

COUNCIL MINUTES

Regular Meeting October 6, 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, Lee Felling, Michele Petitti(arrived 6:40 pm) and Nancy Whitten (left at 9:30 pm).

Councilmembers absent: Councilmember Kathleen Huckabay.

MOTION: Deputy Mayor Barry moved to excuse Councilmember Huckabay. Councilmember Felling seconded. Motion passed unanimously 5-0.

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. Cub Scout Pack #551 presented the flags and led the pledge.

Public Comment

Dave Augensten, EF & R, 723 212th Avenue SE, Introduced Tom Tull, EF & R. He explained that the International Association of Fire Fighters has been raising money for Muscular Dystrophy since 1954. Sammamish helped raised \$37,000 in the Fill the Boat Campaign this year.

John Galvin, 432 228th Avenue SE, He warned the Council that if changes are not made, the City will not be able to fund future projects.

Mike Collins 2841 NE Lake Sammamish Parkway NE, He expects staff to present alternatives to the Council regarding the SMP.

Reid Brockway, 167 E. Lake Sammamish Shore Lane NE, Speaking on behalf of the SHO group, he expressed concern over three decisions the Council will be considering tonight. The three areas are: the definition of the ordinary high water mark, the definition of structure and the Urban Conservancy definitions.

Allan Anderson, 1907 E Beaver Lake Drive SE, He supported keeping the Urban Designation in the SMP.

Approval of Agenda

City Manager Ben Yazici explained that the agenda will be revised to allow the Shoreline Master Plan to be the first topic on the agenda followed by everything else. The approval for the hybrid vehicle purchase has been delayed to a future meeting. The ordinance amending the Parks Commission terms should also be removed from the Consent Agenda and placed under New Business.

MOTION: Deputy Mayor Barry moved to amend the agenda by removing Item 9 Ordinance modifying Park Commission terms as well as including the changes mentioned by the City Manager . Councilmember Petitti seconded. Motion carried unanimously 6-0.

Student Liaison Report

Skyline Student Liaisons (*Casey Cunningham*) Homecoming was last weekend. They played a California team the week before which was on national television. They will be hosting a blood drive next week. She also spoke in support of an electronic reader at the high schools.

Eastlake Student Liaison (*Maddie March*): Wednesday was Unplugged. There were 15 acts. Eastlake plays Skyline Friday. Homecoming will happen on October 19. Fall music concert will be October 21.

Proclamations/Presentations

- **Presentation: International City/County Managers Association Performance Measure Award**

Assistant City Manager/Finance Director Lyman Howard presented the council with this award.

Consent Calendar

- Payroll for pay period ending September 15, 2009 for pay date September 18, 2009 in the amount of \$253,725.90
- Payroll for pay period ending September 30, 2009 for a pay date October 5, 2009 in the amount of \$245,115.31

Approval: Claims for period ending October 6, 2009 in the amount of \$3,565,702.57 for check No. 24594 through check No. 24729

Resolution: Accepting The Emergency Am Radio System Project As Complete

Resolution: Granting Final Plat Approval To The Plat Of The Woods At Beaver Lake Subdivision

Approval: September 1, 2009 Regular Meeting Minutes

Approval: September 8, 2009 Special Meeting Minutes

Approval: September 14, 2009 Study Session Notes

Approval: September 15, 2009 Regular Meeting Minutes

Resolution: Setting A Public Hearing Date, Time And Place To Consider The Vacation Of A Portion Of Unopened Thomas Alexander Road (Aka County Road No. 867 And Old Monohan Road) (R2009-387)

Amendment: Pavement Management Systems/NW Management Systems

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

Unfinished Business

Ordinance: Adopting The 2009 Sammamish Shoreline Master Program And Replacing The King County Shoreline Master Program Adopted By King County Ordinance 3688; Amending The City Of Sammamish Comprehensive Plan; Adopting Shoreline Maps; And Codifying The Shoreline Master Program Into Title 25 Of The Sammamish Municipal Code (see original bill #14 for packet materials)

Ordinance of the City of Sammamish, Washington, Amending Chapter 21A.50 (Environmentally Critical Areas), Of The Sammamish Municipal Code (see original bill #14 for packet materials)

Mr. Gurol gave a short PowerPoint presentation (*available on the city website at www.ci.sammamish.wa.us*) (31.20)

Table C

Topic 4: Docks and Moorage Structures/Boat Launches

C-1 (25.07.050[2]): Councilmember Petitti moved to clarify allowable dock length by adding language to say “8 foot depth and 80 foot length for Pine and Beaver Lake. Councilmember Fellingse seconded. Motion carried unanimously 6-0.

Topic 20: Loose Ends

C-2 (25.02.010): Councilmember Petitti moved to use the State’s definition of grading: Grading means the movement or redistribution of the soil, sand, rock, gravel, sediment, or other material on a site in a manner that alters the natural contour of the land (WAC 173-26-020). Councilmember Fellingse seconded. Motion carried unanimously 6-0.

C-3 (25.06.020): Consensus was reached to change the section to read as follows: Exterior lighting shall not shine directly onto the water. Permanently installed exterior lighting shall include full cut off devices such that glare or direct illumination on the lake is minimized.

Staff recommended reinstating the Urban Conservancy designation for the following reasons: Continuity with Planning Commission public process, property characteristics consistent with Urban Conservancy from the state menu of designations, retention (with revised standards) helps meet the “no net loss” requirement and it continues incentive qualification for the Public Benefit Rating System for property owners. Staff recommends that the Urban Conservancy designation be retained in the plan, and the impervious surface standard should be revised from 55% to 40% for the Urban Conservancy areas.

MOTION: Councilmember Cross moved to reinstate the Urban Conservancy designation and reduce impervious surface requirement from 55% to 40%. Councilmember Whitten seconded. Motion carried unanimously 6-0.

Specific Requests for Shoreline Designation Changes

The Planning Commission recommended not approving the requested changes. Mr. Gurol explained that, with the previous changes the Council has made to the SMP, these properties owners would now be able to accomplish their goals under the Urban Conservancy designation and staff recommends no change to the current designations.

The following property owners requested a change from Conservancy/Urban Conservancy to Shoreline Residential:

Donald Barnett	2920 East Lake Sammamish Parkway
Beth Nelson	Vacant property Lake Sammamish
Michael Pizzo	3123 E Lake Sammamish Parkway
Walter Kaczynski	1310 West Beaver Lake Drive
Donald Renbarger	1302 West Beaver Lake Drive

The following property owners requested a change from Rural/Urban Conservancy to Shoreline Residential:

Alan Pascal	1501 East Beaver Lake Drive SE
Derald Lo	21520 SE 28 th Lane Pine Lake
Pine Brook Meadows subdivision	open space Pine Lake

MOTION: Councilmember Cross moved to accept the Planning Commission recommendation by retaining the Urban Conservancy designation on the above listed properties. Councilmember Petitti seconded motion carried 6-0.

Staff recommends adopting the Sammamish Municipal Code 21A.15.1255 definition of “Structure” which is as follows: “Structure” means anything permanently constructed in or on the ground, or over the water, excluding fences six feet or less in height, uncovered decks less than 18 inches above grade, uncovered paved areas and structural or nonstructural fill.

Council reached consensus on using the SMC definition of “Structure”.

Consensus was reached to amend 25.06.020(8)(e) to read as follows: Structures, decks and paved areas within the Vegetation Enhancement Area may only be located within the Active Use Ares.

25.07.080(2)(b): Mr. Gurol explained that staff felt there should be some additional language to clarify that non-fixed landscaping features are not regulated: single and clustered rocks used in landscaping, birdhouses, and ~~temporary non-fixed~~ items such as party tents, umbrellas, outdoor furniture, and garden boxes, planters, and ~~temporary~~-trellises.

MOTION: Councilmember Petitti moved to to add the additional clarifying language without the addition of pervious paved areas. Councilmember Cross seconded. Motion carried 5-1 with Councilmember Whitten dissenting.

MOTION: Councilmember Fellingge moved to adopt Table A as amended. Councilmember Petitti seconded. Motion carried unanimously 4-2 with Councilmember Whitten and Cross dissenting.

MOTION: Councilmember Fellingge moved to approve Table B as presented. Councilmember Petitti seconded:

AMENDMENT: Councilmember Cross moved to retain the “and processes” language (“ecological functions and processes”) in B-14 -25.04.010(7)(a),25.04.020(2)(a), 25.04.020(5)(g), 25.07.020(3)(b), 25.07.070(1)(a), 25.08.050(6) and B-15 (25.04.010(2)(d). Councilmember Whitten seconded. Motion failed 3-3 with Councilmembers Cross, Whitten and Petitti dissenting.

AMENDMENT: Councilmember Cross moved to eliminate the word “new” in B-24 – 25.01, and in B-25 – 25.01.030(4). Councilmember Whitten seconded. Motion carried 6-0.

MAIN MOTION: Table B is approved as amended 6-0.

MOTION: Councilmember Cross moved to incorporated the changes as proposed by the SHO Group SMP, including the staff margin notes. Councilmember Whitten seconded. Motion passed unanimously 6-0.

Ordinance Of The City Of Sammamish, Washington, Amending Chapter 21A.50 (Environmentally Critical Areas), Of The Sammamish Municipal Code

MOTION: Councilmember Petitti moved to adopt the ordinance amending Chapter 21A.50 of the Sammamish Municipal Code. Councilmember Cross seconded. Motion carried unanimously 6-0 (O2009-264).

MOTION: Councilmember Fellingge moved to adopt the ordinance approving the Shoreline Master Plan as amended. Councilmember Petitti seconded. Motion carried unanimously 6-0 (O2009-265).

Public Hearing

Ordinance: First Reading Amending the Sign Code

Tom Vance, Planning Commissioner presented the Planning Commission recommendation on amending the sign code. The Planning Commission supported the “No Action” alternative for the following reasons: They felt any changes to the sign code should be part of a comprehensive revision of the code. The changes should be reviewed with legal before making this very limited amendment to the sign code. They were also concerned about the number of these signs, there could be many of them and they are also within the proposed Town Center site and should conform with TC development regulations.

Public Hearing opened at 9:05 pm.

Public Comment

Heidi Fedore, Assistant Principal Skyline High School, She spoke in favor of the amending the sign code to allow electronic signs at the high schools only.

Daryl Paxman, PTA Board Eastlake High School, He spoke in favor of the sign code amendment.

Greg Reynolds, 4329 210th Place NE, He spoke in favor of the sign code amendment.

Laura Franklin, 20412 NE 25th Street, She spoke in favor of the sign code amendment.

Caroline Brown, 1920 218 Lane SE, She spoke in favor of the sign code amendment.

Vanessa Martinez, She spoke in favor of the sign code amendment.

Dane Gorman, 2923 202nd Place SE, She spoke in favor of the sign code amendment.

John James, 21603 NE 24th Street, He spoke in favor of the sign code amendment.

Public Hearing was continued to October 20, 2009 at 9:30 pm.

Resolution: Adopting An Updated Six-Year Transportation Improvement Plan For 2010-2015

Senior Transportation Engineer Jeff Brauns gave a short PowerPoint presentation (*available on the city website at www.ci.sammamish.wa.us*).

Public Hearing opened at 10:00 pm. No public comment was received. Public Hearing closed at 10:01 pm.

MOTION: Councilmember Petitti moved to adopt the resolution updating the Six-Year Transportation Improvement Plan for 2010-2015. Councilmember Felling seconded. Motion carried unanimously 5-0 (R2009-388)

New Business

Ordinance: First Reading Modifying The Terms Of The Members Of The Parks And Recreation Commission, Removing Alternate Positions From The Commission And

City Manager Ben Yazici gave the staff report. The goal of this amendment is to bring the size of the commission and the terms lengths in line with other commissions. It also allows the flexibility to appoint a member to the commission that does not live within the city limits of Sammamish. This is the first reading. No action is required.

Council Reports

Councilmember Petitti reported that there are dead trees in the right of way on 228th by Starbucks. She asked staff to see if there was some way the trees could be used or saved.

City Manager Report

Suburban Cities Association 2010 Nominations to Regional Committees and Boards. These nominations will be made at the October 20, 2009 Council meeting.

Mr. Yazici reported that Sammamish has had conversations with City of Issaquah regarding assuming the Klahanie Park Ball Fields. Issaquah does not have the money or staff to run the park. They would be amenable to removing the ball fields from their Potential Annexation Area so Sammamish could annex it. Staff has met with the Home Owners Association at Klahanie and they were not supportive of Sammamish annexing the fields and would like to keep them as part of the development. These fields may be a good compromise to improving Beaver Lake Park.

Meeting adjourned at 10:30 pm

Melanie Anderson, City Clerk

Donald J. Gerend, Mayor