City Hall items.

PRESENTATION

Waldron and Company (6:42 pm)

Caldwell introduced Dick Cushing, from Waldron and Company. Mr. Cushing said the advertisement has been placed and calls and letters of interest have been sent to potential candidates. He indicated 25 applications have been received to date and anticipates additional applications will be received toward the recruitment deadline at the end of the month. He projected Council will review a list of candidates in June and interviews will begin in July. Mr. Cushing provided information regarding comparable city manager salary ranges and requested direction from Council.

MOTION LAWRENCE AND SECOND JORDAN TO ADOPT CITY MANAGER SALARY RANGE RECOMMENDED BY WALDRON AND COMPANY OF \$115,000 TO \$130,000. MOTION CARRIED 4-3 (BIGLOW, RUDOLPH, WHITNEY OPPOSED) AT 7:15 PM.

Council elected to hold special meetings on Wednesday, June 11 from 4:00 to 6:00 pm and Tuesday, June 24 from 5:00 to 6:00 pm to review a list of candidates and applications for city manager in executive session. Council directed Caldwell to work with Waldron and Company to schedule dates for candidate interviews and a council work session.

Mercer Island Marine Patrol (7:34 pm)

Chief Chen introduced Sergeant Keith McDonough and emergency medical technician Eric Derth. McDonough provided an overview of 2007 marine patrol activities. He recommended residents ensure property addresses are affixed to docks to assist in an emergency response and conveyed "16" can be dialed on a boat radio or "911" from any phone to hail assistance. McDonough said the marine patrol can be reached via email or phone at 206-275-7953 for non-emergency situations, such as cigarette boat noise. McDonough said vessel owners must be aware of low water levels during summer months when using the new City dock and he raised concerns pertaining to possible boat damage and sewer overflow line damage during dock use. In response to resident inquiry, Sergeant confirmed the City dock recently removed at Medina Beach Park was previously usable by the Marine Patrol.

In response to resident inquiry, McDonough reminded residents of mandatory boaters' education requirement for boaters aged 20 and under during 2008 and, beginning January 1, 2009, for boaters aged 25 and under. He said the marine patrol offers courses during winter months and other public agencies offer courses year-round. He noted course information can be obtained from the Washington State Parks website.

In response to resident inquiry, mayor acknowledged it would be appropriate to inform residents of dock limitation in the City newsletter.

PUBLIC COMMENT

Mayor opened floor to public comment at 7:51 pm.

Resident Michael Higgins requested June agenda item regarding traffic issues on NE 12th Street and 84th Avenue NE. Nelson indicated staff have been working on matter and a report would be made available at the June council meeting.

Resident Heija Nunn remarked she made a substantial public records request and questioned one document received as a result of the request, identified as an email dated Friday, June 22, 2007 from loosb@aol.com to staff, Council, and Ross Hunter. Ms. Nunn read document into the record.

Biglow shed perspective on document.

Resident Katie Phelps reported her dismay in onslaught of continued public records requests and the related disruptions to services and priorities at City Hall. She first questioned why requests are not submitted to one location, then asked when additional staff would be hired to assist with requests, and thirdly, when the City would again approach the attorney general regarding current situation.

Caldwell stated staff are exploring options that would provide assistance without violating state statutes.

Resident Henry Paulman identified himself as Mr. Hokanson's sidekick. He mentioned that the public records requests have brought considerable consternation to the City and also allowed the City to correct underlying problems. Resident said the price to pay for staff to gather records and provide them in a public manner in an effort to correct problems that exist in City departments, particularly police, is small. Mr. Paulman remarked the City is now ahead since someone has been willing to dig out the information and that it has all been worthwhile.

Responding to Whitney, Mr. Paulman voiced that public disclosure is paramount and is part of the governmental system.

Fifty-eight year resident Vance Mylroie thanked Council for serving Medina citizens and stressed no one was elected to abstain from voting. He voiced support for Council's approval of a graduated lot bonus proposal plan B for lots smaller than R-16. He said the proposal would allow his lot coverage to increase 3.3 percent (400 square feet) and result in a significant benefit to his future home value. Mr. Mylroie commented that the small accommodation would help a majority of Medina citizens.

Mayor closed floor to comment at 8:10 pm.

REMARKS AND ANNOUNCEMENTS

Mayor announced the City was named Tree City USA for 2007 by the Washington State Department of Natural Resources and thanked Willis and the Public Works Department for their efforts.

Mayor conveyed the four points communities are interested in developing a position statement regarding bridge tolling. He distributed the city of Bellevue's tolling policy and invited Council and citizens to comment via email to him by June 9 regarding Bellevue's policy. Mayor relayed he would bring comments to the next mayors' meeting when a member of the tolling committee will be in attendance.

CONSENT AGENDA

MOTION JORDAN AND SECOND BIGLOW TO APPROVE CONSENT AGENDA AS PRESENTED, AND MOTION CARRIED 7-0 AT 8:14 PM.

- Approval of April 14, 2008 City Council Regular Meeting Minutes
- Approval of April 17, 2008 City Council Special Meeting Minutes
- Approval of April 2008 Checks/Finance Officer's Report: Claim Checks 73898 through 74010 in the amount of \$549,545.73 and Payroll Checks 24447 through 24511 in the amount of \$190,807.98.

PRESENTATION

Johnston Architects – City Hall Facility and Design Options (8:15 pm)

Willis introduced Marc Pevoto and Cary Westerbeck from Johnston Architects. Representatives presented slideshow which included photographs of current City Hall building structural concerns, current as-built drawings, conceptual schematics of a 25-foot and 32-foot expansion, and spreadsheet identifying space needs assessment.

Mr. Pevoto answered inquiries from Council.

Mayor opened floor to audience participation at 8:47 pm.

Resident Daniel Lipkie expressed his concern that the proposal does not provide a 20 to 50 year solution for the City. He suggested the solution only addresses current needs and larger issues need to be addressed, such as if both city and police functions remain together or operate in separate facilities, and the option to alter current City Hall building to house a civic center and move city services to another facility and location. Resident remarked the larger issues should be discussed before the detailed planning is presented.

Resident Heija Nunn addressed ADA-accessibility compliance issues and suggested accommodations could be made in other facilities available to the City. Ms. Nunn inquired if facility is captured under essential facility definition. Grumbach explained City Hall does not.

Willis replied staff areas do not need to be ADA-compliant, though all public areas must meet ADA-requirements.

Mayor announced discussion would continue under City Hall Facility Expansion and Design Options.

OTHER BUSINESS

City Hall Facility Expansion and Design Options (9:07 pm)

Mayor opened floor to public comment at 9:07 pm.

Resident Kristen Edelhertz spoke on behalf of herself and her husband, Paul, and exclaimed that they both are against expansion of City Hall since the option does not consider the value of waterfront property, park quality, or what is best for the community in the long term. She said an expansion would not meet all needs and would not be the best solution for the next 50-plus years. Resident suggested the City purchase property and build a new facility for city services in order to protect park space, community park use, and property values. She voiced support for using current building for future community use and support to begin life and safety repairs to existing structure during the interim. Ms. Edelhertz encouraged Council to review all options and to do what is right for the community.

Resident Lynne Witham agreed with points made by Ms. Edelhertz and reported that of all the people she spoke to, no one agreed that expanding City Hall was the best solution. She opined that parks should not be used to expand office space. Ms. Witham suggested Council gather additional community input regarding facility and funding options.

Three-year resident Colleen Estrada disclosed one reason she chose to live in Medina was because of the beach park and that she was shocked to learn of expansion. She shared sentiments spoken by Ms. Edelhertz and suggested Council consider a bond measure.

Resident Connie Gerlitz said she loves the parks, that she has attended numerous City Council meetings, and that discussions about repairing the current building have continued for a long time. She remarked the City has the money to expand the building into an area occupied only by a rhododendron bush in an area no one uses. Mrs. Gerlitz voiced the Council should move ahead with the expansion plan.

Resident Wilma Edmonds proclaimed she is in favor of the parks and agreed with Mrs. Gerlitz's comments. Mrs. Edmonds reported there are four other public beach parks within four miles of City Hall and that no beach park would be sacrificed as a result of the expansion. Resident indicated she has listened to City Hall discussions since at least 2003 and stated it is time to expand it.

Resident Kay Dicharry said the 32-foot schematics look much larger compared to the 25-foot area visited during the previous meeting and shared her opinion that the drawings change the whole feel of the building. Resident expressed concern about changing the appearance of the building from the lake and questioned if the second floor of Green Store could be used for City services. Mrs. Dicharry voiced that the Dustin property was purchased in order to expand space in the future to the east of the current building and instead a driveway was installed there. She said she is against expanding the building to the north.

Resident Heija Nunn agreed the 32-foot expansion mock-ups dramatically alter the look and feel of the building in relation to the scale of the land. Ms. Nunn referenced Medina's Comprehensive Plan and a resolution passed by park board asking Council to commit to preserving current open space. Resident suggested Council proceed with repair of existing building, move staff to office space in chambers, find another location for Council meetings; then determine what to do with facility development. Ms. Nunn continued to say that at that point then, find another way to house City employees and maintain existing building as a historically preserved structure used to serve the community in a broad way.

Resident Paul Edelhertz recognized that the unsafe building needs attention and staff needs must be addressed. He expressed his concern about the decision process and suggested there is energy and ideas in the community that need to be brought forward. Mr. Edelhertz stated he would like to use less valuable land for office space.

Mayor closed floor to public comment at 9:30 pm.

Motion Jordan and second Blazey to extend meeting twenty minutes. Motion carried 4-1-2 (Lawrence opposed, Biglow and Rudolph abstained) at 9:31 pm.

Council discussion followed. Council agreed to hold a special meeting on Wednesday, May 28, at 6:30 pm to discuss City Hall facility strategies and goals.

Motion and second to extend meeting eight minutes and motion carried 6-1 (Biglow opposed) at 9:50 pm.

Active Military Duty Salary for City Staff (9:50 pm)

Caldwell presented item and council discussion followed.

MOTION LAWRENCE AND SECOND JORDAN TO CONFIRM THAT THE CITY COUNCIL INTENDED TO CONTINUE TO PAY THE DIFFERENCE IN OFFICER RAMIREZ'S CITY SALARY AND WHAT HE WAS EARNING ON ACTIVE MILITARY DUTY DURING HIS TOUR IN IRAQ AND RATIFY ALL PRIOR ACTIONS TAKEN IN THIS REGARD BY CITY STAFF. MOTION CARRIED 7-0 AT 9:57 PM

Council Audit Committee (9:57 pm)

Whitney introduced item and volunteered for committee.

MOTION WHITNEY AND SECOND LAWRENCE TO APPOINT WHITNEY TO COUNCIL AUDIT COMMITTEE AND MOTION CARRIED 7-0 AT 9:57 PM.

Lot Coverage for Undersized Lots (9:58 pm)

Resident Mike Burke questioned when Council would discuss item as there are people in the community that have purchased property and are ready to develop, but are waiting for Council's decision in the matter.

Mayor conveyed item would be placed on June 9 meeting agenda.

City Manager's Monthly Activity Report

- A. Police Department
- B. Development Services
- C. Public Works
- D. City Manager

Reports received and filed.

Agenda Calendar

Six-Year CIP/TIP, Lot Coverage for Undersized Lots, and Planning Commission 2008 Work Plan moved to June 9 meeting agenda.

ADJOURNMENT

MOTION LAWRENCE AND SECOND JORDAN TO ADJOURN THE MAY 12, 2008 CITY COUNCIL MEETING. MOTION CARRIED 7-0 AT 10:01 PM.

The May 12, 2008, Regular Meeting of the Medina City Council adjourned at 10:01 pm.

The Council will hold a Special Meeting, Wednesday, May 28, 2008 at 6:30 pm.

The next Regular Meeting of the Medina City Council is scheduled to be held Monday, June 9, 2008, at 6:30 pm.



Mark L. Nelson, Mayor

Attest:



Rachel Baker, City Clerk