

# COUNCIL MINUTES

## Regular Meeting May 21, 2002

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

**Councilmembers present:** Mayor Troy Romero, Councilmembers Jack Barry, Don Gerend, Ron Haworth, Kathleen Huckabay and Michele Petitti.

**Councilmembers absent:** Deputy Mayor Ken Kilroy.

**MOTION:** Councilmember Haworth moved to excuse Deputy Mayor Kilroy. Councilmember Huckabay seconded. Motion passed unanimously 6-0.

**Staff present:** Director of Public Works/Assistant City Manager John Cunningham, Director of Community Development Ray Gilmore, Transportation Manager Lee Haro, Senior Project Engineer Delora Kerber, Acting Police Chief Dan Pingrey, City Attorney Bruce Disend and City Clerk Melonie Anderson.

### **Roll Call/Pledge**

Roll was called. Boy Scout Member Nick Able of Troop #677 led the pledge.

### **Approval of Agenda**

**MOTION:** Councilmember Huckabay moved to approve the agenda. Councilmember Haworth seconded the motion.

**AMENDMENT:** Councilmember Gerend moved to amend the agenda by moving the Executive Session to follow the City Manager's Report. Councilmember Petitti seconded. Motion passed unanimously 6-0.

**MOTION:** To approve agenda as amended passed unanimously 6-0.

### **MAYOR/COUNCIL/COMMITTEE REPORTS**

- *Public Safety Committee (Councilmember Haworth):* No report.
- *Finance Committee (Councilmember Barry):* No report.
- *Community Development Committee (Councilmember Huckabay)* She encouraged everyone to attend one of the Comprehensive Plan workshops. They are very well attended. The Planning Commission is receiving many comments and suggestions.

The Community Development Committee met tonight. The Planning Advisory Board is suggesting Council form a Planning Commission which will overlap with the Planning Advisory Board. The Committee will continue to consider this suggestion at future meetings and will come to Council with a recommendation at a later date. The Committee also discussed developing a policy for locating a "High Level Sex Offenders" facility within the City. If the City does not have a policy in place by September 1, 2002, DSHS can come in and locate a facility anywhere. City Attorney Bruce Disend recommended that a section be added to the next building moratorium, if it is extended, to specifically state that this facility would not be exempt from the moratorium. The Committee then discussed the Eastside Catholic Development Agreement proposal. If the school does not have a process in place by August 15, 2002, they will lose their water certificates. The City's current code does not have a process the school feels comfortable with. They are requesting the Council to prepare a development agreement. They would then hold a public hearing to get input before entering into the agreement. After the public hearing, if the Council approves the developer agreement, the school would then go through the Conditional Use Permit Process. This also includes a public hearing and allows the Council to impose additional requirements on the school. The school has agreed to pay for any consultants the City would require to complete this process. The committee recommends either approving this process or having more information presented at a future study session. Council agreed to hold a Study Session on May 28 on this issue before deciding to go forward with this process. The Committee is recommending sending a letter to the recipients of hardship exemptions who have not begun any process. Hardship exemptions run with the applicant, not the property. Future exemptions will only be given one year to exercise the exemption.

- *Public Works Committee (Councilmember Gerend)*: Attended the Issaquah Chamber of Commerce Transportation Committee. He suggested Council send a letter of support for the Southeast Bypass issue since it will affect traffic flow from our City. He attended the Regional Transit Committee.
- *Legislative Committee (Councilmember Petitti)*: On March 14, 2002 the Council meet with all of the state and county representatives. Four topics were discussed: (1) Sales Tax Equalization. The legislators could not offer any substantial help on this issue and suggested the City form a coalition with other Eastside Cities to develop others sources to solve this problem. (2) Transportation. Funding for SR 202 was left out of the state budget this year and is only going forward because City of Redmond offered some short-term funding. (3) Annexation Issues. The state legislature will consider reinstating the petition method for annexation. (4) Transferring of County Parks to the City. Kathy Lambert will expedite the transfer of Beaver Lake Park to the City
- *Eastlake High School Report (Student Liaison Ali Khaki)*: ASB Elections took place today. Class representatives will be selected next week. Senior projects are being presented in track. Next week is "Celebrate the Arts" week.
- *Skyline High School Report (Student Liaison Courtney Paine)*: ASB elections took place. Baseball and track teams are going to state. The play just ended. School district wide food drive will take place next week.

- *Mayor Report:* Mayor attended a Bond Review meeting with representatives from Standard and Poor's.

**PUBLIC COMMENT: No public comment**

#### **CONSENT CALENDAR**

- 1) **Payroll for pay period ending April 30, 2002 for pay date May 5, 2002 in the amount of \$114,450.32**
- 2) **Claims for period ending May 21 2002, in the amount of \$1,306,299.56 for Check No. 5558 through Check No. 5646**
- 3) **Minutes For May 7, 2002 Regular Meeting**

**MOTION:** Councilmember Haworth moved to approve the consent calendar. Councilmember Huckabay seconded. Motion passed unanimously 6-0.

#### **Unfinished Business**

4. **Ordinance: Second Reading declaring public use and necessity for land and property to be condemned as required for Phase 1c of the street widening project on 228th Avenue NE/SE; and authorizing payment therefore from the City's Transportation Capital Improvement program fund**

Acting City Manager/Public Works Director John Cunningham gave the staff report. The request for condemnation has been reduced to two properties, with one of those two being very close to settling. Staff will continue to work with the last property owner in an effort to eliminate the need for condemnation.

**MOTION:** Councilmember Huckabay moved to adopt the ordinance. Councilmember Haworth seconded. Motion passed unanimously 6-0 (O2002-102)

#### **New Business**

5. **Ordinance: First Reading Amending Ordinance No. O2000-52 To Authorize The City Manager To Appoint The City Traffic Engineer**

Mr. Cunningham gave the staff report. This authority was inadvertently repealed in an earlier ordinance.

**MOTION:** Councilmember Haworth moved to suspend the rules and adopt this ordinance of the first reading. Councilmember Gerend seconded. Motion passed 5-1 with Councilmember Barry dissenting.

**MOTION:** Councilmember Haworth moved to approve the ordinance to amend Ordinance O2000-52. Councilmember Gerend seconded. Motion passed 5-1 with Councilmember Barry dissenting (O2002-103).

Councilmember Barry stated he feels all ordinances should be given the required two readings unless there is a demonstrated emergency.

**6. Resolution: Amending Existing Personnel Policy Regarding Miscellaneous Benefits**

Mr. Cunningham gave the staff report. This change to the Personnel Policies will help the City offer competitive benefits and wages that will retain and attract high quality personnel. Currently employees are not eligible for overtime pay if the overtime occurs in a week that has a holiday, vacation or sick day hours in it. Most cities do count vacation, holiday and sick days when calculating overtime. Staff is recommending counting all hours when computing overtime. There were also some other minor changes made to the policy.

Councilmember Gerend asked if this change in policy would affect the budget. Mr. Cunningham said all overtime would have to be approved by the supervisor. Councilmember Huckabay questioned whether sick leave should be included in this policy change. This may allow opportunities to abuse the system. Mr. Cunningham said this was an issue which should be dealt with at the management level and the other employees should not be denied this benefit just because it might possibly be abuse. Mayor Romero expressed concern regarding the use of sick leave and vacation leave. This creates a system where an employee can take vacation or sick leave and then get paid overtime to catch up on their work. Councilmember Haworth felt this policy amendment is comparable to what other cities do.

**MOTION:** Councilmember Haworth moved to amend the Personnel Polices. Councilmember Petitti seconded.

**AMENDMENT:** Councilmember Petitti moved to amend the amendment to the personnel policies and delete sick leave from Section 4.2 when calculating overtime. Councilmember Gerend seconded. Councilmember Huckabay seconded. Motion passed 6-2 with Councilmembers Barry and Haworth dissenting.

**MOTION:** Motion as amended passed unanimously 6-0 (R2002-112).

**7. Contract: East Sammamish/244<sup>th</sup> Corridor Study/H.W. Lochner**

Administrative Services Director/Assistant City Manager Pete Butkus gave the staff report. This is part of the approved Six Year Transportation Improvement Plan and is the project given the highest priority. Staff is recommending hiring a consultant to do this planning due to the limited staff size and expertise. The staff is recommending Council approve hiring HW Lochner to perform the design work, authorize an extra expenditure in an amount not to exceed \$15,000, if necessary, with further Council approval, execute a change order with Earth Tech for some additional work and authorize \$6,009 for public process.

Council considered the staff recommendations and voted unanimously 6-0 to approve.

**7. Appointment: Three voting members for the Annual AWC Conference**

The Council is required to appoint three voting members to attend the AWC convention as voting members at the annual business meeting. Council appointed Don Gerend, Michele Petitti and City Manager Ben Yazici.

**City Manager Report**

Mr. Cunningham asked for Council direction on determining the winners of the Name the Park Contest. Council requested the formation of a committee of three Councilmembers and several Park Commission Members. This committee will narrow down the entries to four or five per park and these names will be submitted to Council for final selection. Councilmembers Gerend, Huckabay and Petitti volunteered to be on the committee.

**Adjournment** – Mayor Romero adjourned the meeting at \_pm

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Melonie Anderson, City Clerk

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H. Troy Romero, Mayor