



CITY COUNCIL MINUTES REGULAR HYBRID MEETING OCTOBER 18, 2022

CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the regular meeting to order at 5:00 pm in the Council Chambers at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Salim Nice, Deputy Mayor David Rosenbaum and Councilmembers Lisa Anderl, Jake Jacobson, Craig Reynolds, Wendy Weiker and Ted Weinberg participated in person in Council Chambers.

PLEDGE OF ALLEGIANCE

The City Council delivered the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Jacobson; seconded by Weinberg to:

Approve the agenda.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

SPECIAL BUSINESS

AB 6170: Mercer Island Sister City Association Art Unveiling and Presentation

Sister City representatives Kirsten Taylor and Jane Brahm presented a brief overview of the history of the Sister City relationship with Thonon-Les-Bains from 2000 through 2022, and about the delegation that traveled to Thonon to commemorate the 20 years of being Sister Cities. Ms. Brahm presented the exchanging of gifts of art the gift to the City from Thonon of the painting 3 Sail Boats on Stormy Lac Lamont by artist Ann Foudral. She also spoke about the City's gift to Thonon of a circular glass sculpture with engravings of water, bridge and mountains designed by Jai Kumaran and Michael Jekubik, and created by Seattle Glassblowing Studio. Ms. Brahm spoke about the adult and youth exchanges that continue to occur between the City and Thonon, and upcoming French events that are hosted by the Sister City Association and open to all.

STUDY SESSION

INTRODUCTION TO JUDGE JEFF GREGORY/MERCER ISLAND MUNICIPAL COURT

Judge Jeff Gregory introduced himself as the municipal court judge for City of Mercer Island. Judge Gregory thanked the Council for their trust in his appointment as the second ever judge for the Mercer Island Municipal Court. He spoke about the steps he has taken and is continuing to take to upgrade Court in procedures and technology to bring the court in line with the other courts in King County and the state. Judge Gregory thanked City Staff for their help and support of the Court, and he thanked the Court staff for being willing to embrace change with enthusiasm, excitement, and support.

City Council asked questions of Judge Gregory and thanked him for the work the Court is doing.

CITY MANAGER REPORT

City Manager Bon reported on the following items:

- **Council, Boards & Commission Meetings Update:** Next City Council meeting is November 1 Hybrid City Council meeting, Arts Council October 19, Open Space Conservancy Trust October 20, and Planning Commission October 26.
- **City Services Updates:** I-90 incident on East Channel bridge, Climate Action Plan Survey is currently underway, host your event at MICEC, 76th mid-block crosswalk is now open, removing unhealthy trees from the City's right of way and at Clarke Beach, MIPD recent trainings, MIPD supporting breast cancer awareness month, MIPD Student Resource Office Barragan and YFS Counselor Chris Harnish featured in MIHS student-produced The Current.
- **Upcoming Events:** Community Conversations series on October 24 and 26, Prescription Drug take back day October 29, Fall Recycling event on October 29, Town Center Trick or Treating, Friday October 28, Pumpkin Walk at Mercerdale, Sunday October 30,
- **News:** MIHS hosted Family night at MICEC

APPEARANCES

Alex Tsimerman, addressed the City Council.

CONSENT AGENDA

AB 6166: October 7, 2022 Payroll Certification

Recommended Action: Approve the October 7, 2022 Payroll Certification (Exhibit 1) in the amount of \$919,134.51 and authorize the Mayor to sign the certification on behalf of the entire City Council.

Certification of Claims:

A. Check Register | 213219-213365 | 9/30/2022 | \$1,727,129.39

B. Check Register | 213366-213448 | 10/7/2022 | \$699,015.06

Recommended Action: Certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

City Council Meeting Minutes of:

September 30, 2022 Special Hybrid Meeting (Executive Session)

October 3, 2022 Special Hybrid Meeting

Recommended Action: Approve the minutes of the September 30, 2022 Special Hybrid Meeting (Executive Session) and October 3, 2022, Special Hybrid Meeting.

It was moved by Rosenbaum; seconded by Anderl to:

Approve the Consent Agenda and the recommended actions contained therein.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

REGULAR BUSINESS

AB 6169: Public Hearing: Receive the 2023-2024 Preliminary Budget

Mayor Nice opened the public hearing at 5:51pm.

There being no public comment Mayor Nice closed the public hearing at 5:52pm.

AB 6167: Comprehensive Plan Amendment (Remove Figure TC-1) – First Reading of Ord. No. 22-17

Interim CPD Director Jeff Thomas presented the proposed Comprehensive Plan amendment to remove Figure TC-1 from the Comprehensive Plan. Director Thomas presented the background of the amendment.

He spoke about the direction staff received to amend the Comprehensive Plan, to avoid inconsistencies between the Mercer Island City Code and the Comprehensive Plan, to remove Figure TC-1 when City Council passed Ordinance 22C-09 on June 21, 2022. Director Thomas also presented the Planning Commission review and recommendation to amend the Comprehensive Plan.

It was moved by Weinberg; seconded by Rosenbaum to:

Conduct first reading of Ordinance No. 22-17 and schedule a second reading and adoption on the Consent Agenda on November 1

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker and Weinberg)

AB 6168: Update on Outdoor Dining Regulations

CIP Project Manager Sarah Bluvas gave an update on outdoor dining regulations. CIP Project Manager Bluvas provided a background of the interim outdoor dining regulations from 2020 through January 2023. She spoke about the temporary regulations that the Washington State Liquor and Cannabis Board (WSLCB) enacted during the pandemic that allowed businesses to set up and serve alcohol on public property that is not contiguous with their establishment and how this allows right-of-way use permit holders to offer outdoor dining. She spoke about how the WSLCB temporary regulations are set to expire on July 1, 2023. CIP Project Manager Bluvas discussed how staff have paused the work in reaching a permanent solution to evaluate a better path forward for businesses, the staff recommendation to renew the interim regulations through July 1, 2023 through Ordinance No 22C-25, and staff are proposing adding a code amendment to make these regulations permanent to the 2023 docket that will be coming before City Council at a later meeting. She also spoke about the work staff is undertaking to advocate to the WSLCB to reconsider the end of the temporary regulations, and other engagement and outreach to neighboring cities.

City Council asked questions of staff.

It was moved by Jacobson; seconded by Reynolds to:

Schedule a public hearing at an upcoming Council Meeting to renew interim regulations established by Ordinance No. 21C-25

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker and Weinberg)

AB 6169: Discussion: Receive the 2023-2024 Preliminary Budget

City Manager Jessi Bon gave a quick look at where City Council is at in the 2023-2024 budget process, the remaining steps, and the goals for tonight.

Finance Director Matt Mornick presented an overview of the budget schedule, an explanation of what is included in Section D "Operating Budget by Department", spoke the workplans and spoke about how a few strategic work items address fiscal needs, support local businesses, and improve/enhance operations including 1 – development of a long-term funding strategy for YFS, 2 – deliver an economic development strategy per the Comprehensive Plan periodic update, and 3 – new systems to improve operations, personnel tracking and financial reporting. Finance Director Mornick discussed the cost allocation study and how it will inform cost recovery, updated agreements with Mercer Island School District to maximize resources, interlocal agreements to ensure full cost of services are recovered, and development of a special revenue fund for Development Services (CPD). Finance Director Mornick presented the staffing levels for 2023–2024 and position vacancies by fund. He discussed the 2023-2024 Capital Improvement Program (CIP), how the CIP program is funded, and the REET budget policy.

Council gave a thumbs up to use \$3.7 million in REET-2 reserves to help fund the Luther Burbank dock and waterfront improvements and to \$1.6 million in ARPA funds for critical public facility improvements.

Finance Director Mornick presented on how the City funds technology.

City Manager Bon presented the budget proposals and presented her recommendation to defer decisions on all General Fund and YFS fund budget proposals until the second quarter of 2023.

City Council discussed the budget.

It was moved by Weinberg; seconded by Reynolds to:

Allocate up to \$10,000 for replacing in 2023 those city-owned gas-powered leaf blowers for a continuation of the city's pilot program for eventually replacing its gas-powered backpack blowers with electronic models that can effectively fulfill the same needs

FAIL 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Rosenbaum; seconded by Weiker to:

Move to postpone consideration of the General Fund and YFS Fund budget proposals until Q2 2023. Advance the Capital Fund, Street Fund, and Utility Fund budget proposals for discussion and final disposition at the November 1 City Council meeting.

PASSED: 6-1

FOR: 6 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, and Weiker)

AGAINST: 1 (Weinberg)

It was moved by Weinberg; seconded by Reynolds to:

Include in the budget proposal list for November 1st a reservation of \$50,000 of the unassigned general fund balance – \$15k in 2023 and \$35k in 2024 – for implementing early actions in the Climate Action Plan

FAIL 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

OTHER BUSINESS

Planning Schedule

City Manager Bon spoke about the next meeting on November 1, about the Joint Meeting with the Mercer Island School Board of Directors on November 3, about the November 15 City Council meeting and about the anticipated last Council meeting of the year on December 6. City Manager Bon will be looking for a motion to cancel the December 20 meeting at a later meeting

Councilmember Absences and Reports

Reynolds will be in Europe for the November 1 meeting but is planning to attend.

Jacobson

- There is an upcoming disability board meeting in November
- Arbor Day event

Weinberg

- October 11 – Economic Development Workgroup Meeting
- October 12 – SCA PIC Meeting
- October 12 – ARCH 30th Anniversary Celebration
- October 13 – K4C Elected Officials Work session
- October 14 – Milestone celebration for the Hope Factory

ADJOURNMENT

The regular Council Meeting adjourned at 7:31pm.

EXECUTIVE SESSION

At 7:45 pm, Mayor Nice convened an Executive Session in the Farside Room at City Hall, 9611 SE 36th Street, Mercer Island, WA and via Microsoft Teams. The Executive Session was to discuss with legal counsel

pending or potential litigation pursuant to RCW 42.30.110(1)(i).

Mayor Nice adjourned the Executive Session at 9:01 pm

Attest:

Salim Nice, Mayor

Andrea Larson, City Clerk