

COUNCIL MINUTES

Regular Meeting November 21, 2017

Mayor Bob Keller called the regular meeting of the Sammamish City Council to order at 6:00 pm.

Councilmembers present:

Mayor Bob Keller
Deputy Mayor Christie Malchow
Councilmember Don Gerend
Councilmember Tom Hornish (arrived 6:05 pm)
Councilmember Kathy Huckabay
Councilmember Tom Odell
Councilmember Ramiro Valderrama

Staff present:

Lyman Howard, City Manager
Jessi Bon, Deputy City Manager
Jeff Thomas, Community Development Director
Mike Sugg, Management Analyst
Aaron Antin, Finance/IT Director
Chris Gianini, Finance Deputy Director
Angie Feser, Parks & Recreation Director
Steve Leniszewski, Public Works Director
Tim Larson, Communications Manager
Kim Adams Pratt, City Attorney
Lita Hachey, Deputy City Clerk

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Huckabay led the pledge.

Approval of Agenda

Councilmember Gerend requested that Item # 3 - Ordinance: Second Reading, Amending Chapter 21A.50.225 Of The Sammamish Municipal Code Pertaining To The Erosion Hazards Near Sensitive Waterbodies Overlay be pulled from the Consent Calendar and place under Unfinished Business.

MOTION: Councilmember Valderrama moved to approve the Agenda as amended. Councilmember Gerend seconded. Motion carried unanimously 6-0.

Executive Session - Potential Litigation Pursuant to RCW 42.30.110(1)(i)

Council retired to the executive session at 6:05 pm and returned at 6:36 pm with no action.

Public Comment

Kent Treen, 1825 E Lk Sammamish Pkwy SE, spoke about permanently repealing the pilot program (showed a presentation, available upon request to the City Clerk, manderson@sammamish.us)

Debbie Treen, 1825 E Lk Sammamish Pkwy SE, spoke about permanently repealing the pilot program (showed a presentation, available upon request to the City Clerk, manderson@sammamish.us)

K.C. Thompson, Lorree Estates, spoke about permanently repealing the pilot program (showed a presentation, available upon request to the City Clerk, manderson@sammamish.us)

Ted Melancon, 24604 SE 14th St, spoke regarding the moratorium and how it impacts his property. He requested that Council consider an exemption for short plat proposals.

Mariellen Eastman, 19725 NE 42nd Way, spoke regarding phosphorus, the East Basin plan and the Pilot program (showed a presentation, available upon request to the City Clerk, manderson@sammamish.us)

Aaron Eastman, 19725 NE 42nd Way, (continued Ms. Eastman's presentation) spoke regarding phosphorus, the East Basin plan and the Pilot program (showed a presentation, available upon request to the City Clerk, manderson@sammamish.us)

Cheryl Hooper, 2002 251st Pl SE, spoke regarding the City Council possibly adding exemptions to the moratorium and is against this and would like to have the moratorium left as is.

Ramu Iyer & Margaret Rosenow, Arts Commissioners, spoke about a proposed art sculpture project at the entrance to Pine Lake Park (showed a presentation, available upon request to the City Clerk, manderson@sammamish.us)

Councilmember Valderrama requested the City Manager add this to the discussions on Item# 15 - Revising the 2017-2018 Biennial Budget on today's agenda.

Deb Sogge, 704 228th Ave NE, Sammamish Chamber of Commerce, thanked Council for the proclamation regarding Small Business Saturday, she requested that all Citizen's support local businesses during the holiday season and spoke about the Council's vision on having the Village Center and we now have that. A core area to gather and not have to leave the Plateau. She asked that Council please exempt the Town Center to continue with that vision.

Tim Russell, representing the Sammamish Village project in the Town Center. He requests that Council exempt the Town Center from the building moratorium. He stated that a moratorium could stop the vision of a Town Center all together.

Leonard Abeyha, 3226 239th Ave SE, spoke regarding the moratorium and transportation in Sammamish. He would like Council to take a look at the overall planning and vision for Sammamish.

James Keffer, 23811 NE 14th St, spoke regarding the building moratorium and the affects it has on his property. He would like Council to consider the small property owners and exempt them from the moratorium.

Consent Agenda

Approval: Claims For Period Ending November 21, 2017 In The Amount Of \$2,309,133.79 For Check No. 48918 Through 49033

Proclamation: Small Business Saturday

~~**Ordinance:** Second Reading, Amending Chapter 21A.50.225 Of The Sammamish Municipal Code Pertaining To The Erosion Hazards Near Sensitive Waterbodies Overlay **R2017-453**~~

Resolution: Amending Resolution R2016-703 The City's Master Fee Schedule
R2017-753

Resolution: Adopting The City Of Sammamish Employee Salary Schedule For Fiscal Year 2018 **R2017-754**

Resolution: Establishing Medical Insurance Premium Contribution Rates For Fiscal Year 2018 **R2017-755**

Resolution: Amending The Employee Handbook to Add Overtime Pay For Hours Worked On City Observed Holidays, Excluding Floating Holidays, And Adding Clarifying Language To Existing Procedures
R2017-756

Resolution: Accepting The 2016 Pavement Program - Overlays as Complete **R2017-757**

Contract Amendment: Utility Rate Study/FCS Group

Approval: October 10, 2017 City Council Study Session Notes

Approval: October 17, 2017 City Council Regular Meeting Minutes

MOTION: Councilmember Valderrama moved to approve the Consent Calendar as amended. Councilmember Odell seconded. Motion carried unanimously 7-0.

Presentations/Proclamations

Discussion: Transportation Planning – Transportation Master Plan Update & Short-Term Capital Projects Discussion

Jessi Bon, Deputy City Manager introduced Kendra Breiland, with Fehr & Peers, gave a staff update and showed a presentation. *(available on the Sammamish website at www.sammamish.us Slides 1 - 22)*

Councilmember Hornish commented that eventually we want to get to the time of travel which was missing from the discussion in short term projects on slide 20.

Councilmember Odell commented on Connector stops (slide 9) and why the time frame is so long. Pedestrian crossings along 228th Ave are a problem and thought needs to be put in on how to fix the problem. Localized improvement to 228th Ave by extending the left-hand turn lanes.

Councilmember Valderrama commented on slide 20, capturing user experience as Councilmember Hornish did. He stated it was important to not jeopardize impact fees.

Deputy Mayor Malchow stated that the school bus routes are totally controlled by the school districts. There are many parents who drive their kids to school, schools have a problem due to lack of school bus drivers and over-crowded buses.

Andrew Zagars, City Engineer spoke regarding the Issaquah Pine Lake Road design. He gave a staff update and continued with the presentation. *(available on the Sammamish website at www.sammamish.us Slides 23 - 26)*

Deputy Mayor Malchow spoke regarding the Issaquah Pine Lake Road scope and the Issaquah School District property and the order of phases of 1, 2 and 3. Should it be a reversed phasing? Will the three lanes help?

Councilmember Odell addressed Phase 1 at SE 32nd. Would adjustment be made to the single lane round-about to a 2 lane round-about?

Councilmember Huckabay suggested coordinating with the City of Issaquah and their Transportation Benefit District. Traffic lights at the Providence Point area would impact the flow to the roundabout at SE 43rd. Staff is currently working with the City of Issaquah.

Mayor Keller feels we need an overall prioritizing view about what order we are placing these major construction projects and sequencing.

Councilmember Gerend spoke about possible Grant requests on the phases for this project.

Mr. Zagars and Steve Leniszewski, Director of Public Works also addressed the City-wide Minor Intersection Improvements update and showed a presentation. *(available on the Sammamish website at www.sammamish.us Slides 27 – 29)*

Councilmember Huckabay commented on the Discovery Elementary school turn pocket and prioritizing additional items from SE 24th to Issaquah Pine Lake Road.

Councilmember Odell spoke regarding the Beaver Lake Middle school turn-lane into the school for drop-offs. Staff is coordinating with the school.

Councilmember Gerend suggested roundabouts in these major intersections as a solution.

Deputy Mayor Malchow commented on Intersection Improvements/ Priority Projects - slide 29 – 228th/SE 8th – SB left lane turn pocket extension needs to be added.

Jessi Bon, Deputy City Manager spoke regarding Regional Coordination and the SR 202 and Sahalee Way intersection. *(Presentation available on the City website @ www.sammamish.us Slide 31)*

Deputy Mayor Malchow doesn't not want Staff to lose sight of the major intersection problem at the Parkway and SR202. Councilmember Huckabay suggested a transit service down Inglewood Hill Rd/E Lk Sammamish Pkwy to the future light-rail station in Redmond.

Dan Hansen, consultants from Perteet, Inc. gave a presentation on the Sahalee Way Corridor Design. *(Presentation available on the City website @ www.sammamish.us, Slides 32 - 40)*

Councilmember Hornish feels that there are short term fixes at various intersections on 228th Ave that can be prioritized.

Councilmember Valderrama feels that the large item decisions should be delayed until the next Council is on-board in January.

Councilmember Odell feels that Items 1, 3 and 4 are all top priority whether now or in January. He stated that at this stage it is strictly design work.

Councilmember Gerend supports Items 1, 2 and 3. He supports leaving the Corridor design till next year. Deputy Mayor Malchow would like the intersection restriped at Sahalee Way at SR202.

Councilmember Huckabay likes Item 1, 2 and the Regional Coordination. She would prefer more discussion on transit, bus pull-outs & short term improvements.

Mayor Keller would like follow-up on the restriping of the intersection at SR202 and coordinating this with the regional committee.

ITEM	FINANCIAL IMPACT
1. Issaquah Pine Lake Rd Design Phase 1	\$1,700,000*
2. Citywide Minor Intersection Improvements	\$330,000
3. SR-202 Intersections – Regional Coordination	\$100,000- 200,000
4. Sahalee Way Corridor Design	TBD**

City Council would like to move forward with the allocation of funds for the following Items into the budget:

Item # 1 – All supportive except Councilmember Valderrama.

Item # 2 – All of Council is supportive. All feel more funds are needed.

Item # 3 – All of Council is supportive at \$200,000.

Item # 4 – Councilmember Valderrama, Councilmember Hornish, Deputy Mayor Malchow, Councilmember Huckabay and Mayor Keller are not supportive. Councilmembers Gerend and Odell are supportive.

Student Liaison Report – None

Council recessed at 8:58 pm for 5 minutes.

Public Hearing

Emergency Ordinance: O2017-445 - Development Moratorium, Amending Section 3 Of Ordinance O2017-445 Relating To Categorical Exemptions To The Six-Month Moratorium On The Acceptance Of Certain Applications For Land Use, Development, And Building Permits Or Approvals Within The City Of Sammamish; Providing For Severability; Declaring An Emergency; And Establishing An Immediate Effective Date

Jeff Thomas, Community Development Director and David Pyle, Community Development Deputy Director gave a staff update and showed a presentation. (*available upon on the City website at www.sammamish.us*)

Public Hearing opened at 9:10 pm and closed at 10:07 pm with the following comments:

Lilas Melancon, 24604 SE 14 St, would like an exception for short plats.

Vonie Nivolo, 22026 SE 4-St, requested an exception for short plats and to lift the moratorium.

Catherine Freudenberg, 22930 SE 1 St, spoke requesting Council lift the moratorium. She would like to see the Town Center plan completed.

Steve Dougin, 5135 240 Ave NE, he is a part of a project to provide senior housing in the Town Center and he feels the moratorium will be detrimental to the businesses and development. He feels the Town Center should be exempt.

Leonard Avayha/ Delia Sanchez, 3226 234 Ave SE, presented a Youtube presentation for Delia Sanchez. She feels it is necessary to have a moratorium and it should not be modified.

Karen Herring, 23684 SE 32 Ave, feels that Council should keep the moratorium in place until the traffic concurrency has been sorted out.

Linda Dulken, 23117 E Main St, spoke against the moratorium in regard to the Town Center Plan. She feels it should be exempt.

Barbara Yarrington, 15900 SE Eastgate Way, Quadrant Homes, she spoke about the moratorium and suggested slight modifications.

Natalie Price, 14510 SE 50 St, Bellevue, spoke on behalf of the real estate investors, STCA in the Town Center, she would like Council to remove the Town Center from the moratorium. She requests that all zoning districts within the Town Center should be removed from the moratorium.

Kevin L. Jones, 12131 113 Ave NE, Suite 203, Kirkland, Principal of Transpo Group, on behalf STCA, would like an exemption for the Town Center UZDP's with regards to the development moratorium. *(comments available upon request to the City Clerk, manderson@sammamish.us)*

Terry Shook, 2151 Hawkins St, North Carolina, Architectural firm, Shook/Kelly, on behalf of STCA, he would like to encourage Council to remove the Town Center from the development moratorium.

Edward Zercher, 22244 SE 4 St, he feels the Town Center should be an exemption in the moratorium. The Town Center is seeing momentum and thriving.

Jennifer Anderson, 12204 SE 67 Pl, Bellevue, WA, Master Builders Association, she approves the revised ordinance brought forward today. *(previously submitted written comments available upon request to the City Clerk, manderson@sammamish.us)*

John Galvin, 432 228 Ave SE, he spoke regarding the Town Center and is against the development moratorium. He feels that concurrency is not the issue. *(previously submitted written comments available upon request to the City Clerk, manderson@sammamish.us)*

Clarion Maybee, 6717 46 Ave SW, Seattle, spoke about his property and a reasonable use exception. He approves the proposed revised moratorium. *(written comments available upon request to the City Clerk, manderson@sammamish.us)*

Miki Mullor, 23977 SE 10 St, submitted a presentation but declined to further comment. *(presentation available upon request to the City Clerk, manderson@sammamish.us)*

Santiago Lozano Garrido, 3602 212 Pl SE, he thanked Council for the moratorium and feels it is a good thing and a chance to step back and look at what we have and develop a new plan to move forward.

Diana Merritt, 3450 E Lk Sammamish Pkwy NE, spoke about her short plat and would like to see some vesting of her pre-application.

Paul Marks, 3318 239 Ave SE, spoke in favor of the moratorium and restraining the development of short plats. He feels traffic is a nightmare and we need to stop development.

Ken Gamblin, 1830 215 Place NE, spoke that homeowners should be allowed to do what they like with their property. He feels concurrency and traffic are issues that needs to be dealt with. He feels the moratorium is needed to get a grip on the concurrency problems.

Tolley Coenen, 20940 NE 44-St, spoke on behalf of his homeowners association and a home in need of boundary line adjustment. He would like the Council to make some exceptions to the ordinance so these issues can move forward.

Aryan Taheri, 2050 265 Ave SE, spoke regarding the moratorium and the need for additional schools. He requests Council make exceptions for small structures.

MOTION: Councilmember Valderrama moved to extend the meeting until 11:00 pm. Councilmember Hornish seconded. Motion carried unanimously 7-0.

Option A: The term "Permit Applications" shall not include applications for:

- a. Permits and approvals for churches, synagogues, and temples; health service uses; education service uses; park use; and day care facilities I and II (all as defined in chapters 21A.15 and 21A.20 SMC); YES – All, except Councilmember Huckabay
- b. Permits and approvals for additions or alterations to existing single-family residences including, but not limited to, carports/garages, decks, docks, electrical/mechanical/plumbing, interior building permits, exterior building permits, rockeries/retaining walls, spas/pools, sports courts; YES - All
- c. Permits and approvals for additions or alterations to existing multi-family residential ~~and commercial structures~~ when such additions or alterations do not result in the creation of new units, and permits for structures replacing pre-existing structures destroyed by fire or other unintentional casualty; YES - All
- d. Permits and approvals for new single family homes, on any legally created lots ~~previously created through subdivision or short subdivision approvals~~; YES – except Deputy Mayor Malchow, Councilmembers Huckabay and Odell
- e. Permits and approvals for government facilities and structures including, but not limited to, streets, utilities, and surface water improvements; YES - All

- f. Permits and approvals for removal and replacement of significant hazardous trees; YES - All
- g. Permits and approvals for signs; YES – All (Becomes “t”)
- ~~g. Permits and approvals for accessory dwelling units;~~
Remains in and to become “t”
- h. Permits and Approvals for uniform zone development? plans in any Town Center zoning district issued under chapter 21B.95 SMC
YES – 4 -3 except Councilmember Hornish, Deputy Mayor Malchow and Councilmember Odell
- i. Permits and approvals for law enforcement, emergency medical, ~~and~~ disaster relief facilities, parking and storage;
YES – All
- j. Permits and approvals of any type submitted on or before the date of adoption of this ~~e~~Ordinance, even if such application is not complete including those for which an pre-application meeting was completed with by the City received to the satisfaction of the Community Development Director and/or designee; ~~and~~
YES 5-3 except Councilmember Hornish, Deputy Mayor Malchow and Councilmember Odell
- k. Permits and approvals for development wholly comprised of “affordable housing units” as that term is defined in SMC 21B.75.060(1); YES - All
- l. Permits and approvals for Demolition; YES – All
- m. Permits and approvals for Clearing and Grading; YES - All
- n. Permits and approvals for a Boundary Line Adjustment (BLA); YES - All
- o. and approvals for a Preliminary Short Plat (PSHP); NO - 4-3
- p. Permit and approvals for a Binding Site Plan (BSP); NO - All
- q. Permits and approvals for a Reasonable Use Exception (RUE) for any legally created lot resulting in a new single-family residence; YES - 6-1
- r. Permits and approvals for Wireless Communication Facilities (WCF); and YES- ALL

- s. Permits and approvals for standalone commercial uses and structures. YES- 4-3 except Councilmember Hornish, Deputy Mayor Malchow and Councilmember Odell
- t. Moved from letter g above: Permits and approvals for accessory dwelling units;

MOTION: Councilmember Odell moved to extend the meeting until 12:00 pm. Councilmember Hornish seconded. Motion carried with a vote of 6-1 with Councilmember Valderrama dissenting.

City Council retired to an executive session pursuant to RCW42.30.110(1)(i) at 11:05 pm and returned at 11:16 pm.

MOTION: Councilmember Gerend moved to approve the Ordinance O2017-00445A as amended. Councilmember Huckabay seconded. Motion carried by a vote of 4-3 with Councilmember Hornish, Deputy Mayor Malchow and Councilmember Odell dissenting.

Councilmember Odell feels the City needs to control development until traffic and concurrency plans are in place.

Councilmember Hornish feels that traffic should be our number one priority at this time.

Deputy Mayor Malchow stated that the Town Center will generate trips outside the City and a new concurrency plan should be in place before allowing further development.

MOTION: Councilmember Odell moved to extend the meeting until 1:00 am. Councilmember Huckabay seconded. Motion carried with a vote of 7-0.

Council agreed to continue the current City Council meeting on Tuesday, November 28th at 9 am

Ordinance: First Reading; Amending Chapters 13.10, 13.20 And 13.30 Of Sammamish Municipal Code Title 13, Related To Surface Water Management; Amending Sammamish Municipal Code 21a.15.255 Relating To Critical Drainage Areas; Amending The Sammamish Addendum To The 2016 King County Surface Water Design Manual; Providing For Severability; And Establishing An Effective Date

Cheryl Paston, Public Works Deputy Director and Tawni Dalziel, Sr. Stormwater Program Manager gave a staff update and showed a presentation. (available upon on the City website at www.sammamish.us)

Public Hearing opened at 12:02 pm and will continue to the second reading, with the following comments:

Frank Santoni, 22828 SE 6 Pl, spoke about his design build company and feels that exemption must exit to get reasonable use of his properties in the Pine Lake Drainage Basin (submitted written comments, available upon request to the City Clerk, manderson@sammamish.us)

Jeffrey Weems, 941 206th Pl NE, spoke regarding the code amendments. (submitted a presentation, available upon request to the City Clerk, manderson@sammamish.us)

Unfinished Business

Ordinance: Second Reading, Amending Chapter 21A.50.225 Of The Sammamish Municipal Code Pertaining To The Erosion Hazards Near Sensitive Waterbodies Overlay (**O2017-453**)

MOTION: Councilmember Hornish moved to adopt the ordinance O2017-45 amending Chapter 21A.50.225 Of The Sammamish Municipal Code Pertaining To The Erosion Hazards Near Sensitive Waterbodies Overlay. Councilmember Odell seconded. Motion carried unanimously 6-1 with Councilmember Gerend dissenting.

Gerend spoke regarding the reasons not to vote for this code amendment. He stated that years ago, in our urban sprawl, we have actually taken away fertile land and agriculture. Now we have saved ourselves in the last fifty years by improved hybrid crops and other techniques but nevertheless at that point, it didn't make sense to build in our flat farmlands and made more sense to build housing on the hills. The hills are not good for agriculture. Now fifty years later, we are saying we shouldn't build on the hills. When the pilot program was started, it proved that we could still build even with stricter regulations. We can build safely on hillsides, even in the north end of Sammamish and improve the environment. So for that reason he disagrees with this ordinance and will vote no.

The following items were moved to a Special City Council Meeting on Tuesday, November 28, 2017 at 9 am.

Ordinance: Second Reading; Amending Ordinance No. 02017-439, The 2017-2018 City Biennial Budget, For The Purpose Of Revising The 2017-2018 Biennial Budget.

Ordinance: Second Reading; Relating To The Levying Of Regular Property Taxes And Establishing The Amount To Be Levied In 2018 On The Assessed Valuation Of The Property Within The City.

New Business

Council Reports/Committee Reports

City Manager Report

Executive Session – If Necessary

Meeting adjourned at 12:25pm

Lita Hachey, Deputy City Clerk

Bob Keller, Mayor