

COUNCIL MINUTES

Special Meeting/Study Session January 20, 2004

Mayor Kathleen Huckabay called the regular meeting of the Sammamish City Council to order at 7:40 pm.

Councilmembers present: Mayor Kathleen Huckabay, Deputy Mayor Don Gerend, Councilmembers Jack Barry, Mark Cross, Lee Felling, Michele Petitti and Nancy Whitten.

Staff present: City Manager Ben Yazici, Director of Community Development Ray Gilmore, Public Works Director Delora Kerber, Deputy Director Community Development Susan Cezar, Senior Planner Emily Artech, Financial Analyst Aaron Antin, Police Chief Richard Baranzini, City Attorney Bruce Disend and City Clerk Melonie Anderson.

Roll Call/Pledge

Roll was called. Boy Scout Troop #500 members led the pledge.

Approval of Agenda

MOTION: Councilmember Petitti moved to approve the agenda. Deputy Mayor Gerend seconded the motion. Motion carried unanimously 7-0.

- ❖ Councilmember Lee Felling was sworn in to fill the vacancy in Position 3.

MAYOR/COUNCIL/COMMITTEE REPORTS

- *Public Safety Committee (Mayor Huckabay):* No Report
- *Finance Committee (Deputy Mayor Gerend):* The committee met for the first time this year. They reviewed the duties of the Finance Committee. The Year End Financial Report was reviewed. The Cities major sources of income are higher than projected and salaries capital projects were under budget. The Committee will meet the Third Tuesday at 11:30 am. Eastside Transportation Partnership approved a letter to be sent to the legislature supporting raising the gas tax to provide for transportation improvement funds. The Regional Transit committee meets tomorrow and will be going over the work plan for 2004. He asked if any Councilmembers had any input for projects to be added to the plan.
- *Community Development Committee (Councilmember Cross):* No report
- *Public Works Committee (Councilmember Petitti):* No Report
- *Legislative Committee (Mayor Huckabay):* No Report
- *Skyline High School Student Liaison:* No Report

- *Eastlake High School Student Liaison:* Finals are next week. School will be half days. Tolo dance will be held January 31. Annual Martin Luther King Assembly was held last Friday. This assembly is unique in that it is entirely run by the students.
- *Mayor Report :* She attended the Suburban Cities Meeting (SCA) last week. Regional Committee positions were selected last week. We are recommending that Councilmember Petitti, Deputy Mayor Gerend and Mayor Huckabay be appointed positions. The SCA decided not to appoint any representatives for the city of Bellevue since they are not part of the association.

PUBLIC COMMENT:

Marianne Wilkens, 209 212th SE, She recommended the Council review their mission statement at the upcoming retreat. Does the mission statement still reflect the council’s desires? She has concerns on the park development process. She feels the current process does not require Master Plans to follow the requirements of the municipal code, the comprehensive plan or the community’s desire. There must be more public input.

Hank Waggoner, 1919 Eastlake Sammamish Place SE, He is representing the Eastlake Sammamish Homeowners Association. They are in favor of a trail that does not impact homeowners in an adverse way and will not have a detrimental effect on the environment. They are willing to enter into a Local Improvement District to help fund the trail.

Reid Brockway, 167 E. Lake Sammamish Shore Lane NE, He lives near the adjacent railbed but would not be impacted by a trail there. However, he still is not in favor of a trail there. The past Council has been supportive of the homeowners and he hopes the new council will also feel the same. He feels the impacts have been trivialized and that the trail will open up the area for trespassing.

John Galvin, 432 228th Avenue SE, He is an advocate of Smart Growth and Mixed Use is an important element of Smart Growth. Nearly every community is developing a city center that includes a combination of related uses in one area. This allows for shopping, working and playing in the area where they live. The Council should educate the residents on just what mixed use is. It is not just big box stores. He suggested using the new TV station and web page for this.

CONSENT CALENDAR

Payroll for pay period ending December 31, 2003 for pay date January 5, 2004 in the amount of \$136,657.88.

Payroll for pay period ending January 15, 2004 for pay date January20, 2004 in the amount of \$152,147.20.

Claims for period ending January20, 2004 in the amount of \$827,692.61 for Check No. 9328 through Check No.9444

Contract: Recycling and Waste Reduction/Olympic Environmental

MOTION: Councilmember Cross moved to approve the consent calendar. Councilmember Fellingse seconded. Motion passed unanimously 7-0.

Public Hearing

An Ordinance Of The City Of Sammamish, Washington, Relating To Land Use And Zoning, Amending Ordinance No. 2003-127, To Extend A Moratorium On The Filing Of Applications For Development Permits And Approvals, Within The Corporate Limits Of The City Of Sammamish.

The public hearing was opened at 8:07 pm

Community Development Director Ray Gilmore gave the staff report. This ordinance will extend the ordinance for a maximum of six months. Staff is recommending this ordinance be in place until such time as all the development regulations are in place.

Marinne Wilkens, (Spoke previously), She inquired what information about this ordinance has been presented to the public. City Manager Ben Yazici explained that this hearing has been advertised and it is on the city web page.

Public Hearing was continued until the February 3, 2004.

Unfinished Business

Ordinance: Second Reading of an ordinance Amending SMC 27A.15.030 To Revise The Calculation Of Reductions In Performance Guarantees For Development Projects

Public Works Director Delora Kerber gave the staff report. This is the second reading of this ordinance. There have been no changes to the ordinance from the first reading. This ordinance will allow for more equity in bonding. Staff is recommending adoption.

MOTION: Councilmember Whitten moved to approve the ordinance amending SMC 27A.15.030 to revise the calculation of reductions in performance guarantees for development projects. Councilmember Cross seconded. Motion carried unanimously 7-0 (02004-137).

New Business

Ordinance: First Reading of an Ordinance Relating To Land Use And Zoning, Amending Ordinance No. 2003-127, To Extend A Moratorium On The Filing Of Applications For Development Permits And Approvals, Within The Corporate Limits Of The City Of Sammamish

Mr. Gilmore explained that this is the first reading. The public hearing has been extended to the February 3, 2004 regular meeting. No action is recommended at this time.

Grant Awards: Human Services Grants 2004

Mr. Yazici gave the staff report. The Council has set aside \$65,000 to fund human services for the city. Applications were solicited and many were received. The Human Services Committee met tonight to review the applications and make a recommendation to the Council. Mayor Huckabay said the amount of money set aside for human services should be reviewed in light of the reduced support these agencies receive from the county and the state. The committee recommendations are as follows:

Company	Grant requested	Grant Award
Athletes for Kids	\$10,000	\$1,000
Dollars for Scholars	\$1,000	\$1,000
Eastlake High School	\$1,600	\$1,000
Eastside Baby Corner	\$1,000	\$1,000
Eastside Domestic Violence Program	\$10,000	\$10,000
Eastside Legal Assistance Program	\$1,000	\$1,000
Elder and Adult Day Services	\$6,000	\$5,000
Friends of Youth	\$10,000	\$9,000
Issaquah Schools Foundation	\$5,000	\$5,000
Kinderling Center	\$4,494	\$4,494
Northwest Mentoring & Educational Center	\$5,000	\$5,000
Providence Marianwood/Faith in Action	\$10,000	\$7,000
Rotary Club of Sammamish	\$1,000	\$1,000
Sammamish Arts Commission	\$1,000	\$1,000
Youth Eastside Services	\$10,000	\$9,000
		\$61,494
		\$3,506 in reserve

Councilmember Barry supports these services. He will excuse himself from voting on Friends of Youth, Rotary Club of Sammamish, and Issaquah Schools foundation because he has affiliation with these groups.

MOTION: Councilmember Whitten moved to approve the Human Service Grant recommendations, with the exclusion of the Friends of Youth, Sammamish Rotary Club and the Issaquah School Foundation. Councilmember Fellingge seconded. Motion carried unanimously 7-0.

Councilmember Cross expressed the desire to fund both the Friends of Youth and Youth Eastside Services for the full amount. Mr. Yazici said that it was important to keep some funds in reserve. Councilmember Whitten said she would like the Human Service Grant funding amount to receive further study. Deputy Mayor Gerend agreed and pointed out that the city is projected to exceed budgeted funds for this year and human services needs of today should take precedence over transportation needs of the future. He believes the grant amount should be increased next year.

Councilmember Barry excused himself and left the room.

MOTION: Councilmember Whitten moved to approve the funding for Friends of Youth, Rotary of Sammamish and Issaquah Schools Foundation. Councilmember Petitti seconded. Motion carried 6-0 with Councilmember Barry not voting.

Hardship Exception/Jarman & Urbanik (625 228Avenue NE)

Deputy Director of Community Development Susan Cezar gave the staff report. Mr. Jarman was previously granted a hardship exception to the moratorium to develop a commercial property. Due to joint ownership of the property, he is experiencing difficulty in obtaining financing. For this reason the applicant is seeking an exception to subdivide the property so he can then develop his portion.

MOTION: Councilmember Whitten moved to approve the hardship exception. Councilmember Petitti seconded. Motion carried unanimously 7-0.

Councilmember Fellingge said that this application is consistent with the previous exception and will be in favor of granting it.

Resolution: A Resolution Of The City Of Sammamish, Washington, Granting Final Plat Approval To The Plat Of The Fieldstone Subdivision

City Attorney Bruce Disend explained the process for granting subdivision final plat approval for the benefit of the new Councilmembers. Ms. Cezar gave the staff report. The plat was granted a hardship exception to the moratorium and was granted preliminary plat approval by the City of Sammamish Hearing Examiner. City standards are applicable to this subdivision. The applicant has complied with all requirements, has substantially completed construction and has bonded for items not completed. All fees have been paid or will be paid at the time of permit application. Staff is recommending approval.

MOTION: Councilmember Felling moved to grant final plat approval for the subdivision of Fieldstone. Councilmember Cross seconded. Motion carried unanimously 7-0 (R2004-163)

Councilmember Petitti questioned the status of the drainage issue that was subject to reconsideration by the Hearing Examiner and Councilmember Gerend asked if the city has done an engineering review of the down steam drainage. Development Review Engineer Aaron Sundberg explained that the plans have been reviewed and are consistent with the Hearing Examiner's requirements. The downstream neighbor is also satisfied with the drainage.

In response to a question by Councilmember Petitti, Ms. Cezar explained that Condition #8 was a unique condition imposed by the Hearing Examiner in response to some complaints by surrounding neighbors.

Contract: Pine Lake Road Extension Design/David Evans

Public Works Director Delora Kerber gave the staff report. Councilmember Gerend did not participate in the discussion or voting on this issue. This project will connect 228th with SE 30th and 224th Avenue in conjunction with Sound Transit Park and Ride project. The City will pursue funding opportunities from the Puget Sound Regional Council. The contract is for \$158,500.

Mayor Huckabay asked what public process has been used to gather public input on the design. There was a design meeting in conjunction with the Park & Ride project. Contact has been made with all homeowners who would be affected by the project. There have been two public meetings.

Councilmember Whitten expressed concern with two issues. (1) Has there been enough public process and (2) has enough attention been paid to the environmental impacts of this project on Pine Lake? She is concerned that the City is going into final design phase without having public process. Ms. Kerber said that the road project is being built to the same high standards as the Park & Ride. Mr. Yazici said that this contract approval could be delayed.

MOTION: Councilmember Whitten moved to table this contract to the February 3, 2004 regular meeting. Councilmember Cross seconded. Motion carried 6-0.

Contract: 228th Street Construction/Gray & Osborne

Ms. Kerber gave the staff report. This is a supplemental agreement for construction management for the 228th Street contract in the additional amount of \$70,000. This has been budgeted.

MOTION: Councilmember Petitti moved to authorize the City Manager to sign a contract amendment with Gray & Osborne in an amount not to exceed \$70,000. Councilmember Gerend seconded. Motion carried unanimously 7-0.

Councilmember Petitti noted that the contract is only extended for 30 days and wondered if the project would be completed within that time. Ms. Kerber indicated it would. Councilmember Felling asked what recourse the City has if the project is extended for a substantial period of time. Ms. Kerber explained that the City does have the ability to collect liquidated damages for every day the contract period is extended. Ms. Kerber said this project is still within budget.

Contract: Issaquah-Pine Lake Road Roundabout/HDR

Ms. Kerber gave the staff report. This project was planned for construction in 2003 but was delayed to 2004. During that time additional right-of-way has become available, allowing the project to be redesigned to meet city standards.

MOTION: Deputy Mayor Gerend moved to authorize the City Manager to sign the contract amendment with HDR for additional design work for the Issaquah-Pine Lake Road roundabout for an amount not to exceed \$55,000. Councilmember Petitti seconded. Motion carried unanimously 7-0.

Councilmember Whitten wondered if the current Council was still in favor of roundabouts. Councilmembers Barry and Petitti believe the residents favor the roundabouts and council should take this in to account.

City Managers Report

Mr. Yazici reviewed the new Council Committee assignments.

He reviewed the progress on the sales tax streamline process. This proposal would allow sales tax to be collected on Internet sales at the point of delivery rather than the point of sale. There will be some exemptions, but this would benefit cities like Sammamish, that are very tax dependent. It would also negatively impact those cities with a large sales tax revenue base. A letter has been sent to the legislature urging this proposal to be phased in.

Mr. Yazici and Redmond Mayor Ives have met with the legislature to make sure the revenues for the SR 202 project remain intact.

Adjournment – Mayor Huckabay adjourned the meeting at 9:30 pm.

Melonie Anderson, City Clerk

Kathleen Huckabay, Mayor