

COUNCIL MINUTES

Regular Meeting December 3, 2002

Mayor Troy 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, Don Gerend, Ron Haworth and Kathleen Huckabay.

Councilmembers absent: Councilmember Michele Petitti.

MOTION: Deputy Mayor Kilroy moved to excuse Councilmember Petitti. Councilmember Huckabay seconded. Motion carried unanimously 6-0.

Staff present: City Manager Ben Yazici, Director of Administrative Services/Assistant City Manager Pete Butkus, Director of Public Works/Assistant City Manager John Cunningham, Director of Community Development Ray Gilmore, Director of Finance Lyman Howard, Parks Manager Jeff Watling, Senior Project Engineer Delora Kerber, Senior Planner Emily Arteche, Associate Planner Evan Maxim, Associate Planner Mark Rodriguez, City Attorney Bruce Disend and City Clerk Melonie Anderson.

Roll Call/Pledge

Roll was called. Cub Scout Troop No. 586 from Blackwell Elementary led the pledge.

Approval of Agenda

MOTION: Deputy Mayor Kilroy moved to approve the agenda. Councilmember Barry seconded the motion.

AMENDMENT: Councilmember Haworth moved to amend the agenda by removing Item 7, Flat Bed Truck purchase and move it to item 12B under Unfinished Business (This item has not previously been considered by Council but has been moved to Unfinished Business for convenience.). Deputy Mayor Kilroy seconded. Amendment carried unanimously 6-0.

AMENDMENT: Councilmember Huckabay moved to amend the agenda by changing Item 14, Final Plat/Muirfield and Item 15, Final Plat/Beaver Lake Estates Division II to be Items 7a and 7b respectively under Unfinished Business (These two items have not been considered by Council previously but have been moved to accommodate the developers present in the audience).

MAIN MOTION: Main motion carried as amended unanimously 6-0.

Presentations/Proclamations

The City Council presented the Eastlake High School Girls Soccer Team with an Achievement of Excellence Award for winning the State AAAA Soccer Championship. This is the first time the time has one such a Championship.

MAYOR/COUNCIL/COMMITTEE REPORTS

- *Public Safety Committee (Councilmember Haworth):* No Report
- *Finance Committee (Councilmember Barry):* The committee met tonight. Finances continue to be positive. Tax collection and investments are both rising.
- *Community Development Committee (Councilmember Huckabay):* No Report
- *Public Works Committee (Councilmember Gerend):* The committee met tonight. The committee is recommending the approval of Item 12/Final payment to Mid Mountain for Phase 1B. The committee recommends study of an alternative site for the proposed Park and Ride. Staff is working with Sound Transit to provide an environmentally sensitive design. The south end of 212th Avenue (Snake Hill) pavement is cracking. The committee is recommending a weight restriction of 15 tons be placed on the roadway. An ordinance must be in place before a weight restriction can be imposed. Staff will check into the issue. The committee discussed the alternatives for the East Sammamish/244th Corridor Study. The seven alternatives and all the comments received from the public meetings will be on the website. Council will discuss the issue.
- *Legislative Committee (Councilmember Petitti):* No Report
- *Eastlake High School Report (Student Liaison Will Voinot Baron):* Eastlake began their first major fundraiser for the year sponsoring an organization called Homeless Children International.
- *Skyline High School Report (Student Liaison Elizabeth Cochrane):* Football team finished 8th in State. Girls Soccer came in 3rd in State. Golf team did well as well as swimming, diving and tennis. The basketball season is beginning. The school is sponsoring a toy drive.
- *Mayor Report:* The Red Cross thanked the City for contributing \$1,000 during the 9/11 disaster. The King County Council will decide what to do with the ten pools the County currently maintains on December 13.
- *Planning Advisory Board:* Land Use Subcommittee-The Preferred Land Use Alternative has been approved by the board. The polices will be checked by an Ad-Hoc Committee to ensure they are clear and correct. Consultant Greg Dorhn explained the process used to develop the preferred plan. Transportation Subcommittee – The committee has developed goal, policies and priorities for transportation within the City. December 5 will be the last meeting and they will be determining threshold concurrency. Development Regulations Subcommittee – This committee will not be finished with their work in January. Due to a flaw in the traffic model, their work has been slowed down. The committee is recommending not granting impact fees exemption to schools and affordable housing. The committee hopes to complete its work in February. The entire plan should be approved by December 19 and will be handed over to the City Council on January 14.

PUBLIC COMMENT:

Penny Short, 2303 20th Avenue SE, She was representing the Sammamish Historical Society. She introduced Joe McConnell who suggested the City Council consider using the Reerd/Freed House as an Arts and Community Center. He handed out a copy of his proposal to the City Council.

Richard Berg, 2303 205th Avenue SE, He expressed concerned about the traffic in the Safeway parking lot and the fact that there are three different speed limit signs along 228th Avenue between NE 8th and East Lake Sammamish Parkway.

CONSENT CALENDAR

- 1) **Payroll for pay period ending November 15, 2002 for pay date November 20, 2002 in the amount of \$116,482.30.**
- 2) **Claims for period ending December 3, 2002 in the amount of \$229,060.98 for Check No. 6726 through Check No. 6788**
- 3) **Ordinance: Setting Fee Schedule By Resolution**
- 4) **Resolution: Changing Council Meeting Location**
- 5) **Contract: Eastside Transportation Partnership**
- 6) **Purchase: Back Hoe**

MOTION: Deputy Mayor Kilroy moved to approve the consent calendar. Councilmember Haworth seconded. Motion carried unanimously 6-0. .

Council recessed from 9:00 pm to 9:10 pm.

Resolution: Muirfield/Final Plat Approval (Originally New Business Item 14).

Community Development Director Ray Gilmore gave the staff report. This plat consists of 29 lots on 3.02 acres. The preliminary plat approval was given by King County and all roads are built to King County Standards. All bonding is in place for remaining items that are not currently complete. They have paid all the appropriate fees. The staff is recommending final plat approval.

Public Comment

Greg Allan, 530 254th Avenue SE, He gave Council a list of items that irritate residents regarding new subdivisions. The Hearing Examiner's Report was never mailed out to residents in the surrounding area. He does not feel the Hearing Examiner decided in the public interest.

John Schokapole, 866 108th Avenue NE, Bellevue, He reported that infiltration rates would not support roadways constructed with porous pavements.

MOTION: Deputy Mayor Kilroy moved to grant final plat approval to Muirfield subdivision. Councilmember Huckabay seconded. Motion carried unanimously 6-0 (R2002-133).

Resolution: Beaver Lake Estates Division II/Final Plat Approval (Originally New Business Item #15)

Mr. Gilmore gave the staff report. This is a 29-lot, single-family development. Preliminary Plat Approval was given by King County. All incomplete infrastructures have been bonded for. The appropriate mitigation fees have been paid. The staff is recommending final plat approval.

MOTION: Councilmember Haworth moved for final plat approval for Beaver Lake Estates Division II. Deputy Mayor Kilroy seconded. Motion carried unanimously 6-0 (R2002-134).

Unfinished Business

Ordinance: Second Reading of an Ordinance 2003 Tax Levy Rate

Finance Director Lyman Howard gave the staff report. Two versions of the ordinance are being presented to Council for consideration. The first version sets the Levy Rate at \$2.63 per \$1,000 in assessed valuation. The second version keeps the property tax levy rate the same as last year, approximately \$2.61 per \$1,000 assessed valuation. The assessed valuation is set by King County. The first ordinance would raise \$14,770,000. The second version of the ordinance would raise \$14,560,000. There are also two versions of the budget based on which version of the tax levy rate is adopted.

MOTION: Councilmember Haworth moved to approve Version A of the ordinance which provides for a 1% increase in the tax levy rate. Councilmember Gerend seconded. Motion failed 2-4 with Councilmembers Barry, Huckabay, Deputy Mayor Kilroy and Mayor Romero dissenting.

Deputy Mayor Kilroy does not believe an increase is necessary at this time and the City should live within its budget. Councilmember Huckabay feels it is important to send a message to the community that Council is aware that the economy is not good and that this is a regressive tax. Councilmember Gerend will vote in favor because he feels there are too many necessary projects that must be completed sooner rather than later. Councilmember Barry believes the tax increase is not necessary and it is important to listen to the public when they say they don't want new taxes. Mayor Romero does not think the increase will raise a significant amount and money.

MOTION: Councilmember Huckabay moved to approve Version B of the tax levy ordinance that provides for no increase in the current tax levy rate. Deputy Mayor Kilroy seconded. Motion carried unanimously 6-0 (O2002-115).

Councilmember Haworth pointed out that Council is still increasing taxes by approving this ordinance as well.

Ordinance: Second Reading of an Ordinance adopting the 2003/2004 Proposed Budget

Mr. Lyman noted that this ordinance would be adopting a budget for the next two years based on the tax levy rate that was just approved. There are two differences in this budget from the one presented at the public hearing. The first change is the 1% increase in property tax revenues has been removed. The second change is \$30,000 item that was added to Parks and Recreation for printing and mailing costs that were not previously accounted for.

MOTION: Deputy Mayor Kilroy moved to adopt the revised preliminary budget for the 2003/2004. Councilmember Huckabay seconded. Motion carried unanimously 6-0 (O2002-116).

Councilmember Haworth requested that funds be added to the budget for the equipment replacement fund. City Manager Ben Yazici said this money would be added and a revision brought back to Council for approval.

Public Comment:

Greg Allan, 530 259th Avenue NE, He hopes that Council will not spend any more money on designing or constructing the East Sammamish/244th Avenue Corridor and use that money for the Parks Fund.

Ordinance: Second reading 2002 Budget Adjustments

Mr. Lyman gave the staff report. This is the second reading of this ordinance. All adjusted expenditures have been previously presented to the Council. The adjustments are primarily due to larger than expected sales tax revenues and lower than expected expenditures for some capital projects that have been delayed.

MOTION: Councilmember Haworth moved to adopt the ordinance adjusting the 2002 Budget. Councilmember Huckabay seconded. Motion carried unanimously 6-0 (O2002-117).

Ordinance: Second Reading of an Ordinance of the City of Sammamish, Establishing Business License Requirements

Mr. Howard gave the staff report. He requested Council to modify the ordinance by changing the effective date of the ordinance to February. This will give staff time to make other necessary modifications to the ordinance.

MOTION: Deputy Mayor Kilroy moved to adopt an ordinance establishing Business License requirements. Councilmember Haworth seconded.

Mr. Yazici and Councilmember Huckabay explained the reason for changing the effective date is to allow more time for staff to explore ways of changing the ordinance that would provide the same requirements that state licensing requires but does not allow for many exceptions.

AMENDMENT: Councilmember Haworth moved to amend the ordinance by changing the effective date to February 2003. Councilmember Barry seconded. Motion carried unanimously 6-0.

AMENDED MOTION: Amended motion carried unanimously 6-0 (O2002-118).

Approval: 228th Phase 1B/Mid Mountain

Public Works Director/Assistant City Manager John Cunningham gave the staff report. There is a request to have Council accept the 228th Avenue SE Phase 1B project as complete and to authorize the final pay estimate to Mid Mountain in the amount \$369,037. \$160,100 for remaining work to be paid for from the original contract and \$209,400 for additional change order work that included joint utility trench crossing, road and Stormwater relocations, additional right-of-way purchases and other minor changes.

MOTION: Deputy Mayor Kilroy moved to accept the 228th Avenue Phase 1B project as complete and authorize the final pay estimate. Councilmember Gerend seconded. Motion carried unanimously 6-0.

New Business

Purchase: Flat Bed Truck (Previously Item #7 Consent Agenda)

MOTION: Deputy Mayor Kilroy moved to table. Councilmember Barry seconded. Motion failed 1-5 with Deputy Mayor Kilroy approving.

MOTION: Councilmember Haworth moved to authorize the purchase of the flat bed truck and authorize the Public Works department to consider purchasing a truck with a larger engine than what is currently be proposed. Councilmember Gerend seconded.

Councilmember Haworth requested this issue be removed from the consent agenda because he feels purchasing a diesel engine will be more cost effective in the long run. The Public Works Committee will develop a policy regarding the type of engines that should be purchased in general.

Resolution: 2003 Salary Schedule

Mr. Lyman gave the staff report. This schedule shows an increase of 1.7% over last year based on the Consumer Price Index for Puget Sound.

MOTION: Councilmember Huckabay moved to adopt the resolution setting the 2003 Salary Schedule. Deputy Mayor Kilroy seconded.

Councilmember Barry reported that the Finance Committee is recommending this salary schedule though he personally would like to do more for the staff. Deputy Mayor Kilroy believes that merit pay and cost of living increase are two different issues.

AMENDMENT: Councilmember Haworth moved to amend the resolution by change the pay increase percentage to 2%. Councilmember Barry seconded.

Mr. Yazici expressed appreciation to the Council for their concern for the staff, but due to the current economic situation he does not feel it would be appropriate to raise the increase higher than the recommended 1.7%.

Mayor Romero believes that the Council should accept the Committee recommendation. That is the purpose of having committees.

Councilmember Haworth withdrew his amendment.

MOTION: Councilmember Haworth moved that all conversation that took place between the original amendment proposal and the withdrawal of the amendment be stricken from the record. Councilmember Huckabay seconded. Motion failed 3-3 with Councilmembers Barry, Gerend and Deputy Mayor Kilroy dissenting.

MAIN MOTION: Passed as originally proposed carried unanimously 6-0 (R2002-132).

City Manager Report

Council Retreat is set for January 10 and 11, 2003. The Regular Council meeting scheduled for December 17, 2002 is cancelled as well as the December 24, 2002 Study session. Beginning on January 7, 2003 the City Council will begin meeting at the Sammamish Plateau Water & Sewer District.

Weight restriction signs can be placed on 212th Avenue SE but no enforcement will be done until there is an ordinance in place.

Mr. Yazici requested direction from the Council regarding the parking at the new City Hall. Administrative Services Director/Assistant City Manager gave a staff report. The decision is whether to have two floors of underground parking or one floor of underground parking and one above ground parking lot.

MOTION: Councilmember Haworth moved to build a 36,000 square foot building with two floors of parking underground. Councilmember Barry seconded.

Councilmember Gerend feels that it makes more sense to build the larger 45,000 square foot building with less underground parking. Councilmember Huckabay agreed adding that the larger building will provide more opportunities to work jointly with the public. Deputy Mayor Kilroy does not believe the numbers add up correctly. He requested the cost of a 30,00 two-story building with underground parking. Councilmember Barry feels that by having the parking underground it will allow for more use of the property for other things.

AMENDMENT: Councilmember Haworth moved to amend his original motion to increase the building size from 36,000 square feet to 45,000 square feet. Councilmember Huckabay seconded. Motion carried unanimously 4-2 with Deputy Mayor Kilroy and Mayor Romero dissenting..

228th Avenue SE Phase 1B Property Settlement.

City Attorney Bruce Disend explained that due to limited number of people currently in attendance at the Council Meeting, the Executive Session will not take place and a decision could be made in open session. This issue relates to a settlement agreement for acquisition of easement up to \$25,000.

MOTION: Councilmember Haworth moved to authorize the City Manager to sign a settlement agreement in the amount of \$25,000 to acquire easements needed on the property located at 1403 228 Avenue SE for the 228th Phase 1B Improvement Project. Councilmember Huckabay seconded. Motion carried unanimously 6-0.

Adjournment – Mayor Romero adjourned the meeting at 10:30 pm.

Melonie Anderson, City Clerk

Kenneth Kilroy, Mayor