

**City of Sammamish
City Council Minutes
Regular Meeting
May 2, 2001**

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

Councilmembers present: Mayor Troy Romero, Deputy Mayor Ken Kilroy, Councilmembers Jack Barry, Phil Dyer, Don Gerend, Ron Haworth and Kathleen Huckabay.

Staff present: City Manager Ben Yazici, Director of Public Works John Cunningham, Director of Community Development Ray Gilmore, Police Chief Richard Baranzini, City Engineer Dick Thiel, Special Projects Coordinator Matt Mathes, City Attorney Bruce Disend and City Clerk Melonie Anderson.

Roll Call/Pledge

Roll was called. Councilmember Gerend led the pledge.

1. APPROVAL OF AGENDA

MOTION: Councilmember Huckabay moved to approve the agenda. Councilmember Gerend seconded. Motion passed as amended unanimously 7-0.

MOTION: Councilmember Haworth moved to amend the agenda by moving Item 3 to Item 21. Deputy Mayor Kilroy seconded. Motion passed 6-1 with Councilmember Barry dissenting.

3. Executive Session – Potential Litigation
(Moved to Item #21)

Mayor/Council/Committee Reports

- *Public Safety Committee (Haworth):* The Board for Eastside Fire & Rescue met to discuss long term funding. The meetings will continue until the Board comes up with a good funding plan even though the time period is short.
- *Councilmember Barry:* He has attended two meetings of the Issaquah School District Feasibility Study Group.
- *Finance Committee (Huckabay):* No report
- *Community Development Committee (Dyer):* The committee met and will be making recommendations on the several items on the agenda. He attended the first skate park design meeting. The meeting was well attended by area school students.

- *Public Works Committee (Gerend):* Public Works Committee meeting was cancelled so he could attend the SR 202 Widening Open House. He also attended the ribbon cutting for the new Issaquah Trolley.
- *Eastlake High School (Student Liaison Lin Yang):* He attended Sean Shipley Fund Potluck. Sean is a junior high student who suffered a heart attack at school. He is recovering well. This incident has prompted the school district to start a program to get portable heart defibrillators in the schools.
- *Mayor's Report:* He attended an Eagle's Court of Honor for six area Eagle Scouts. Several area newsletters have carried the message of Family Summit.

PUBLIC COMMENT

Tom Harman, 2302 W Beaver Lake Drive, Showed a video on community TV.

James McGraw, 1525 248th Avenue SE, Does not agree with the Council's decision to declare an emergency in the case of negotiating with property owners for easement agreements along 228th Avenue SE for the transportation improvement project. He also believes the Council is not responding appropriately to the Norris Estate development and is not allowing enough public input.

4-6. CONSENT CALENDAR

Claims for period ending May 2, 2001 in the amount of \$895,200.54
Minutes of April 18, 2001 Regular Meeting
Minutes of April 25, 2001 Special Meeting/Study Session

MOTION: Councilmember Kilroy moved to approve the consent agenda. Councilmember Gerend seconded. Motion passed unanimously 7-0.

UNFINISHED BUSINESS

7. Hardship Exception/Scindia

Community Development Director Ray Gilmore gave the staff report. This item has been continued from two previous meetings. There has been no additional information provided by the applicant.

Fred Mattison, 21319 S First Street, He gave an explanation of some materials that had been given to Council by a City resident that showed a previous application on the property.

MOTION: Councilmember Dyer moved to grant the hardship exception to the land use moratorium. Councilmember Gerend seconded. Motion passed 4-3 with Councilmembers Gerend, Haworth and Huckabay dissenting.

Councilmember Huckabay said this appears to a case of a bad investment and the City should not be responsible for bailing them out. Mayor Romero had hoped the Sammamish Plateau Water & Sewer District would give the applicant an extension on the foreclosure process and was disappointed that they didn't. He believes the District could work with the City during the moratorium to help their customers.

8. Hardship Exception/Plateau Bible Church

Special Projects Planner Matt Mathes explained that the historic building located on the property falls within the SEPA review. Through this process, conditions could be put in place to preserve the structure.

MOTION: Councilmember Gerend moved to grant the hardship exception to the land use moratorium. Deputy Mayor Kilroy seconded. Motion passed 5-2 with Councilmembers Haworth and Huckabay dissenting.

Councilmember Dyer said the Community Development Committee is recommending granting the hardship exception. Mayor Romero feels the City should try to preserve what little heritage the City has. Councilmember Haworth feels this building is not worth preserving and feels dividing this lot is not necessary.

George Buhl, Triad Associates, Speaking on behalf of the Church. He explained that the church has spoken to several people interested in preserving the historic building on the property although no agreement has been reached with anyone.

NEW BUSINESS

9. Hardship Exception/Labrador

Mr. Gilmore gave the staff report. The request is for a 24-lot short plat.

Bradley Hughes, Representing Group 4, spoke on behalf of the applicant, explaining the hardship request was based on the expiration of the water certificates. The applicants have spent considerable time and money and are ready to apply for plat approval.

MOTION: Deputy Mayor Kilroy moved to approve the exception. Councilmember Barry seconded. Motion failed 1-6 with Councilmembers Barry, Dyer, Gerend, Haworth, Huckabay and Mayor Romero dissenting.

Councilmember Huckabay again expressed the belief, in agreement with Councilmember Dyer, that the exception to the moratorium was provided to allow long time residents to divide their property into one or two lots. Mayor Romero concurs with Councilmembers Huckabay and Dyer that this request does not fall within the spirit of the hardship exception because the applicants knew there was a moratorium in place before they applied for the water certificates.

John Miranti, Group 4, Explained that the applicant's water certificates will expire before the moratorium expires. If this item is tabled until the moratorium is lifted in August, the applicant would not have enough time to make application before certificates expire.

MOTION: Deputy Mayor Kilroy moved to table. No second.

10. Hardship Exception/Daily

Mr. Gilmore said the applicant has asked for this request to be continued to the next regular meeting.

MOTION: Deputy Mayor Kilroy moved to continue this hardship request to the next regular meeting. Councilmember Dyer seconded. Motion passed unanimously 7-0.

11. Ordinance: Second Reading Stormwater Management Comprehensive Plan

Councilmember Gerend recommended adoption of the plan. He explained the plan could always be amended later as needed.

MOTION: Huckabay moved to adopt the Stormwater Management Comprehensive Plan. Councilmember Gerend seconded. Motion passed unanimously 7-0 (O2001-83).

Councilmember Huckabay asked staff to define impervious surface. She asked if developers could be reimbursed for their fees if they change their plans as they get further in the development.

12. Ordinance: Second Reading System Developer Charges

Mr. Cunningham gave the staff report. He said this ordinance replaces the interim system developer plan that was put in place until a study could be done to determine what the correct fee should be. Basically this is a \$320 increase from the original fee for impervious surface.

MOTION: Councilmember Dyer moved to adopt the System Developer Charges. Councilmember Huckabay seconded. Motion passed unanimously 7-0 (O2001-84).

13. Ordinance: Second Reading Stormwater Rate Increase

Mr. Cunningham explained that this is the second part of the funding for the Surface Water Comprehensive Plan. The rate increase will be 23% this year with no anticipated request for an increase in the second year.

MOTION: Councilmember Dyer moved to adopt the Stormwater Rate Increase. Councilmember Huckabay seconded. Motion passed 4-3 with Councilmember Barry, Deputy Mayor Kilroy and Mayor Romero dissenting (O2001-85).

14. Resolution: 2000 Sidewalk Improvement Completion

City Manager Ben Yazici gave the staff report. He said this resolution satisfies a state requirement to accept the sidewalk improvement project as complete. City Engineer Dick Thiel said this project and the next project were recommended as priorities by the two school districts. There has not been any agreement reached to share in the cost of these sidewalks between the City and the school districts.

Councilmember Gerend requested that the topic of sidewalk improvement projects be scheduled on a Study Session this month.

MOTION: Councilmember Huckabay moved to accept the completion of the Sidewalk Improvement Project. Councilmember Gerend seconded. Motion passed unanimously 7-0 (R2001-72).

Council recessed from 8:45 pm to 8:55pm.

15. Contract: City Hall Public Input Process

(Item deleted)

Councilmember Dyer inquired as to why this contract was on the Council agenda for approval since the City Manager has already been given the authority to sign all contracts up to \$15,000. Council agreed that these contracts do not need to come before Council in the future.

MOTION: Councilmember Dyer moved to delete items #15, #16 and #18 from the agenda. Deputy Mayor Kilroy seconded. Motion passed unanimously 7-0.

16 Contract Amendment: Comprehensive Plan/Edaw

(Item deleted)

17. Contract: Hearing Examiner

Mr. Gilmore explained the previous Hearing Examiner has given notice to end his contract with the City. The City is in need of an additional Hearing Examiner.

MOTION: Councilmember Gerend moved to authorize the City Manager to sign a contract with Mr. Ed Good for Hearing Examiner services Councilmember Dyer seconded. Motion passed unanimously 7-0.

18. Contract Amendment: Park Acquisition/Couch

(Item deleted)

19. Approval: Plans Examiner Salary

Mr. Gilmore gave the staff report. This position was given approval as part of the 2001/2002 budget process. The position has been advertised for two months. None of the applicants had the required experience. After studying salaries paid by surrounding cities, staff is recommending changing this salary to Grade 14.

MOTION: Councilmember Haworth moved to approve the salary change. Councilmember Kilroy seconded. Motion passed unanimously 7-0.

Councilmember Huckabay requested staff spend more time determining the appropriate salary before advertising positions to avoid costly advertising fees.

20. Agreement: Underground Conversion/PSE

Mr. Cunningham gave the staff report. This agreement is necessary so utilities can be put underground during the road improvement of 228th Avenue SE Phase 1B.

MOTION: Councilmember Dyer moved to authorize the City Manager to enter into an agreement with Puget Sound Energy for underground conversion of utilities. Motion passed unanimously 7-0.

21. Executive Session/Potential Litigation.

Council convened to Executive Session at 9:20 pm to 9:45 pm.

City Manager Report

No report

ADJOURNMENT – Mayor Romero adjourned the meeting at 9:45pm.

Melonie Anderson, City Clerk

H. Troy Romero, Mayor