

COUNCIL MINUTES

Regular Meeting December 4, 2012

Mayor Tom Odell called the regular meeting of the Sammamish City Council to order at 6:30 pm.

Councilmembers present: Mayor Tom Odell, Deputy Mayor John James, Councilmembers John Curley (left at 10:00 pm), Don Gerend, Ramiro Valderrama, Tom Vance and Nancy Whitten.

Staff present: Deputy City Manager Lyman Howard, Public Works Director Laura Philpot, City Engineer Jeff Brauns, Assistant City Manager/Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, Police Chief Nate Elledge, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

Roll Call/Pledge of Allegiance

Roll was called. Deputy Mayor James led the pledge.

Approval of Agenda

MOTION: Councilmember Gerend moved to approve the agenda. Councilmember Valderrama seconded. Motion carried unanimously 7-0.

Presentations/Proclamations

- Farmer's Market – Deb Sogge, Chamber of Commerce President reported on the success of this year's market. She thanked the City for partnering with them to help advertise the Market. Next year, the Market hours will be extended to 8:00 pm, based on the responses from a survey they completed. They will also be recruiting a new Market Manager for next year. The market donated over 4,300 pounds of food to the Issaquah Food Bank.

Public Comment

The following list of speakers made public comment in support of Council taking necessary steps to allow the Ace Hardware Store to relocate in Sammamish.

Donna Luepritz, 238 208th Avenue NE
Jerry Hamm, 21903 SE 28th Street
Pat Hamm, 21903 SE 28th
Robert Gordhamer, 1639 209th Place NE
Deb Sogge, spoke previously
Stephen Anderson, 24129 SE 1st Court,
Martin Platzner, 22620 NE 20th Place
Michael Reid, 3525 SE 233rd
Jim Ludwig, 702 216th Avenue NE

Rick Smith, 21328 NE 35th Court
James Sullivan, 413 239 Avenue NE
Bruce Boyd 24419 NE 8th Street
Ken Griffith 906 221st Avenue NE
Wendy Boglioli, 2014 210th Circle NE
Bernie Beglioli, 2014 210th Circle NE
Joe Bookter 1502 250th Avenue NE
Jack Cilberti 1525 250th Avenue NE
Dale Morrow 21133 NE 42nd Street
Ed Miller, 22108 NE 28th Place
Tim Koch, 490 228th Avenue NE,
Larry Rothmyer, 26908 SE 9th Way
Seth Eliot, 23244 NE 15th St
Linda McCoy 24800 NE 8th Street
Kurt Olson, 1621 238th Avenue SE
John Davis, 4214 202nd Avenue NE
John Rossi, 251 East Lake Sammamish Road NE
Kathryn Kennedy, 25235 SE Klahanie Blvd
David Noetzelman, 23762 NE 134th Place, Redmond
Tom Harsh, 1841 East Lake Sammamish Parkway
Jesse Bornfreund, 21530 NE 29th Street
Dan Gladney, Works at Ace
Elliot Severson, PO Box 1671
Vicki Waddleton 1823 216th Place SE
Alden Linn, 22609 SE 41st Street
Suzanne Byron, 1740 221 Place SE
Michael O' Connell, 435 226th Lane NE
Doug Bickerstaff, 23234 NE 29th Court
Cheri Gorder 21221 NE 13th Place
Will Hamm, 21823 NE 22nd Street
Mathew King, 25305 NE 8th Street,
Joan Williams, 22108 NE 28th Place
Bobbie Fuller, 22344 NE 31st Street

Charlie Klinge 10900 NE 8th Street, Bellevue, Submitted a letter to Council regarding a Developer's Agreement between the City and his client for construction of a new location for Ace Hardware (*available upon request of the City Clerk's Office*).

Sam Rodabough 1905 216th Avenue SE, Spoke regarding granting the right of initiative and referendum powers to the residents of Sammamish. He encouraged the City Council to grant the citizens these powers.

Scott Hamilton, 19727 SE 19th, He spoke about the need for more commercial space in Sammamish. (*Submitted written comments that are available upon request of the City Clerk*).

Pat MacDonough, 27218 SE Kent Kangley, Ravensdale, He spoke regarding the 2013 Street Sweeping contract (on the consent agenda). His company did not bid on the contract because they could not meet

the requirements of the bid documents. He feels the requirements are too stringent and these requirements should be changed and the project rebid.

Kari Young 22212 NE 31st Street, Spoke on behalf of the Rotary and thanked the City for all their support for the Nightmare at Beaver Lake. This is an 11-day fundraiser. This year the gross was \$147,000. All the money goes to those in need in our community.

Donna Martin, 21645 NE 17th Place, She spoke regarding the Aquatic and Community Center. She is very supportive of the facility. This facility will serve both children, and seniors and everyone in between. The high schools are paying a lot of money to use other facilities.

Harry Shed, 2313 Sahalee Drive E, Spoke regarding the initiative and referendum powers. He encouraged the Council to carefully consider authorizing these powers in Sammamish. Surrounding cities have adopted these powers.

John Galvin, 432 228th Avenue SE, Spoke regarding the SE Quadrant 2013 docket request. His group has told the City Council that the Town Center Plan will not work. It creates too many barriers to development. His group tried to work with Ace Hardware to build on his property but the parking and stormwater requirements are too expensive to make the project work. He encouraged Council to make changes in the Town Center development regulations that will encourage growth.

Holly Moffat, 416 228th Avenue SE, She feels that the Town Center regulations make development unrealistic. She encourages Council to make changes that would allow for businesses to come into the Town Center.

Council recessed from 8:43 pm to 9:00 pm

Consent Agenda

Payroll for the period ending November 15, 2012 for pay date November 20, 2012 in the amount of \$257,265.63

Approval: Claims for period ending December 4, 2012 in the amount of \$1,273,188.44 for Check No. 33554 through No. 33624.

Resolution: Establishing Medical Insurance Premium Contribution Rates (R2012-515)

Resolution: Approving the Final Plat of Trossachs Division 15 (R2012-516)

Resolution: Approving the Final Plat of Stirling Manor (R2012-517)

Contract: 2013 Parks and Facilities Custodial Services/Advantage Building Systems

Contract: 2013 Plumbing Services/Eastside Plumbing

Contract: 2013 Electrical Services/Sequoyah Electric

Contract: 2013 Sports Field Maintenance Services/Brickman Group, LLC

Contract: 2013 Geotech Services/Kleinfelder West, Inc.

Contract: 2013 Landscaping Services/Plantscape

Contract: 2013 Graphic Design Services Parks & Recreation Guide/UpRoar

Contract: 2013 Fencing Services/All Around Fencing

Contract: 2013 Street Sweeping Services/Best Parking Lot

Contract: 2013 Storm Sewer System Cleaning/Everson's Econo Vac

Contract: Development Review Services/Prothman

Contract: 244th Avenue SE Non-Motorized Project Design/David Evans & Associates

Contract: Hearing Examiner Services/Galt

Contract: 2013 Recycling Events/Olympic Environmental

Contract: Prosecution Services/Moberly

Contract: Public Defense Screening/Stoecklin

Contract: Domestic Violence Advocate/Leyton

Councilmember Valderrama asked to remove the contract for legal services with Kenyon Disend off the Consent Agenda.

MOTION: Councilmember Vance moved to approve Consent Agenda as amended. Councilmember Curley seconded. Motion carried unanimously 7-0.

Public Hearing

Ordinance: First Reading Amending Chapter 21A.50 (Environmentally Critical Areas) Of The Sammamish Municipal Code To Extend The Sunset Date

Assistant City Manager/Director of Community Development Kamuron Gurol gave the staff report. This date has been extended several times to allow for the review of the Environmentally Critical Areas code. The Planning Commission is currently reviewing the code and considering best available science. They will bring their recommendation to the Council sometime in February of 2013. This extension will allow for the completion of the review and adoption of new codes. This is the first reading. No action is recommended.

Public Hearing opened at 9:02 pm. There was no public comment and the public hearing was closed at 9:03 pm

Ordinance: First Reading Interim Ordinance Extending A Moratorium On The Establishment Of Collective Gardens; Defining "Collective Gardens;" And Establishing An Effective Date

Mr. Gurol gave the staff report and showed a PowerPoint presentation (available on the city's website at www.ci.sammamish.wa.us). Collective Gardens relate only to medical marijuana. Cities may adopt zoning regulations and business license requirements. Because marijuana is still considered an illegal drug under federal regulations, staff is recommending extending the moratorium until July 18, 2013. This is the first reading, no action is recommended. Mayor Odell requested staff provide an estimate of how much it would cost to regulate collective gardens, if they were allowed. Police Chief Nate Elledge explained the additional law enforcement concerns in allowing collective gardens.

Public Hearing opened at 9:18 pm.

Public comment

Elizabeth Grayson, 22241 NE 22nd Street, She would like to see a permanent ban on Collective Gardens.

Public Hearing was continued to December 11, 2012 at 9:20 pm.

Unfinished Business

MOTION: Deputy Mayor James moved to put the contract for the City Attorney to the end of the meeting. Councilmember Curley seconded. Motion carried unanimously 7-0.

New Business

Ordinance: First Reading Amending Title 14A Of The Sammamish Municipal Code To Extend The Provisions Allowing Impact Fees To Be Paid Upon Closing To Applications Received On Or Prior To December 31, 2014

Mr. Gurol gave the staff report and showed a PowerPoint (available on the city's website at www.ci.sammamish.wa.us). This ordinance allows a builder to defer the Traffic and Parks Impact Fees to the time of sale of the house. The ordinance would extend this program for two additional years. In 2013 the city will begin to charge a counter service fee for this option. This is the first reading. No action is recommended tonight.

Councilmember Whitten inquired about making this a permanent change in the code. Mr. Gurol said he would like to monitor the use of this program before making it permanent.

Resolution: Accepting The Election Results From The Advisory Vote On The November 6, 2012, General Election Ballot For A Community And Aquatic Center In The City Of Sammamish (R2012-518)

MOTION: Councilmember Vance moved to adopt the resolution accepting the election results from the advisory vote on the November 6, 2012 General Election for a Community and Aquatic Center in the City of Sammamish and authorizing the city manager to proceed with developing an agreement with the Y and construction of the facility. Councilmember Gerend seconded. Motion carried 6-1 with Councilmember Curley dissenting.

Comprehensive Plan Annual Docket Report

Mr. Gurol gave the staff report and showed a PowerPoint *presentation (available on the city's website at www.ci.sammamish.wa.us)*. He explained that under state law, the city's comprehensive plan can only be amended once a year. The city solicits docket items and the City Council can decide which ones to take action on. This year there were four requests:

- Town Center SE Quadrant
 - Several elements, including review of allocation of residential density and commercial square footage
- Greg Kipp
 - Density calculation change to R-1 – pilot program
- KinderAce LLC
 - Office zone change, land swap, and several other elements
- Public Works
 - Transportation LOS update

Public Comment

Mr. Klinge, (spoke previously), He explained that the comprehensive plan docket request was really a placeholder for the KinderAce proposal. They are not requesting this item be placed on the docket, but rather that Council move directly to a developer agreement. He feels that the Council has the leeway to make administrative decisions via the developer agreement.

John Galvin, (spoke previously) He pointed out the any land use changes made for the Ace Hardware would also have to be available for all developers.

MOTION: Deputy Mayor James moved to extend the meeting to 11:00 pm. Councilmember Gerend seconded.

MOTION: Councilmember Gerend moved to postpone the discussion on Initiatives and Referendums and the contract for City Attorney to the December 11, 2012 meeting. Councilmember Valderrama seconded. Motion carried unanimously 6-0.

Discussion: Initiatives and Referendums (postponed to December 11, 2012)

Contract: Legal Services/Kenyon Disend (postponed to December 11, 2012)

Council Reports

Mayor Odell reported that the King County Council voted against adding the Duthie Hill notch area into the Urban Growth Boundary.

City Manager Report - None

Meeting adjourned at 10:27 pm

Melonie Anderson, City Clerk

Thomas T. Odell, Mayor