

COUNCIL MINUTES

Regular Meeting March 17, 2009

Mayor Pro Tem Mark Cross called the regular meeting of the Sammamish City Council to order at 6:30 pm.

Councilmembers present: Councilmembers Mark Cross, Kathleen Huckabay, Michele Petitti and Nancy Whitten.

Councilmembers absent: Mayor Don Gerend, Deputy Mayor Jack Barry, Councilmember Lee Felling

MOTION: Councilmember Whitten moved to excuse Mayor Gerend, Deputy Mayor Barry and Councilmember Felling. Councilmember Huckabay seconded. Motion carried unanimously 4-0.

Staff present: City Manager Ben Yazici, Deputy City Manager Pete Butkus, Public Works Director John Cunningham, Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

Roll Call/Pledge

Roll was called. Admiral Bump led the pledge.

Public Comment - None

Approval of Agenda

MOTION: Councilmember Petitti moved to amend the agenda by moving the department reports to April 7, move Item 10, Continued public hearing on permit timelines to follow the consent agenda, to be followed by Item #11 Public Hearing for Wireless Amendment. Councilmember Huckabay seconded. Motion carried unanimously 4-0.

Student Liaison Report

Eastlake Student Liaison

Mr. Eastlake will be March 25. Next weekend the Girls Dance Team will compete at State. The students have been meeting with Eastside Catholic and Skyline to have a joint benefit concert to benefit Autism Speaks. Unfortunately, due to time constraints this will have to be put off until next spring.

Proclamations/Presentations

- **Eastlake Cross Country Team Recognition**

Proclamation

WHEREAS, Eastlake High School has consistently produced quality sports teams, and

WHEREAS, this school year the Eastlake Cross Country Team achieved the highest accomplishment by winning the 4A Washington State Championship for 2008, and

WHEREAS their success is an example of the passion, commitment to excellence, and enthusiasm embraced by the City of Sammamish,

WHEREAS, to really excel in any one sport, a young person must demonstrate, in addition to a great deal of natural ability, an outstanding spirit of dedication, enthusiasm and hard work,

NOW, therefore, on Behalf of the Sammamish City Council and in recognition of outstanding achievement of the Coaches and Student Athletes of the Cross Country Team, I hereby proclaim

March 17, 2009 to be Eastlake Wolves Day in the City of Sammamish

- **Breast Cancer Awareness**

PROCLAMATION

WHEREAS, King County Sheriff's Deputy Starla Martin is a valued member of the City of Sammamish Police Department and of the Sammamish City Family; and

WHEREAS, One in four American women are diagnosed with breast cancer; and

WHEREAS, There are about 2.5 million women in the United States who have survived breast cancer; and

WHEREAS, Medical science recognizes a strong relationship between a patient's successful treatment being enhanced, by the positive support from friends and family, and

WHEREAS, Deputy Martin's colleagues, friends and extended family eagerly await her speedy and full recovery.

NOW, THEREFORE, I Mayor Don Gerend, on behalf of the duly elected members of the Sammamish City Council do hereby Proclaim

March 25th 2009 "PINK DAY" in the City of Sammamish in support of Deputy Starla Martin and Breast Cancer Awareness

The Sammamish City Council and the City Manager encourage all City Employees and citizens to show their support for Deputy Martin, and all others in their personal journeys to recovery, by displaying the "Pink Ribbon" - an international icon for Breast Cancer Awareness - on their person and their vehicles.

This Proclamation, PASSED AND APPROVED this 17th day of March, 2009 in an open meeting of the Sammamish City Council will remain in effect until December 31st 2009.

Consent Calendar

Payroll for pay period ending February 28, 2009 for pay date March 5, 2009 in the amount of \$249,550.77.

Approval: Claims for period ending March 17, 2009 in the amount of \$420,613.54 for check No. 23044 through 23158

Resolution: County Wide Planning Policies (R2009-361)

Interlocal: Joint Purchasing Agreement/ECityGov Partners and Subscribers

Bid Award: Lower Sammamish Trail Improvement Project/Fardig Construction

Approval: Minutes for January 20, 2009 Regular Meeting

Approval: Notes for January 23, 2009 Council Retreat

Approval: Minutes for March 3, 2009 Regular Meeting

Approval: Notes for March 10, 2009 Study Session

MOTION: To approve consent calendar. Motion carried unanimously 7-0.

Public Hearing

Continued Public Hearing/Second Reading: Ordinance Amending Chapter 16.20 (Building Permit Timelines And Expiration), Chapter 19.35 And 19.40 (Short Subdivision And Subdivision Final Plat Timelines), And Chapter 20.05 (Permit Issuance), Of The Sammamish Municipal Code (O2009-253)

Director of Community Development Kamuron Gurol gave the staff report. Several minor changes were made to the ordinance since the First Reading. He recommended taking public comment and then making any additional changes to the ordinance that Council may feel are justified.

Public Hearing Opened at 7:35 pm

Public Comment

Mike Miller, 14400 Bell Red Road, He spoke in support of Option 1 for modifying the permit extension ordinance.

Daniel Procol, 3650 Eastlake Sammamish Parkway NE, 3802 Eastlake Sammamish Parkway NE, He has two expired permits and requested the council to extend the permit timelines from one year to eighteen months.

Public Hearing closed at 7:45 pm.

MOTION: Councilmember Whitten moved to approve the ordinance extending permit timelines. Councilmember Huckabay seconded.

AMENDMENT: Councilmember Whitten moved to amend the ordinance by choosing Option A for Section 19.40.040 – 7-Year Final Plat Extension and deleting Option B of the same section, Section 16.20.235(3)(a) is deleted, 16.20.235(3)(b) and (d) will be changed from one year to 18 months, Section 16.20.235(3)(e) will be deleted, and Section 16.20.235(2)(c) will be changed to read “a renewed permit” and Section 16.20.235(2) will be changed from one year to eighteen months. Councilmember Huckabay seconded. Motion was approved as amended unanimously 4-0 (O2009-253).

Public Hearing #1/Shoreline Master Program Update

Mr. Gurol gave a short staff report and a PowerPoint presentation (available on the city’s website at www.ci.sammamish.wa.us.)

Public Hearing was opened at 8:00 pm.

Public Comment

Donald Barrett, 2920 E Lake Sammamish Parkway NE, He would like to be able to build on his beach front property. However, his lot has been classified as Urban Conservancy and he would like that designation changed to Urban Residential. (Submitted written comments)

Don Lindbarger, 1302 W Beaver Lake Drive, His parcel is also designated Urban Conservancy even though his lot is obviously Urban residential. He feels they should be treated no differently than any other lots.

Boyer Halverson, 21928 SE 28th Street, His cabin is located very close to the lake. His front yard is the area where his children play. He has been told that his lawn area is a buffer zone and can no longer be mowed. He feels the area draining into Pine Lake damages it more than lakefront home owners. A 45 foot buffer is unnecessary. (Submitted written comments)

Dick Pizzo, 3123 E Lake Sammamish Parkway SE, Proposed an amendment to the SMP that when no change is being made to the original footprint, a remodel should be allowed. The shoreline is not impacted if the footprint is not changed. This would enable owners to sell their properties to someone who wants to remodel. (Submitted written comments)

Ed Murray, 145 E. Lake Sammamish Shore Lane NE, He is wondering why bulkheads would require a conditional use permit only on Lake Sammamish and not Pine or Beaver Lake. He feels this is unfair. He would also like to replace his dock with a more environmentally friendly materials but the SMP requirements will prohibit that.

Donald Burkholder, He feels the SMP regulations are overly restrictive and he supports the Sammamish Homeowners Group's recommended amendments to the plan. He feels the City is spending too much money on this plan. There are no incentives in the plan to encourage people to build the right thing.

Gretchen Halverson, 21928 SE 28th Street, She feels that the City has not been given enough information regarding the SMP update. She does not like the remodel of Pine Lake Park.

Skip Buchanan, 813 E Lake Sammamish NE, He does not feel the process for updating the plan has been transparent enough. He only found out about these changes a few weeks ago. He believes that a lot of good work has gone into the plan.

Janet Toskey, 2430 238th Place NE, She too is concerned about the process. She feels that it is important to make sure that the plan is something that is fair to both the city and the lakefront owners. She was hoping to see a revised draft of the SMP with amendments included. She feels that leaving the proposals in a matrix will not be helpful to Council. (Submitted written comments)

George Toskey, 2430 238th Place NE, He spoke to the proposed reduction in impervious surfaces. (Submitted written comments)

Reid Brown, 3139 E Lake Sammamish Shore Lane SE, His issue is that his house is very close to the lake and has a large buffer. He is glad that language in the plan has been changed regarding the footprint of the house. He would like to see further changes to allow for changes to houses that are currently in the buffer. He does not want the city to change the ordinary high water mark.

Arul Manishes, 3145 E Lake Sammamish Shore Lane SE, He supports using the City of Bellevue language regarding footprints and buffers. He does not feel that runoff from the lakefront homes are polluting the lake so limiting impervious surface will not help eliminate lake pollutions. Impervious surface limitations should be uniform throughout the city. He is not supportive of the increased side setbacks.

Hank Waggoner, 1919 E Lake Sammamish Place SE, He likes the proposed amendments to the SMP. He urged Council to consider unintended consequences that some of these regulations may create.

Mike Collins, He feels the power of ownership has decreased and the powers of government have increased. , (Submitted written comments)

Ted Davis, 3137 E Lake Sammamish Shore Lane SE, He agreed with previous speakers regarding impervious surfaces mitigation.

Rory Crispen, PO Box 40443, Bellevue, He owns property on Lake Sammamish. He feels the SMP is changing the land use around the lake to critical areas rather than using prudent shoreline management techniques. This document requires serious rewriting. Shorelines, in and of themselves are not critical areas.

Jay Patterson, 2207 E Lake Sammamish Parkway NE, He doesn't understand why there is a limit to one boat lift per dock.

Tom Harsh, 1841 E Lake Sammamish Parkway NE, He feels the state mandated program which requires each city to adopt their own SMP and revise it every seven years is inefficient government.

Council recessed from 8:35 pm to 8:45 pm.

Gary Smith, 5011 E Lake Sammamish SE, Lake front property owners account for only 1% of the pollution going into the lake. The biggest problem is failing stormwater facilities. He agreed with others regarding buffers and non-conforming use. He was in support of the Sammamish Homeowners Association's amendments.

Annette McNabe, 3143 E Lake Sammamish Shore Lane, They have owned their non-conforming property for many years. She feels they would not be able to remodel their house or sell their property under the SMP.

Jim Creevy, 1103 E Lake Sammamish Parkway NE, He is concerned about the SMP draft. He urged Council to continue to examine and revise the plan to make it fair to everyone.

Bob Hamilton, 3931 E Lake Sammamish Parkway SE, He urged Council to develop a clear and consistent SMP.

Kevin Connelly, 3503 E Lake Sammamish Shore Lane SE, Agreed with previous speakers. The problem of pollution needs to include the whole community, not just the people who live around the lake.

Dwight Martin 5101 E Lake Sammamish Parkway NE, He sees some improvements in the SMP but wonders if there is enough time to produce this document well. He was wondering what the outreach and dialogue tables were that happened in March. He would like to see more working sessions between staff and residents before this comes back before Council.

Mary Cadiz, 22710 SE 23rd Place, Her house is within 50 feet of Pine Lake. She would not want to relocate her house if it were damaged by fire or other catastrophe.

Mary Jo Kahler, 21911 SE 20th Street, She and her husband live on Pine Lake. They will be submitting written amendments to the SMP. She recommended forming a citizen committee to help shape this plan as the City of SeaTac did.

Charles Kahler, 21911 SE 20th Street, He will be submitting ten amendments to the SMP. He feels the plan is getting better, but still needs some work.

At 9:35 pm Mayor Pro Tem Mark Cross continued the Public Hearing to May 5, 2009.

Public Hearing/First Reading Ordinance Amending Ordinance No. 2008-239 To Continue Interim Regulations Exempting Certain Public Emergency Communications Facilities From Compliance With SMC Chapter 21A.55 And Establishing An Effective Date

Mr. Gurol gave the staff report. This amendment applies only to government emergency communication facilities.

Mayor Pro-Tem opened the public hearing at 9:50. There was no public comment. Public hearing was closed at 9:51 pm.

This is the first reading. No action is required.

Unfinished Business - None

New Business

First Reading: Ordinance Amending The City Code, SMC Chapter 7.12, Regarding Pets In City Park Facilities

Deputy City Manager Pete Butkus gave the staff report. This item was presented at a study session last night. Proposed changes to the code are the length of the leash to 16 feet. This is the first reading. No action is required.

Council Reports

City Manager Report

MOTION: Councilmember Whitten moved to appoint Councilmember Huckabay and Mayor Don Gerend as Sammamish's representatives to the Eastside Transportation Partnership. Councilmember Petitti seconded. Motion carried unanimously 4-0.

Meeting adjourned at 10:15 pm

Melonie Anderson, City Clerk

Donald L. Gerend, Mayor