

**City of Sammamish
Council Minutes
Special Meeting/Study Session
June 28, 2000**

Mayor Jack Barry called the meeting to order at 6:35 p.m.

Councilmembers present: Mayor Jack Barry, Deputy Mayor Troy Romero (arrived 6:40), Councilmembers Phil Dyer (arrived 6:40), Don Gerend, Kathleen Huckabay and Kenneth Kilroy.

Councilmembers absent: Ron Haworth

Staff present: City Attorney Bruce Disend, Director of Administrative Services Dennis Richards, Chief Richard Baranzini, City Engineer Dick Thiel, Community Development Director Ray Gilmore, Planning Manager David Sawyer and City Clerk Melonie Anderson.

Student Liaisons: Mary Vinuelas, Skyline High School.

Roll Call/Pledge

Roll was called. Councilmember Huckabay led the pledge.

MOTION: Councilmember Huckabay moved to approve the agenda. Councilmember. Councilmember Gerend second. Motion passed unanimously 6-0.

Chief Baranzini asked if the Mayor would like to christen the new radar reader trailer after

MOTION: Councilmember Kilroy moved to approve the Consent Calendar. Councilmember Huckabay second.

- a) Claims for the period ending June 15, 2000 in amount of \$100,306.21.
- b) Payroll for period May 16-30,2000 in amount of \$46,575.50.
- c) Minutes of Regular Council Meeting May 17, 2000.
- d) Minutes of Regular Council Meeting June 7, 2000.

Motion passed unanimously 6-0.

4. New Business

a) Ordinance No O2000-62: Granting a Franchise to Metricom, Inc.

MOTION: Councilmember Huckabay moved to adopt an ordinance for the City of Sammamish granting a franchise to Metricom, Inc. Councilmember Gerend second. Motion passed 6-0.

City Engineer Dick Thiel explained that this ordinance is to correct an oversight that occurred at the time Council adopted the King County Franchises under their jurisdiction. Metricom, Inc. provides high-speed Internet access to the City. Lisa Verner, representing Metricom, Inc., explained the service the company provides. The franchise will remain in effect for seven years.

b) Ordinance No O2000-65: Fireworks regulations.

MOTION: Councilmember Kilroy moved to adopt an ordinance for the City of Sammamish banning the sale and use of fireworks, and allowing for public displays.

The Fire Chief from Eastside Fire and Rescue spoke in favor of a complete ban on fireworks. He recommended the ban because there are heavily wooded areas in the City, the type of construction here and the interface with surrounding jurisdictions that have completely banned fireworks. If Sammamish remains one of the few cities allowing purchase and use of fireworks, sales and use would probably increase in this area.

Councilmember Huckabay suggested that banning the possession of fireworks should be added to the proposed ordinance.

MOTION: Councilmember Dyer moved to amend the original motion introducing the motion to annotate the point of order that the ordinance not now described as having an ordinance number be labeled the substitute ordinance O2000-65. Councilmember Romero second. Motion passed unanimously 6-0.

After questioning several references in the ordinance, Councilmember Dyer asked for a copy of the Washington Administrative Code describing Class C fireworks that are referred to in the ordinance.

Chief Baranzini explained that every type of firework would be banned under this ordinance. When questioned by Councilmember Dyer, the Chief explained that explosive and flying devices cause the highest incidences of severe injuries. Sparklers cause the highest frequencies of minor injuries. A juvenile convicted of using, selling or possessing fireworks would be guilty of a misdemeanor.

MOTION: Deputy Mayor Romero moved to recess the Council for four minutes. Councilmember Gerend second. Motion passed unanimously 6-0.

Council recessed from 7:21 to 7:25.

MOTION: Councilmember Romero moved to table ordinance O2000-65 until after the study session. Councilmember Huckabay second. Motion passed unanimously 6-0.

c) Contract C2000-52: Agreement with Puget Sound Energy for Arterial Street Lights.

City Engineer Dick Thiel made the staff presentation. This contract will provide for filling in streetlights where necessary. The annual cost of the energy for a full year is about \$23,000. The project will be completed in September. It is not a budgeted item but there are sufficient funds. There is money in the Street Fund that can be allocated to it.

MOTION: Councilmember Huckabay moved to direct the City Manager to sign a contract between Puget Sound Energy and the City of Sammamish for Arterial Street Lights. Councilmember Romero second. Motion passed 5-1 with Mayor Barry dissenting.

d) Contract No C2000-53: Agreement with Gray & Osborne, Inc. for Sidewalk/School Project Design.

City Engineer Dick Thiel explained the design work would be for installation of sidewalks in locations identified by both the staff and the two school districts as their top priorities. Total cost for the project will be around \$200,000. Though the work will not be completed before school starts it should be complete by October and should not disrupt traffic.

Councilmember Kilroy stated that he would vote against this measure because he believes \$30,000 is too much money just for design.

MOTION: Councilmember Huckabay moved to direct the City Manager to sign a contract between Gray & Osborne, Inc. and the City of Sammamish for Sidewalk/School Projects Design. Councilmember Gerend second. Motion passed 4-2 with Councilmember Kilroy and Deputy Mayor Romero dissenting.

MOTION: Deputy Mayor Romero moved to recess the Special Meeting from 7:40 pm until 9:15 pm so Council could continue with the study session. Councilmember Gerend second. Motion passed 6-0.

Council recessed until 7:55 pm.

Council opened the Study Session portion of the meeting at 7:55 pm. They spoke with 24 candidates for the Planning Advisory Board. After the interviews Mayor Barry directed the Community Development Committee to come back with 15 nominations to the board plus four alternates.

Mayor Barry reconvened the Special Meeting at 9:25 pm.

MOTION: Councilmember Dyer moved to reconsider Ordinance No. O2000-65 to return it to the table. Councilmember Romero seconded. Motion passed unanimously 6-0.

AMENDMENT: Councilmember Dyer moved four amendments to Ordinance No. O2000-65 to read as follows: (1) It is unlawful for any person to sell, possess, use or discharge any fireworks within the city except for the following types of fireworks as defined under WAC 212-17-035: 212-17-035 (1) (a), (b), (c), and (g) only. (2) No person shall offer for retail or wholesale sale, fireworks, (other than those exempted under

Section 2, as defined by WAC as 212-17-035 (1)(a), (b), (c), and (g) only. Except as authorized by a State license and City permit granted pursuant to RCW 70.77.260 (2) (application for permit), RCW 70.77.280 (public display permit) or RCW 70.77.311(2) (use by individual or group for religious or other specified purpose on approved date and at approved location), no person shall ignite, explode or discharge fireworks within the City except those defined under WAC as 212-17-035 (1)(a), (b), (c), and (g) only. (3) Add a new section to read: Purchase, Possession, Use and Discharge of permitted fireworks; As permitted in sections 2 and 4 of this ordinance, the public may purchase permitted fireworks at authorized stands between noon, June 28, 2001 and 5:00 PM on July 4th of each year. Purchase or discharge is prohibited between the hours of 11:00 PM and 9:00 AM, and discharge shall only be allowed on July 4th of each year. (4) A new section is added (to be numbered accordingly), The authorized, contracted or employed Fire Chief/Marshall of the City of Sammamish, in cooperation and conjunction with the Chief of Police of the City of Sammamish shall conduct an ongoing study of effects of this ordinance to improve the safety and well being of Sammamish citizens. This study shall include but not be limited to injury rate, severity and type in comparison to pre-ordinance conditions, and recommendations for further safety considerations. Councilmember Gerend seconded. Motion passed 6-0.

MAIN MOTION: To adopt amended ordinance O2000-65 passed 5-1 with Deputy Mayor Romero dissenting.

e) Revised Organizational Chart.

City Manager Mike Wilson explained the changes to the organizational chart, noting that staff was only requesting one additional position (Administrative Assistant in Public Works).

MOTION: Councilmember Dyer moved to table the consideration of the organizational chart until after the Council retreat. Councilmember Kilroy seconded. Motion passed 5-1 with Councilmember Gerend dissenting.

MOTION: Councilmember Kilroy moved to change the date of the Council Retreat from August 5 to July 22. Deputy Mayor Romero seconded. Motion passed 6-0.

Adjournment: Mayor Barry adjourned the meeting at 10:20 pm

Melonie Anderson, City Clerk

Mayor Jack Barry