

COUNCIL MINUTES

Regular Meeting August 6, 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, Kathleen Huckabay and Michele Petitti.

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, Police Chief Richard Baranzini, City Attorney Bruce Disend and City Clerk Melonie Anderson.

Roll Call/Pledge

Roll was called. Councilmember Huckabay led the pledge.

Approval of Agenda

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

AMENDMENT: Councilmember Haworth moved to amend the agenda by removing Item 3 Minutes for the July 16 Regular Meeting for the purpose of correction. Deputy Mayor Kilroy seconded. Motion passed unanimously 7-0.

MAIN MOTION: Motion to approve agenda as amended passed unanimously 7-0.

MAYOR/COUNCIL/COMMITTEE REPORTS

- *Public Safety Committee (Councilmember Haworth):* No Report
- *Finance Committee (Councilmember Barry):* No Report
- *Community Development Committee (Councilmember Huckabay):* No Report
- *Public Works Committee (Councilmember Gerend):* Committee met before the Council meeting. Issues discussed were (1) East Sammamish/244th Corridor Study update. There will be a public meeting on August 7 at Skyline. Notice of this open house went to every postal patron in the City. The objectives of the Open House are to present options for road alignment and solicit opinions about the options. (2) The Transportation Element of the Comprehensive Plan was discussed. There has been discussion regarding whether the growth target numbers correspond with the land use capacity. The consultant is rechecking the numbers. (3) A map showing possible road connections was circulated at a recent PAB meeting. This map is a draft only,

showing where connectivity could be accomplished. (4) There was a discussion concerning functional classifications regarding minor and major arterials. Staff is putting together a White Paper of this issue for Council. (5) The Southeast 32nd Street Barricade issue has been raised again because a new development is going in. Gray & Osborne will perform a study on the advisability of opening up those barricades and present their results to the City. (6) The City has 80 miles of private roads within it. There was a discussion about whether these roads should become public roads. (7) The committee discussed the design of the bike lane along 228th Avenue Phase 1C. The committee is recommending that the bike lane remain on the sidewalk unless Council supports otherwise. Councilmember Barry clarified that the change order necessary for moving the bike lane and acquiring the additional right of way would be prohibitive and terms of both cost and time. (8) There still are no new signs along I-90 pointing the way to Sammamish. The Committee recommends resubmitting applications to the State rather than take the time to see why the last applications were never filled. (9) Staff will be checking to see if the City has 25 boardings per day to qualify for more bus shelters along Sammamish's bus route. (10) The contractor on 228th Avenue Phase 1C caused a power outage for about one hour last week. (11) The Roundabout at Pine Lake is scheduled for construction next year.

- *Legislative Committee (Councilmember Petitti):* No Report
- *Eastlake High School Report (Student Liaison Will Voinot Baron):* No Report
- *Skyline High School Report (Student Liaison Elizabeth Cochrane):* No Report
- *Mayor Report:* No Report.

❖ **NEC Report**

Todd Rhinehart representing the NEC gave the report. A study was done on the feasibility of using the construction access into Sahalee as a secondary drop off point for the tournament. This access is not considered feasible because spectators would have to be dropped off on the road. This would require closing part of Sahalee Way and causing congestion. It is also out of the ordinary to drop spectators off at one point and picking them up at another. This often leads to confusion. The NEC felt that this option, while possible is not really practical.

Councilmember Huckabay felt this answer is not very acceptable since the City did offer to supply whatever type of traffic control would be necessary. Either by having buses just pull off and then continue on or by the use of cones to create another lane.

Bruce Haldors, Transpo Group, gave more specific information to Council on why the decision was made not to use the construction entrance as a drop off point.

PUBLIC COMMENT:

No public comment

CONSENT CALENDAR

- 1) **Payroll for pay period ending July 15, 2002 for pay date July 19, 2002 in the amount of \$109,199.60 and payroll for pay period ending July 30, 2002 for pay date August 5, 2002 in the amount of \$111,270.37.**

- 2) **Claims for period ending August 5, 2002 in the amount of \$979,600.50 for Check No. 6014 through Check No. 6134**

MOTION: Deputy Mayor Kilroy moved to approve the consent calendar. Councilmember Huckabay seconded. Motion passed unanimously 7-0.

3. Minutes For July 16, 2002 Regular Meeting

MOTION: Councilmember Haworth moved to amend the minutes by correcting the motion for Item #16 (page 5) by replacing the words “larger truck” with the words “additional equipment”. Deputy Mayor Kilroy seconded. The motion passed unanimously 7-0.

4. Public Hearing

Ordinance: Relating To Land Use And Zoning, Amending Ordinance No. 2001-86, To Extend A Moratorium On The Filing Of Applications For Development Permits And Approvals, Including Imposing The Moratorium On The Siting Of Secure Community Transition Facilities Until The Completion Of The City’s Comprehensive Plan And Development Regulations, Within The Corporate Limits Of The City Of Sammamish

Community Development Director Ray Gilmore gave the staff report. This is the second reading of the ordinance and continues the moratorium until February 2003. There were two public comment letters received regarding the ordinance.

Public Hearing Open **7:55 pm**

No comment regarding ordinance

Public Hearing Closed **7:56 pm**

Unfinished Business

- 5. Ordinance: Relating To Land Use And Zoning, Amending Ordinance No. 2001-86, To Extend A Moratorium On The Filing Of Applications For Development Permits And Approvals, Including Imposing The Moratorium On The Siting Of Secure Community Transition Facilities Until The Completion Of The City’s Comprehensive Plan And Development Regulations, Within The Corporate Limits Of The City Of Sammamish**

Mr. Gilmore explained this is basically the same ordinance which was passed last February with the exception of the addition of imposing a moratorium on the siting of secure community transition facilities within the City until the completion of the comprehensive plan. The staff is recommending adoption

MOTION: Councilmember Huckabay moved to adopt the ordinance extending the moratorium until February 2003. Deputy Mayor Kilroy seconded. Motion passed unanimously 7-0 (O2002-106)

6. Ordinance: Second Reading of an Ordinance Of The City Of Sammamish, Washington, Amending Ordinance No. O2000-52 To Increase Civil Penalties For False Security Alarms; Establishing Civil Penalties For False Fire Alarms; And Repealing Ordinance No. 99-34.

MOTION: Councilmember Haworth moved to adopt the ordinance. Councilmember Gerend seconded. Motion passed unanimously 7-0 (O2002-107)

Councilmember Huckabay expressed concern that this ordinance may not be raising fees high enough to be prohibitive.

New Business

7. Appointment of Beaver Lake Management District Board Members

City Manager Ben Yazici gave the staff report. In November of 2002 Council passed an ordinance establishing the Beaver Lake Management District. RCW 36.61 requires the formation of a management board. After soliciting applicants, a review committee is recommending three candidates be appointed. They are:

Sheldon Fisher	1916 W. Beaver Lake Dr. SE
Raymond Petit	2010 W. Beaver Lake Dr. SE
Bob White	2033 W. Beaver Lake Dr. SE

MOTION: Deputy Mayor Kilroy moved to appoint the three recommended candidates to the Beaver Lake Management Board to serve for the duration of the District. Councilmember Huckabay seconded. Motion passed unanimously 7-0.

8. Hardship Exception: Deisher (414 214th Avenue SE)

Mr. Gilmore gave the staff report. This is a request to subdivide 4.87 acres into 17 lots for single-family development. The hardship is medical in nature.

There was no one in attendance representing the applicant.

MOTION: Councilmember Gerend moved to grant the hardship exception request. Councilmember Huckabay seconded.

Councilmember Gerend questioned why the request if for a subdivision with a density of R-4 rather than the R-6 zoning the property currently has. Councilmember Huckabay questioned the applicant's indication of wanting to sell the property after being given this hardship exception. She wanted to be sure the applicant's were aware that exceptions apply only to the current

owners and are not transferable with the sale of the property. Mr. Gilmore assured her the applicants are aware of this.

MOTION: Deputy Mayor Kilroy moved to table the motion until such time as there can be representation on the part of the applicant at a Council meeting. Councilmember Huckabay seconded. Motion passed unanimously 7-0.

9. Ordinance: First Reading Amending Ordinance No. O99-15 For The Purpose Of Updating The Ordinance To Reflect Adoption Of The Most Current Edition Of The Uniform Plumbing Code

Mr. Gilmore gave the staff report. This amendment will update City ordinances to the most current edition of the code and will allow the general public to qualify for state and federal assistance to rebuild to current standards in the event of a natural disaster. This is a first reading of the ordinance. No action is required at this time.

10. Agreement: Puget Sound Energy/Undergrounding of Utilities on 228th Phase 1C

Public Works Director/Assistant City Manager John Cunningham gave the staff report. This contract will provide for the undergrounding of electrical utilities on the 228th Phase 1C. Project. It will not put the three high-voltage lines underground and is basically a continuation of the process that took place on 228th Phase 1B. There are two parts to the agreement. The first part is for design services and the second part is for the construction. The cost to the City has been increased from 30% on Phase 1B to 40% on Phase 1C per State Utilities and Transportation Commission approval.

MOTION: Councilmember Gerend moved to authorize the City Manager to enter into a contract with Puget Sound Energy for the undergrounding of utilities on 228th Avenue Phase 1C in an amount not to exceed \$350,000 as budgeted. Councilmember Haworth seconded. Motion passed unanimously 7-0.

Mr. Yazici assured Council that staff would be carefully scrutinizing the bills submitted by PSE for accuracy. He also indicated the empty pipes, which were installed in Phase 1B will be continued in Phase 1C for future City-use. Some of the cost for the undergrounding will be shared by other utilities.

11. Contract: Temporary Project Inspector/228th Street Phase 1C

Mr. Cunningham gave the staff report. Staff is recommending hiring an in-house inspector to do the inspection on 228th Phase 1C is stead of using an inspector through the consulting firm of Gray & Osborne. The reasons for this are (1) City will have better control over an in-house inspector. (2) The City will be able to provide better customer service both to people driving through the project and for residents along the project if the inspector is working directly for the City. (3) This will save approximately \$60,000.

MOTION: Deputy Mayor Kilroy moved to authorize the City Manager to hire a temporary construction inspector for the duration of the earthmoving portion of Phase 1C. Councilmember Gerend seconded. Motion passed unanimously 7-0.

City Manager Report

Mr. Yazici announced the City would begin to process passport applications at City Hall in the near future. The City is also increasing the number of staff members who can provide notary service to the general public.

City Attorney Bruce Disend requested to add an additional item to the agenda regarding hiring a temporary hearing examiner.

11. Contract Approval: Temporary Hearing Examiner.

City Attorney Bruce Disend gave the staff report. In order to proceed with the appeal of the City issued of the PAUE to King County for the East Lake Sammamish Interim Trail, it is necessary to hire a temporary Hearing Examiner that all involved parties agree to. Such a person has been selected and staff is seeking Council approval to have the City Manager execute the contract.

MOTION: Councilmember Haworth moved to authorize the City Manager to sign a contract with John Galt for temporary Hearing Examiner Services. Deputy Mayor Kilroy seconded. Motion passed unanimously 7-0.

Executive Session

Council adjourned to Executive Session to discuss three litigation issues and one potential litigation issue at 8:35 pm and returned at 9:20 pm.

MOTION: Deputy Mayor Kilroy moved to authorize the City Manager to execute an agreement to purchase an easement across the Forbes property, located at 1423 228th Avenue SE, for the sum of \$11,400. Councilmember Haworth seconded. Motion passed unanimously 7-0.

Adjournment – Mayor Romero adjourned the meeting at 9:25 pm

Melonie Anderson, City Clerk

H. Troy Romero, Mayor