

**MEDINA CITY COUNCIL**  
**REGULAR MEETING MINUTES**  
*Medina City Hall Council Chambers*  
*July 9, 2007; 7:00 pm*

**CALL TO ORDER**

Miles Adam called the July 9, 2007, Medina City Council Meeting to order at 7:05 pm.

**ROLL CALL**

Council Members Present: Miles Adam, Lucius Biglow, Drew Blazey, Jim Lawrence, Katie Phelps, Robert Rudolph and Pete Vall-Spinosa

City Staff Present: Mark Weinberg, City Manager; Wayne Tanaka, City Attorney, Ogden Murphy Wallace; Jeff Chen, Police Chief; Joe Willis, Director of Public Works; Joseph Gellings, Director of Development Services; and Rachel Baker, City Clerk

**APPROVAL OF AGENDA**

Blazey requested to add a King County Library System discussion and Rudolph requested time to discuss SR-520 lid configuration and the Council concurred to add items to new business.

**ANNOUNCEMENTS**

Mayor Adam announced:

1. Information regarding the proposed SR-520 maintenance facility and minutes from the SR-520 Executive Committee meeting were included in the agenda packet.
2. Residents will be asked to vote on the SR-520 bridge project during November without a project definition for the west side of bridge. He conveyed consensus from communities on west side of bridge has not been reached. Communities on the east side of bridge have reached a consensus.
3. SR-520 Bridge Project mediation process required by the Governor began and the Points Communities Mayors met in June and will meet again in July. A format of the formal mediation process will be due to the Governor in August and recommendations will be due in November.
4. Eighth Congressional District Mayors met with Congressman Dave Reichert and discussions with his staff indicated there might be some way to help Medina fast-track possible grants for an enhanced public safety system.

City Manager Weinberg thanked the Mayor and Council Members who joined staff during an advancement ceremony for newly badged Lieutenant Dan Yourkoski and Sergeant John Kane on June 25<sup>th</sup>. Weinberg congratulated the 23 residents who received CERT certification and officially became members of CERT team on June 20<sup>th</sup>.

## **AWARDS AND PRESENTATIONS**

Mayor Adam acknowledged the volunteer service provided by the following citizens and presented certificates to them:

1. Mary Odermat for her service in Position Three on the Civil Service Commission from June 2006 through July 2007.
2. Mark Nelson for his service in Position Two on the Planning Commission from August 1999 through June 2007.
3. Steve White for his service in Position Two on the Park Board from March 2006 through June 2007.
4. Lisa Fleischman for her service in Position Five on the Park Board from March 2004 through June 2007.

Mrs. Odermat and Mr. Nelson were present to accept their awards. Adam conveyed awards would be mailed to Ms. Fleischman and Mr. White since they were not in the audience.

## **CONSENT AGENDA**

Motion Lawrence and second Blazey to pull Item 5 "Ordinance Authorizing the City to Accept Donated Money or Property," and Item 7 "Facilities Planning Committee Resolution" and add to Other Business. Motion carried unanimously at 7:20 pm.

Motion Phelps and second Rudolph to pull Item 6: "Amendment to Medina Municipal Code Regarding City Council Meetings" and add to Other Business. Motion carried unanimously at 7:20 pm.

**MOTION VALL-SPINOSA AND SECOND RUDOLPH TO APPROVE CONSENT AGENDA ITEMS 1, 2, 3, 4, 8 AND THE MOTION CARRIED UNANIMOUSLY AT 7:22 PM.**

1. Minutes from June 11, 2007 City Council Meeting
2. Approval of June 2007 Checks/Finance Officer's Report
3. Agreement for Building Inspector Professional Consulting Services
4. Agreement for Emergency Preparedness Professional Consulting Services
8. Public Works Contract Awards

## **AUDIENCE PARTICIPATION**

Medina resident Paul Saad spoke to the City Council about the garbage enclosure in front of the Medina Store and the garbage in front of City Hall. He stressed his opinion that garbage placement should be considered as part of streetscape design and asked the City Council to move the garbage enclosure from the front of the Store. (7:23 pm)

Medina resident Curtis Wong inquired if the City Council plans to combat crime occurring during the night to reduce burglary. (7:27 pm)

Resident Mark Nelson echoed Mr. Saad's comments regarding the Green Store and encouraged the City to find a way to relocate the garbage enclosure. (7:28 pm)

## **REPORTS**

### Police Department (7:29 pm)

No questions were posed to Chen pertaining to the department report. Chen responded to Mr. Wong's comments and invited him to meet with him at his convenience to further discuss his concerns.

Chen introduced new lateral officer James Marshall who transferred to Medina from the City of Clyde Hill.

### Development Services (7:37 pm)

Gellings presented monthly report. Blazey commented on the mega homes article included in report and Gellings conveyed the topic is on the Planning Commission work plan.

### Public Works (7:39 pm)

Willis announced the US Army Corps of Engineers permit was received. He added that construction of bulkhead and pier work would commence next week and a project schedule would be posted in a kiosk at the park. Willis stated a follow up to the Upland Road street vacation was included in his report and the City Council requested he share the report with the street vacation applicants.

Willis answered City Council inquiries regarding department report and Park Board minutes. Mayor expressed he would like Weinberg and Willis to work together on a future City Council agenda item for park signage and five-corner design. The City Council asked Willis to work with the Park Board to make a recommendation to the City Council regarding dock uses.

Phelps thanked the Public Works crew for keeping up with all their work during the busy season and Adam congratulated Willis on behalf of the City Council for obtaining permits for Medina Beach Park restoration project.

City Manager (7:53 pm)

Weinberg highlighted report items, answered council inquiries and summarized security camera pilot project. Weinberg said additional grant funding may be available and tentative approval has been given to further outfit the City's mobile command coach.

## **PUBLIC HEARINGS**

View and Sunlight Ordinance Modification (8:08 pm)

Gellings summarized history of item. Adam opened floor to public comment at 8:11 pm.

Resident John Ebel spoke on behalf of his wife and neighbors in Medina Heights stating the ordinance should be reinstated and addressed three issues to support his position. He expressed the ordinance provided rights for view protection and it would be good public policy to reinstate the ordinance and restore those rights. He stated the proposed ordinance included substantive changes and further encouraged the City Council to reinstate the original ordinance. (8:12 pm)

Resident Chris Weymouth stated he supported Mr. Ebel's comments one-hundred percent. (8:20 pm)

Resident Kathleen Smith reported she supported Mr. Ebel's opinion and his research and told the City Council that the Council should have received more substantial input from the voting public before taking action. (8:21 pm)

Resident Paul Saad referred to the Medina Comprehensive Plan in relation to the repealed ordinance. He verbally recognized Mr. Ebel's credibility and the time he spent researching the matter and exclaimed the City should recognize the importance of views by placing the ordinance back on the books. (8:21 pm)

Resident Dick Hansen claimed he was involved with the original ordinance during 1995 and that the ordinance did a good job for some people. He said the City Council should restore the old ordinance to make everyone happy. (8:24 pm)

Resident Martha Woodman stated she agreed with Mr. Ebel's comments and said the ordinance gave residents specific legal rights, which were established for all residents, and the repeal took those rights away. She asked the Council to reinstate the ordinance. (8:25 pm)

Resident Art Dietrich conveyed he would like to have the ordinance restored and said the King County Assessor told him he lost his view and that he would get a reduction in his assessment. Mr. Dietrich announced that he would rather have his view back. (8:26 pm)

Adam closed the public comment period and opened floor to City Council discussion at 8:27 pm.

City Council discussed matter and listed its concerns. Adam reopened public comment to obtain remarks from Mr. Ebel at 8:59 pm.

Mr. Ebel conveyed the City Council made a mistake about the nature of the ordinance and urged the Council to reinstate it. He said legal rights were established by the ordinance.

Mayor closed comment period at 9:06 pm.

MOTION VALL-SPINOSA AND SECOND BLAZEY TO CONTINUE HEARING TO JULY 23. MOTION PASSED 6-0 (BIGLOW OUT OF ROOM DURING VOTE) AT 9:15 PM.
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Tanaka said he would speak to attorney Pam James at Municipal Research Services Center, and Mr. Ebel, and would review the proposed ordinance prior to the next discussion.

Mayor called for a break at 9:15 pm and called the meeting back to order at 9:20 pm.

Undergrounding Utilities Ballot Ordinance (9:21 pm)

Weinberg summarized history of item and explained the revised cost estimate of \$26 million based upon information from range estimates provided by Puget Sound Energy engineers. He said Mr. Alan Daschen estimated the cost for homeowners to be approximately \$854 dollars per year per million dollar home. Weinberg indicated a revised page two was placed at the dais to replace the page Council Members received with their packets.

Cynthia Weed, Bond Counsel for Preston Gates Ellis was present and said the proposed ordinance would authorize and approve the undertaking of the project and would refer the project to the voters for final approval. She explained the bond process and stated August 23 would be the deadline to get information to King County for the official voters pamphlet. Ms. Weed answered City Council inquiries.

Tanaka stated the City could explain costs and other information on the City website to voters.

Adam opened floor to public comment at 9:44 pm.

Resident Bud Eschbach questioned term of bond issue and cost containment of a publicly bid contract. (9:44 pm)

Resident Mark Nelson expressed he would be in favor of the project because of the overall value for everyone in Medina and that he would be in favor of sending it to the voters. (9:47 pm)

Resident L'louise De Butts stated she was on the Park Board about 20 years ago and is thrilled the topic of undergrounding utilities has come up. She said that Medina is unique and an opportunity to allow the public a chance to vote on this should not be passed up.

She claimed Medina would not be a first class City until the wires are underground.  
(9:48 pm)

Resident Stuart Mandell agreed wholeheartedly to get wiring underground and there would need to be a good job done to sell it. He said the costs and interest rates won't get any cheaper and voters should have an opportunity to vote on it. (9:49 pm)

Mayor closed the floor at 9:50 pm and Council discussion followed.

Adam suggested changing line three on page three by adding after the word "purpose": "related to the undergrounding of utilities" to "for any other than a capital purpose" and Ms. Weed acknowledged the language addition would be okay.

MOTION PHELPS AND SECOND ADAM TO ADOPT ORDINANCE BEFORE US TO PUT BOND ON NOVEMBER 2007 BALLOT WITH AMENDMENT TO INCLUDE "RELATED TO THE UNDERGROUNDING OF UTILITIES" ON SECTION THREE OF PAGE THREE. MOTION CARRIED 7-0 AT 9:58 PM.

Weinberg conveyed he would follow up with noticing effort for appointments to the pro and con committees.

MOTION PHELPS AND SECOND TO EXTEND MEETING TO 11:00 PM AND MOTION FAILED 3-4 (BIGLOW, RUDOLPH, VALL-SPINOSA, AND LAWRENCE OPPOSED) AT 10:03 PM.

MOTION VALL-SPINOSA AND SECOND ADAM TO EXTEND MEETING TO 10:30.PM AND MOTION CARRIED 5-2 (LAWRENCE AND BIGLOW OPPOSED) AT 10:03 PM.

## **OTHER BUSINESS**

Consent Agenda Item No. 5-Ordinance Authorizing City to Accept Donated Money or Property 10:03 pm

Weinberg answered City Council inquiries regarding matter.

MOTION RUDOLPH AND SECOND VALL-SPINOSA TO APPROVE ORDINANCE AUTHORIZING CITY TO ACCEPT DONATED MONEY OR PROPERTY. MOTION CARRIED 7-0 AT 10:09 PM.

Consent Agenda Item No. 6-Amendment to the Medina Municipal Code Regarding City Council Meetings 10:09 pm

Weinberg and Tanaka answered City Council inquiries regarding matter.

MOTION VALL-SPINOSA AND SECOND BLAZEY TO ADOPT ORDINANCE AND MOTION CARRIED 6-0-1 (PHELPS ABSTAINED) AT 10:15 PM.

Consent Agenda Item No 7-Facilities Planning Committee Resolution 10:15 pm

City Council discussed matter.

MOTION LAWRENCE AND SECOND BIGLOW TO DENY RESOLUTION TO HAVE A FACILITIES PLANNING COMMITTEE. MOTION CARRIED 4-2-1 (PHELPS AND RUDOLPH OPPOSED AND VALL-SPINOSA ABSTAINED) AT 10:28 PM.

Adam conveyed the City Council could consider guidelines for the City Manager as a future agenda item to address the facilities planning issue.

**NEW BUSINESS**

State Route 520 (10:31 pm)

Rudolph questioned parking proposed for the SR-520 lid at Evergreen Point Road versus a similar park located on Mercer Island. He conveyed the Washington State Department of Transportation (WSDOT) is not willing to install enough dirt to support trees and vegetation for a park. He said the amount of parking needed for a transit stop has been questioned. Adam received unanimous Council support to pursue the matters with WSDOT.

**OTHER BUSINESS**

Agenda Calendar 10:36 pm

Council agreed to extend meeting five minutes in order to discuss the agenda calendar.

Council agreed to move King County Library System discussion item and the 2008 budget discussion and proposed calendar item to July 23.

Council agreed to continue the View and Sunlight Ordinance discussion to July 23.

Council concurred it would be ready to consider the Planning Commission recommendation of the Green Store matter on July 23. Council requested to receive Green Store exhibits prior to packet delivery and preferably by Friday, July 13.

**EXECUTIVE SESSION**

City Council recessed into Executive Session per RCW 42.30.110 (1)(b) to discuss legal matters regarding the Green Store at 10:40 pm. City Council reconvened into regular session at 10:53 pm and immediately adjourned. No action was taken.

**ADJOURNMENT**

**THE JULY 9, 2007 CITY COUNCIL REGULAR MEETING ADJOURNED AT 10:53 PM.**

The July 9, 2007, Regular Meeting of the Medina City Council adjourned at 10:53 pm.

The next Regular Meeting of the Medina City Council will be held Monday, July 23, 2007 at 7:00 pm.



Miles R. Adam, Mayor

Attest: 

Rachel Baker, City Clerk