

# COUNCIL MINUTES

## Regular Meeting January 21, 2003

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

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

**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, Parks Manager Jeff Watling, Police Chief Richard Baranzini, City Attorney Bruce Disend and City Clerk Melonie Anderson.

### Roll Call/Pledge

Roll was called. Councilmember Romero led the pledge.

### Approval of Agenda

MOTION: Councilmember Barry moved to approve the agenda. Councilmember Romero seconded the motion.

AMENDMENT: Councilmember Huckabay moved to amend the agenda by moving the City Manager's Report to immediately follow the public comment. Councilmember Gerend seconded. Motion carried unanimously 7-0.

MAIN MOTION: Approving the agenda as amended carried unanimously 7-0.

### Presentations/Proclamations

Mayor Kilroy presented Loren Stayboldt with a City of Sammamish Achievement of Excellence award. Mr. Stayboldt was recognized for his hard work in organizing the Girls High School Basketball Cascade Classic Tournament at Eastlake High School for the last three years. Mr. Stayboldt presented the Councilmembers with T-Shirts.

Mayor Kilroy presented a plaque, on behalf of the Council, to former Mayor Troy Romero in recognition of the two years of hard work he has given the City in performance of his duties as Mayor. Former Mayor Romero thanked his fellow Councilmembers and City Manager Ben Yazici for their help and support.

## MAYOR/COUNCIL/COMMITTEE REPORTS

- *Public Safety Committee (Councilmember Haworth):* Eastside Fire & Rescue adopted a funding model. A presentation will be scheduled to present the model to all municipalities in the district. The tentative date for the meeting is March 6, 2003.
- *Finance Committee (Councilmember Barry):* Councilmember Barry thanked former Mayor Romero and said he was proud to serve with him. No Finance Committee Report.
- *Community Development Committee (Councilmember Huckabay):* The Community Development Committee will work on passing the Comprehensive Plan and then will begin working on updating the Development Regulations to be in compliance with the Plan. The committee will also be making policy recommendations to the Council. They are hoping this will speed up the process of editing the development regulations.
- *Public Works Committee (Councilmember Petitti):* Discussed change orders for 228<sup>th</sup> Phase 1C that will come before the Council tonight. They discussed issues surrounding the proposed Park & Ride that Sound Transit is planning. As part of that plan, there will be improvements to the Issaquah Pine Lake Road. They discussed the East Sammamish/244<sup>th</sup> Corridor study. Ms. Petitti also reported that a bus shelter will be completed in front of McDonald's on 228<sup>th</sup>.
- *Legislative Committee (Councilmember Romero):* No report.
- *Eastlake High School Report (Student Liaison Will Voinot Baron):* Gave a quick update for Skyline due to Elizabeth's absence. Eastlake will have a Martin Luther King Assembly. The high school is sponsoring an event to talk about drug and alcohol use in the schools. Traffic Court is up and running in the school.
- *Skyline High School Report (Student Liaison Elizabeth Cochrane):* No report.
- *Mayor Report:* Attended a ribbon cutting ceremony for the opening of the SPAR road. He spoke with state representatives regarding transportation issues with SR-202 and SR-520 and improvements the City feels are necessary. Sammamish will not get any federal funding for Homeland security because our population is less than 500,000. The City is sponsoring an Identity Theft forum at Skyline High School on February 12, 7:00 pm to 9:00 pm at Eastlake High School.

### **PUBLIC COMMENT:**

Nancy Whitten, PO Box 1294, Issaquah, WA. Congratulated the City and especially Councilmember Haworth, for lowering the City's Fire rating. She feels locating the skate park on the Sammamish Commons property would be inappropriate because it is located too close to the Arbor School. She suggested the skate park could be locked and only open while being supervised.

Jolie Imperatori, 3122 239<sup>th</sup> Place SE, She spoke against the placement of the skateboard park. If it must be at the Sammamish Commons it should be located closer to the police department for supervision. She feels it is inappropriate to locate a skate park on the most expensive piece of property in the city. She also feels there are other needs within the city that are more important than additional passive parks.

Daniel DeFranco, 20930 SE 14<sup>th</sup> Place, Spoke about Ebright Creek Park. He owns two acres southeast of the park. He was concerned that there was only one public meeting when originally three were planned. He felt neighbors and residents had no opportunity for input into the design. He does not feel this property is conducive to the planned baseball fields. Ball fields should be built at Section 36 park.

Ilene Stahl, 21553 SE 28<sup>th</sup> Lane, She expressed regret that the City did not follow the same process for public input for Ebright Creek Park as was done for Pine Lake Park. Residents have the right to participate in public meetings. She feels Ebright Creek will be threatened by development of the park.

Heather Whitmore, 23208n NE 21<sup>st</sup> Place, She is a Librarian at the Arbor School, her children attend the Arbor School and she is fearful that the location of a Skate Park so near the school will be distracting and security will be an issue.

Chelle Downey-McGee, 1520 220<sup>th</sup> Place NE, She teaches at Arbor School. She would not feel comfortable with a skate park right next to the school. She thinks the teenagers would be too scary for the elementary school age children.

Mary O'Brien, 3931 202<sup>nd</sup> Place SE, She is the principal of the Arbor School. She supports teenagers and skateboarders. She does not think they provide the appropriate role model for little children.

Chad Kyte, 20302 SE 40<sup>th</sup> Street, Spoke in favor of a skate park that is supervised like the Bellevue skate park. This makes for a safer environment for the kids.

John Galvin, 432 228<sup>th</sup> Avenue SE, Spoke in favor of the City forming and public/private partnership with landowners along 228<sup>th</sup> Avenue to develop the area appropriately.

### **State of the City Address**

Mayor Kilroy gave the annual State of the City Address accompanied by a Powerpoint Presentation. (A complete copy of this presentation is available upon request). The State of the City of Sammamish is excellent.

### **CONSENT CALENDAR**

- 1) Payroll for pay period ending January 15, 2003 for pay date January 17, 2003 in the amount of \$118,326.37.**
- 2) Claims for period ending January 21, 2003 in the amount of \$930,351.74 for Check No. 7057 through Check No. 7170.**
- 3) Minutes For January 7, 2003 Regular Meeting**
- 4) Contracts: City Attorney & City Prosecutor/Kenyon, Dornay Marshall, And Domestic Violence Advocate/K. Murphy.**
- 5) Approval: Position Descriptions/Assistant City Manager, Parks & Recreation Director, And Senior Building Inspector.**

**MOTION: Councilmember Gerend moved to approve the consent calendar. Councilmember Huckabay seconded. Motion passed unanimously 7-0.**

### **City Manager Report**

**Census Verification Report** – The results are in and the numbers basically verify the numbers of the Census count. Mr. Yazici will schedule this item for a Study Session to cover the results in greater detail.

**Overlake Medical Center**-The center will be located in Issaquah not the City of Sammamish because freeway access is better.

**East Sammamish/244<sup>th</sup> Corridor Study**- No more funds will be allocated for design or construction of the southern end of this corridor. The only work that will be done will be to determine a future alignment corridor. Of the seven original proposals, only five will be considered. This will allow the City to assess improvements that will be necessary as development occurs. (Alternatives attached to minutes.)

**City Hall**- Administrative Services Director/Assistant City Manager gave the staff report. He asked Council for direction on three topics, (1) size of building, (2) parking, and (3) location of skate park.

**MOTION: Councilmember Haworth moved to build a 40,000 square foot building with one floor of underground parking. Councilmember Gerend seconded. Motion passed 4-3 with Councilmembers Barry, Romero and Mayor Kilroy dissenting.**

Councilmember Barry was in opposition to the 40,000 square foot building because he is a fiscal conservative and promised the voters he would not support building a building any larger than the City's current needs.

Councilmember Huckabay will vote in favor of building a larger building because there is a need for community space.

Councilmember Gerend thinks it would be shortsighted to build a small city hall. Every city in the area has had to build a bigger building at a much high cost than it would have originally cost to build big in the beginning.

Councilmember Romero was in opposition to building a larger building than current needs necessitate. He feels if the building is larger than needed, more staff will be hired just to fill it. He believes 20,000 square feet would be sufficient. He would propose three stories of 10,000 square feet with less impervious surface. Cost of build this building would be less because the footprint of the building is smaller.

Councilmember Petitti is in favor of the motion. She thinks extra space could be leased out or used for community purposes. She also likes the idea of keeping all the city departments together in one building.

Mayor Kilroy was in opposition because his experience in government has shown that if you build space, it will be filled with additional unnecessary staff.

Councilmember Haworth supports the motion. Building the building too small will cost the City much more money in the long term. He cited Redmond as an example.

**Skate Park** – Mr. Butkus outlined several options for location of the skate park. There could be no skate park located on this property; it could be located as per staff recommendation in the conceptual plan in the southeast corner of the property; it could be located to about the mid-point of the property further east and further away from Arbor School.

**MOTION:** Councilmember Romero moved to locate a skate park somewhere on the 30 acres of Sammamish Commons. Councilmember Huckabay seconded the motion.

Councilmember Romero favors the skate park at the Commons because it is centrally located (and for 9 other good reasons).

Councilmember Barry favors the skateboard park as long as there are strict rules for use and the park should be segregated by ability level. It should not be located near the Arbor School.

Councilmember Petitti favors the skateboard park and thinks it should be located in a highly visible area.

Councilmember Huckabay favors the park in this area.

Mayor Kilroy and Deputy Mayor Haworth agree that the skateboard park should not be located near Arbor School, nor should it be located on the top part of the property.

**AMENDMENT:** Councilmember Romero agreed to amend his motion to say the skateboard park would not be located in the far Southeast corner of property near the Arbor School. Councilmember Huckabay seconded. Motion carried unanimously 7-0.

**MAIN MOTION:** Passed 6-1 with Councilmember Barry dissenting.

Mr. Yazici asked Council for direction on whether staff should continue to investigate a proposed alignment for the East Sammamish/244<sup>th</sup> Corridor.

**MOTION:** Councilmember Haworth moved to direct staff to continue to search for an alignment for the East Sammamish/244<sup>th</sup> Corridor south of SE 8<sup>th</sup> Street to SE 32<sup>nd</sup> Way. Councilmember Romero seconded. Motion carried unanimously 7-0.

Council recessed from 10:10 pm to 10:15 pm.

## **Unfinished Business**

### **Ordinance: Second Reading Establishing Motor Vehicle Gross Weight Restrictions On Certain Portions Of 212th Way SE; And Setting Penalties For Violation Of Such Restrictions (O2003-119)**

Public Works Director/Assistant City Manager John Cunningham gave the staff report. This is the second reading of this ordinance. The restrictions in the ordinance would apply on 212<sup>th</sup> Way SE between East Lake Sammamish Parkway and 35<sup>th</sup> Way SE. The changes made since the first reading were to add penalties for violation and an exemption was included for emergency vehicles.

**MOTION:** Councilmember Petitti moved to adopt the ordinance establishing weight restrictions on certain portions of 212 Way SE. Councilmember Gerend seconded. Motion carried unanimously 7-0.

## **New Business**

### **Resolution: Final Plat Approval Castle Pines (R2003-136)**

Councilmember Petitti excused herself since she testified at the Hearing for this plat. Community Development Director Ray Gilmore gave the staff report. Castle Pines is a proposed development consisting of 22 acres east of Plateau Golf and County Club. The plat was given preliminary plat approval by King County. Staff has determined that all conditions have been met and recommends granting final plat approval.

Councilmember Gerend questioned the developer on whether or not he would build a trail if the City would partnership with him or an agreement with the County could be reached to maintain the trail.

Brian McCabe, Developer, stated he would be willing to work with the City to build the trail if the City would maintain it. He would like to have a time limit set to reach this agreement. He pointed out that the final plat approval does not rest on the resolution of the agreement.

**MOTION:** Councilmember Romero moved to grant final plat approval to Castle Pines subdivision. Councilmember Haworth seconded the motion. Motion carried unanimously 6-0.

### **First Reading: Ordinance Appointing The Honorable Mary Ann Ottinger As The Municipal Judge For The City Of Sammamish**

Mr. Yazici gave the staff report. Judge Mary Ann Ottinger has been successfully serving the City of Sammamish as Municipal judge since incorporation. Recently, King County has reassigned Judge Ottinger to Northeast District Court. Our interlocal agreement for municipal court services requires the County to uphold all ordinances passed by the City. Therefore, the passage of the ordinance should require King County to reassign Judge Ottinger to Issaquah District Court. This is a first reading, no action is recommended at this time. Councilmember Huckabay wondered if passage of this ordinance could incur any financial impact such as requiring the City to pay for the Judge's services.

### **Contract: Consultant Services Ebright Creek Park Design & Construction/Wiscomb Landscape Architecture Services**

Parks & Recreation Manager Jeff Watling gave the staff report. After a series of meetings between staff and the Parks & Recreation Commission, three concepts for design of the park were developed. These concepts were presented to neighbors, user groups and other interested organizations and the concepts were narrowed to two. These two concepts were presented to City Council and one design was developed from merging the two. Protection of Ebright Creek is a major concern in developing this sensitive area. There will be one-on-one meetings with those residents that will be directly impacted by development of this park.

**MOTION: Deputy Mayor Kilroy moved to authorize the City Manager enter into a contract with Wiscomb Landscape Architecture Services for Ebright Creek Park Design & Construction in an amount not to exceed \$199,882. Councilmember Romero seconded. Motion carried 5-2 with Councilmembers Huckabay and Petitti dissenting.**

Councilmember Petitti expressed the desire that the City develop maintenance standards that would promote an environmentally safe use of pesticides and fertilizers. Councilmember Gerend suggest that the sports fields drain away from the creek. Councilmember Haworth questioned why the remaining public meetings for Ebright Creek had been cancelled. Mr. Yazici explained that further meetings were cancelled because staff felt Council was directing them to proceed with the preferred concept. Council directed staff to continue to work closely with the community in further planning of the park.

**Contract: 212<sup>th</sup> Way SE Study/Entranco**

Mr. Cunningham gave the staff report. This contract is to establish the causes for the failure on 212<sup>th</sup> Way SE and to develop cost estimates for repair of the roadway.

**MOTION: Deputy Mayor Haworth moved to authorize the City Manager to enter into a contract with Entranco to study 212<sup>th</sup> Way SE roadway in an amount not to exceed \$75,000. Councilmember Romero seconded. Motion carried unanimously 7-0.**

Council authorized two public hearings to be scheduled to consider the Proposed Comprehensive Plan on February 18 and March 18, 2003.

**Adjournment** – Mayor Kilroy adjourned the meeting at 10:45 pm

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Melonie Anderson, City Clerk

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Kenneth J. Kilroy, Mayor