

**City of Sammamish
City Council Minutes
Regular Meeting
APRIL 18, 2001**

Deputy Mayor Kilroy called the regular meeting of the Sammamish City Council to order at 7:30 pm.

Councilmembers present: Deputy Mayor Ken Kilroy, Councilmembers Don Gerend, Ron Haworth and Kathleen Huckabay.

Councilmembers absent: Mayor Troy Romero, Councilmembers Jack Barry and Phil Dyer.

MOTION: Councilmember Gerend moved to excuse Mayor Romero and Councilmembers Barry and Dyer. Councilmember Huckabay seconded. Motion passed unanimously 4-0.

Staff present: City Manager Ben Yazici, Director of Public Works John Cunningham, Director of Community Development Ray Gilmore, Finance Director Lyman Howard, Police Sergeant Dan Pingrey, City Engineer Dick Thiel, Planning Manager David Sawyer, City Attorney Bruce Disend and Administrative Assistant Gail Davila.

Roll Call/Pledge

Roll was called. Councilmember Haworth led the pledge.

1. Approval of Agenda

MOTION: Councilmember Haworth moved Item 9j be removed from the agenda. Councilmember Huckabay seconded. Motion passed unanimously 4-0.

MOTION: Councilmember Huckabay moved to approve the agenda as amended. Councilmember Haworth seconded. Motion carried unanimously 4-0.

2. Presentations/Proclamations

3. Executive Session – deleted

4. Mayor/Council/Committee Reports

- Finance Committee (Councilmember Huckabay): Committee discussed some policy changes and reporting changes. This was the first meeting with the new Finance Director Lyman Howard.
- Public Works (Councilmember Gerend): Committee did not meet. Councilmember Gerend attended a workshop on transportation alternatives.
- Community Development Committee (Councilmember Dyer): No report
- Public Safety Committee (Councilmember Haworth): No report

- Mayors Report: No report

5. Public Comment

Ralph Hope, 23228 SE 15th Court, Believes the conditions for the development of Sarah's Crossing are not being met and violate the agreement negotiated by the homeowners of Claremont development. He asked the City to issue stop work orders immediately.

Mark Wittman, Redmond, WA, Asked how he could get his request for a hardship exception on the agenda.

Mike Rundle, 2470 196th Avenue, Thanked the City for sponsoring the Eastlake Sammamish Trail Design Workshop on April 6th and 7th. He encouraged Council to take action on the information gathered at the workshop.

6. Consent Calendar

MOTION: Councilmember Huckabay moved to approve the Consent Calendar. Councilmember Gerend seconded. Motion passed unanimously 4-0.

7. Public Hearing

- a) Stormwater Management Comprehensive Plan Adoption**
- b) System Development Charges Increase**
- c) Stormwater Rate Increase**

Deputy Mayor Kilroy opened the Public Hearing at 7:55 pm.

City Engineer Dick Thiel gave a summary presentation on the Stormwater Management Comprehensive Plan. He discussed the changes that had been made in the plan since it was originally presented in July.

Public Comment:

Greg Allan, 530 254th Avenue NE, Redmond, Gave a handout to Council outlining what he believes are flaws in the design manual.

Erica Taliacos, 1130 Lancaster Way SE, Believes that additional monitoring of wetland areas should be addressed in the Comprehensive Plan.

Deputy Mayor Kilroy closed the Public Hearing 8:15 pm.

7. Unfinished Business

- a. Hardship Exception/Scindia**

Planning Manager David Sawyer explained this item had been tabled from the previous regular meeting. It is before Council for their further consideration of granting the hardship exception. The Scindia Group is asking to short plat their lot into six lots to make it more salable.

Fred Matson, representing the Scindia Group, gave Council a copy of a letter written to the Sammamish Plateau Water and Sewer District asking for an extension on their foreclosure proceeding until the Land Use Moratorium is lifted. The Sewer District has denied the extension.

MOTION: Councilmember Huckabay moved to grant a hardship exception to the land use moratorium. Councilmember Gerend seconded.

Councilmember Haworth said this is a case where there is no hardship but perhaps just a bad business investment. Councilmember Gerend feels that the Scindia Group is facing a hardship because of the moratorium.

MOTION: Councilmember Haworth moved to table the hardship exception to the next regular meeting. Councilmember Gerend seconded. Motion failed 3-1 with Councilmember Huckabay dissenting.

MOTION: Councilmember Haworth moved to reschedule this item to the next regular Council meeting so more Councilmembers would be present to vote on the issue. Councilmember Gerend seconded. Motion carried unanimously 4-0.

b) Resolution: Final Plat Approval Trossachs Division 8 Subdivision

City Attorney Bruce Disend explained that because this project was granted preliminary plat approval under King County the Council is very limited in what they can decide. The developer has met all the conditions as set forth by the County.

MOTION: Councilmember Haworth moved to approve the final plat of Trossachs Division 8 and direct the Deputy Mayor to sign the mylars in the Mayor's absence. Councilmember Gerend seconded. Motion passed unanimously 4-0 (R2001-69).

Councilmember Huckabay is opposed to granting final plat approval as long as the City is not collecting any impact fees for the project. Mr. Yazici explained the staff is working with King County to collect all mitigation fees paid to the County but due to the City.

7. New Business

**a) Hardship Exception/26039 SE near W. Beaver Lake Drive SE
(Frates/Morgan)**

Planning Manager David Sawyer gave the staff report. The request is for an exception to the Land Use Moratorium to create a three lot short plat. The property is jointly owned by 14 family members.

MOTION: Councilmember Huckabay moved to grant the hardship exception. Councilmember Gerend seconded. Motion failed 1-3 with Councilmembers Gerend, Haworth and Huckabay dissenting.

Councilmember Huckabay said she did not feel this case represented a significant financial hardship.

b) Hardship Exception/ 236th Avenue NE and NE 17th Place/(Hood Development, LLC)

Mr. Sawyer gave the staff report. This request is for a 14-lot subdivision of 4.82 acres. The applicant is requesting the exception based on expiration of water certificates and financial hardship created by engineering work preformed.

MOTION: Councilmember Huckabay moved to deny the hardship exception request. Councilmember Haworth seconded. Motion passed unanimously 4-0.

Councilmember Huckabay said this request does not fall within the spirit of the hardship exception which is provided for family-owned, small short plats. Councilmember Gerend felt the request does not qualify since the water certificates were obtained after the moratorium was in effect.

c) Hardship Exception/21436 NE 8th Street (Moreland)

Mr. Sawyer gave the staff report. This request is for a two lot short plat. Hardship request is based on the expiration of water certificates.

MOTION: Councilmember Haworth moved to grant the hardship approval. Councilmember Gerend seconded. Motion passed unanimously 4-0.

d) Ordinance: First Reading Stormwater Management Comprehensive Plan

e) Ordinance: First Reading System Developer Charges

f) Ordinance: First Reading Stormwater Rate Increase

City Manager Ben Yazici gave the staff report. The stormwater comprehensive plan has gone through several reviews, a public hearing was held and the plan is ready to be adopted. He requested Council consider all three ordinances together. Adoption of this plan does not preclude any further basin studies or follow-up on citizen complaints that may come later.

Council requested this matter be scheduled for the next Study Session on April 25, 2001.

g) Resolution: Identifying year 2001 road pavement overlay candidates

Public Work Director John Cunningham gave the staff report. This resolution will enact the provisions of O2001-78 which prevents excavation of newly repaved streets. This will protect all of the streets listed in the overlay program for 2001. The streets to be repaved next year are:

- Issaquah-Beaver Lake Road from 251st Avenue SE to SE Duthie Hill Road
- SE 8th Street from 212th Avenue SE to 218th Avenue SE
- 220th Place NE from 221st Avenue NE to NE 23rd Street
- NE 17th Street from 211th Way NE to 209th Place NE
- NE 18th Place from 211th Way NE to 209th Place NE

- 209th Place NE from NE 17th Street to South End
- 210th Court NE from NE 18th Place to West End
- E. Lake Sammamish Shore Lane (Waverly Shores)

MOTION: Councilmember Haworth moved to approve a resolution identifying the 2001 overlay program streets to enact the provisions of O2001-78. Councilmember Gerend seconded. Motion carried unanimously 4-0 (R2001-70).

h) Interlocal: 2001 Overlay Program

Mr. Cunningham gave the staff report. This interlocal agreement with King County provides for the pavement overlay work to be done on the streets identified in the 2001 Overlay Program.

MOTION: Councilmember Huckabay moved to authorize the City Manager to enter into an interlocal agreement with King County for pavement overlay work for 2001. Councilmember Haworth seconded. Motion passed unanimously 4-0.

i) Contract: Sidewalk Construction/Gray & Osborne

Mr. Yazici gave the staff report. This contract is for design engineering for the sidewalk improvement program for this year. The projects for this year are the sidewalks near Margaret Mead and Samantha Smith elementary schools.

MOTION: Councilmember Haworth moved to authorize the City Manager to sign a contract with Gray & Osborne for design engineering for the sidewalk improvement program. Councilmember Gerend seconded. Motion passed unanimously 4-0.

j) Resolution: National Fire Protection Association Proposed Standards 1710 and 1720

Mr. Yazici gave the staff report. This resolution identifies and opposes the proposed new standards by the National fire Protection Association (NFPA) which would create financial impact to the City.

MOTION: Councilmember Haworth moved approval of the resolution with the condition that the resolution be faxed in the morning of August 19, to NFPA Headquarters and to their meeting place in California. Motion passed unanimously 4-0. (R2001-71)

Council recessed to Executive Session at 9:25 pm to discuss real estate acquisition.

Open Session continued at 9:35 pm

8. Adjournment – Deputy Mayor Kilroy adjourned the meeting at 9:40 pm

Melonie Anderson, City Clerk

H. Troy Romero, Mayor