

COUNCIL MINUTES

Regular Meeting September 1, 2009

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

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

Councilmembers absent: Councilmember Lee Felling.

MOTION: Councilmember moved to excuse Councilmember Felling. Councilmember seconded. Motion carried 6-0.

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. City Attorney Bruce Disend led the pledge.

Public Comment

Richard Kuprewitz, 4643 192nd Drive NE: He spoke regarding the NE 42nd Barricade bus tour and presented a slide showing a flip over accident on 192nd Drive NE and stated for the record that there have been several other flip over accidents on 192nd Drive NE. He recommends future city barricade meetings be noticed well in advance, communicate with affected developments and homeowners, public meetings, incorporate working sessions, and meetings be scheduled during the evening.

Vanessa Martinez, Representing the Sammamish Teen Center Now. She encouraged the City Council to purchase the old Library Building for use as a Teen Center.

Claire Peterski, Executive Director Faith in Action: The group teamed with the Camp Fire Girls to provide yard work for the elderly as well as provide support to help others stay in their homes.

Sandy Livingston, 2709 224th Avenue NE: She was supportive of the Teen Center.

Jim Hanstreet 27 214th Avenue SE: He also spoke in support of purchasing the old Library for the Teen Center.

Approval of Agenda

MOTION: Councilmember Huckabay requested removing the Sween House Bid Award from the consent calendar (item #4) and moved it to the last item under new business. A motion was made to approve the revised agenda. Councilmember Huckabay seconded. Motion carried unanimously 6-0.

City Manager Yazici gave a staff report and update on the Sween House agreement with Youth Eastside Services. It is tentatively scheduled to come back to the Council on September 15th for approval. The bid to remodel the Sween House is very favorable, and is well below the engineer's estimate.

Proclamations/Presentations

- **Children's Hospital** – Bellevue: Desiree Leigh Director of Regional Government Affairs and Community Relations, Children's Bellevue Clinic Director Paula Holmes and Alexandra Sheldon, Project Coordinator for Government Affairs was also present. A clinic in Bellevue is currently under construction. (A handout is available in the Clerk's office upon request)

Consent Calendar

Payroll for pay period ending July 31, 2009 for pay date August 5, 2009 in the amount of \$278,580.55

Payroll for pay period ending August 15, 2009 for pay date August 20, 2009 in the amount of \$260,123.91

Approval: Claims for period ending August 4, 2009 in the amount of \$1,016,592.52 for check No. 24141 through 24239

Approval: Claims for period ending August 18, 2009 in the amount of \$2,288,278.25 for check No. 24240 through 24364

Approval: Claims for period ending September 1, 2009 in the amount of \$1,329,258.77 for check No. 24365 through 24452

~~Bid Award: Sween House Remodel/Elite Commercial Contracting~~

Contract: 244th Wetland Monitoring/Shannon & Wilson

Approval: Minutes for July 7, 2009 Regular Meeting

Approval: Notes for July 14 Study Session

Approval: Minutes for July 21, 2009 Regular Meeting

MOTION: To approve consent calendar as amended. Motion carried unanimously 6-0.

Public Hearing opened at 7:25 p.m.

Shoreline Master Plan and Critical Areas Ordinance

Kamuron Gurol gave the staff report. He updated the Council on the packet materials and next steps that are required to be made prior to adoption of the Shoreline Master Plan. A copy of the Draft Shoreline Plan was handed out to the Councilmember's. Mr. Gurol also went over the changes that will be required to make the Critical Areas Ordinance and the Shoreline Master Plan work together. (A copy of the PowerPoint presentation is available in the Clerk's Office upon request). Staff has recommended that the Public Hearing be continued to September 8, 2009. A stakeholder meeting is scheduled for September 3, 2009 from 2-6 p.m. to review with the public all the amendments that are being recommended. Three Councilmember's are encouraged to attend. Any amendments that Council members would like to be considered should be sent to staff as soon as possible.

Kamuron Gurol replied to Councilmember Whitten about taking in comments after the public hearing has been closed, and that staff and the City Attorney concur that once the public hearing is closed, the Council should deliberate and make a decision, whatever that may be. City Attorney Bruce Disend explained that the purpose of comments presented during the public process and the consequences of hearing comments outside the public process.

Peter Scontrino 21832 SE 28th Street: He submitted written comments outlining his requested amendments, which are available in the City Clerk's Office upon request. His requests included; eliminating a required vegetation enhancement area (VEA), revising the square footage of docks from 600 square feet and allow up to eighty feet in length to reach deeper water, allow docks to be within five feet of the property line if owners on both sides agree, and if the VEA is required, reduce the area from fifteen feet wide to five feet, exclude the required enhanced VEA for a home that is partially inside the fifty foot setback when an addition is made outside the fifty foot setback, allow swapping the location of a required VEA and ban phosphorous fertilizer.

Don Barnett 2920 E. Lk. Sammamish Pkwy NE: He submitted written comments outlining his requested amendments, which are available in the City Clerk's Office upon request.

Gary Morishima 22611 SE 20th: Spoke in support of SHO draft September 1st plan. He would like to know when the City Council draft plan will be available for review. Mayor Gerend explained that it is currently available.

Mike Collins: 2841 E. Lk Sammamish Pkwy NE: He spoke in support of the SMP and looking forward to working and participating on the amendment process that is currently scheduled for September 3, 2009. He thanked staff for scheduling the meeting.

Kathy Richardson 2033 E. Lake Sammamish Pkwy NE: She spoke in support of the SHO draft plan. She requests reconsidering policy direction in the following categories: fence height, interior setbacks on Lake Sammamish and dock lengths. Ms. Richardson submitted comments, which are available in the Clerk's Office upon request.

Ted Davis 3137 E. Lake Sammamish Shorelane SE: Thanked the Council for working with homeowners and review of the SHO plan. He supports the September 1, 2009 SHO plan revision to the Council Plan.

Tim Trohimovich with Futurewise: He submitted written comments that detail his requests to include adequate measures to protect Lake Sammamish and other lake and streams. A copy of his comments is available in the City's Clerk's Office upon request.

Ginette Toskey 2430 238th Place NE: Submitted a revised version of the Sammamish Homeowners (SHO) Shoreline Master Plan dated September 1, 2009 and written comments, which are available in the City Clerk's Office upon request.

George Toskey, 2430 238th Place NE: He proposes that the CAO and SMP be completely decoupled. He submitted written comments that are available in the Clerk's Office upon request.

Reid Brockway 167 East Lake Sammamish Shore Lane NE: Submitted written comments, which are available in the Clerk's Office upon request.

Susan Brockway 167 East Lake Sammamish Shore Lane NE: She submitted written comments, which are available in the City Clerk's Office upon request.

Linda Eastlick, PO Box 2574, Issaquah: She agreed with the previous speakers regarding the efforts of Council, staff and residents in developing this plan. She also spoke regarding dock length and setbacks on Pine and Beaver Lake

Michael Pizzo, 3123 Eastlake Sammamish Parkway NE He supports the September 1, 2009 SHO plan. He has concerns with lots becoming non-conforming.

CJ Kahler 21911 SE 20th: He encourages the Council to reconsider the 15 foot vegetation enhancement area on Pine and Beaver Lakes. He would like this to be removed from the plan.

Reid Brown 3139 E. Lake Sammamish Shore Lane SE: Supports the September 1, 2009 SHO Plan. Terminology of conforming is very important to him. He proposed adding language that would address existing stairs over bulkheads, which could affect him and his neighbors. It is not currently addressed in the September 1, 2009 SHO Plan. Mr. Brown is not in favor with removing bulkheads.

Urban & Diane Massett: Agrees with Mr. Kahler.

Mary Jo Kahler 21911 SE 20th Street: She is in support of the SHO plan. She has concerns with requiring a VEA on Pine Lake. She submitted written comments, which are available in the City Clerk's Office upon request.

James O'Neill, 1410 Eastlake Sammamish Shore Lane NE: Spoke in support of the SHO document. Feels the shoreline plans for all cities around Lake Sammamish should be similar.

Rory Crispin, PO Box 40443 Bellevue: He pointed out several problems with the SMP.

Gary and Patricia Smith, 5011 E. Lake Sammamish: They urged Council to adopt the SHO recommendations.

Herb Gilbeau, 173 E Lake Sammamish Parkway SE: He urged support for SHO plan.

Harvey & Betty Miller, 2712 222nd Avenue SE: Agreed with previous speaker Peter Scontrino.

City Manger Yazici publicly thanked Harvey Miller for volunteering his time for many years cleaning out the outlet area/weir of Pine Lake.

Jim Creevey, 1103 E Lake Sammamish Parkway NE: He spoke regarding the issues on non-conformity and docks. He supports the SHO plan.

Dwight Martin, 5101 E Lake Sammamish Parkway NE: He submitted written comments, which are available in the Clerk's Office upon request. He does support the SHO plan. Incentives for setback reductions are important and vegetative edge is more important that bulkhead removal.

Stan Bump 23010 SE 8th Street: Submitted written comments, which are available in the Clerk's Office upon request. He discussed minimum sized lots and would at least like to draw attention to the need for the Council to address impervious surface limits for lake shore lots.

Roger McPherson, Builder: Has built at least 50 homes on Beaver, Pine and Lake Sammamish. He explained that these requirements will cause homeowners a great deal of extra expenses and 5 year bonding requirements, which bonding companies are no longer issuing, causing homeowners to come up with the cash. He supports the SHO program.

Katherine Kitto 1723 E Beaver Lake Drive SE: She supports the SHO plan and a narrow VEA or none at all.

Dave Harmon 22303 SE 20th Street: Spoke regarding non-conforming lots. He works in the insurance industry; he says that a non-conforming designation will stay with the property forever and make it difficult or near impossible to receive homeowners insurance on a property that is labeled "non-conforming."

Public Hearing was continued to September 8, 2009 at 8:35 pm.

Council recessed at 8:35 pm. And returned at 8:55 pm

Unfinished Business - None

New Business

Bid Award: Eastlake Sammamish Parkway Phase 1B/SCI Infrastructure

City Engineer Laura Philpot gave the staff report. She explained that this project cannot be delayed until 244th Avenue project is complete due to the Federal Stimulus funding.

MOTION: Councilmember Petitti moved to authorize the City Manager to award a contract to SCI Infrastructure, LLC for the East Lake Sammamish Parkway Project Phase 1B in an amount not to exceed \$2,743,595.60 and administer a construction contingency in the amount of \$256,404.40. Deputy Mayor Barry seconded. Motion carried unanimously 6-0.

Bid Award: Sween House Remodel/Elite Commercial Contracting

City Manager Ben Yazici gave the staff report. He answered questions regarding the upcoming lease of the Sween House after the remodel.

MOTION: Councilmember Petitti moved to authorize the City Manager to award a bid to Elite Commercial Contracting for the Sween House Remodel project at its bid price of \$219,113.88 and to administer a \$20,000 construction contingency. Councilmember Whitten seconded. Motion carried unanimously 6-0.

Mr. Yazici explained that there was no reason to discuss the property acquisition in Executive Session so the discussion will take place in open session. The discussion revolved around the purchase of the old library property for use as a teen center. Last year the price for the property was \$5 million. The city has now reached an agreement to purchase the library for \$3.4 million. The City has approximately \$10 million surplus in the capital fund. This transaction could be completed by early in 2010. The Boys and Girls club would perform the internal tenant improvements, including an additional gym by 2011 and would run the center.

MOTION: Councilmember Cross moved to authorize the City Manager to purchase the old library building at a purchase price of \$3,424,500 contingent upon agreement of the King County Library. Deputy Mayor Barry seconded. Motion carried unanimously 6-0.

Councilmember Whitten and Huckabay expressed concern that this will not be an all-age facility. Mr. Yazici said these concerns could be addressed in the agreement that will be drawn up with the Boys and Girls Club. Council expressed consensus that the funds for the property should come from the excess in the Transportation budget.

Councilmember Whitten feels that the access to the site is poor and the city would be better served to spend more money on a larger site within the town center.

AMENDMENT: Councilmember Huckabay moved to call this a Recreation Center and that the City will commit to providing additional recreational services for senior, families and young people. for the entire community. Amendment carried 5-1 with Deputy Mayor Barry dissenting.

MAIN MOTION: Carried as amended unanimously, 6-0.

Council Reports

Councilmember Cross: He thanked staff for a great 10th birthday celebration and all the hard work put into the celebration.

Councilmember Whitten: Thanked staff and the public for all the input and work on the Shoreline Master Plan.

Councilmember Huckabay: She thanked staff for the 10th birthday celebration and also the event put on by the Chamber of Commerce that same evening. She reported on regional transit proposals and the bus cuts and King County's proposal of preserving 96% of the bus service and fee increases. She requested an excused absence for September 15, 2009 City Council meeting. Has concerns with a pandemic flu and how the City would deal with a pandemic. She would like to see some additional discussions on the Klahanie Park.

City Manager Yazici is currently working towards setting up a meeting with King County Executive Office.

Deputy Mayor Barry: Was very pleased with the City's 10th birthday party and the Sammamish Chamber of Commerce event the same evening. He supports an annual event. City Manager Yazici will discuss this further during budget discussions.

Councilmember Petitti: She attended promoting the Issaquah Schools Levy and Bond meeting. They are currently working towards marketing the bond. She was very pleased with the outcome of the City's 10th birthday party. She would like to embrace the history of Sammamish.

Mayor Gerend: He reported on the 10th birthday celebration and the kiddy parade. Suggested some music and other additional entertainment for any future parades and commended staff for all the preparation and work that was required for the event. He supports an annual event, perhaps earlier in August. Perhaps a "Sammamish Days".

City Manager Report

City Manager Yazici thanked Mayor Gerend for attending all the 10th birthday committee meetings and also commended staff for all their hard work putting this event together. He announced the Beaver Lake Master Plan Meeting, Planning Commission Meeting and the September 3, 2009 Shoreline Master Plan Meeting.

The special meeting next Tuesday, September 8th will begin at 5:30 p.m.

Meeting adjourned at 10:25 pm

Melonie Anderson, City Clerk

Donald L. Gerend, Mayor