

COUNCIL MINUTES

Special Meeting September 2, 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, Kathleen Huckabay and Michele Petitti Troy Romero arrived at 7:35 pm.

Staff present: City Manager Ben Yazici, Finance Director Lyman Howard, Communications Manager Tim Larson, Associate Planner Evan Maxim, City Attorney Bruce Disend and City Clerk Melonie Anderson.

Roll Call/Pledge

Roll was called. Councilmember Gerend led the pledge.

Approval of Agenda

MOTION: Deputy Mayor Haworth moved to amend the agenda by moving the City Manager Report to follow proclamation and to add an Item 13 Sports Fields at Sammamish Commons. Councilmember Gerend seconded the motion. Motion carried unanimously 7-0.

City Manager Report

The first issue Mr. Yazici addressed was the Comprehensive Plan. At the last meeting there were many comments regarding the boundaries of the sub-area study the Planning Commission will conduct after the Comprehensive Plan is adopted. It is clear that it was not Council's intent to increase the boundaries to include existing housing. Staff is recommending some language change to the comprehensive plan that will address the concerns of the surrounding residents.

Community Development Director Ray Gilmore presented council with the proposed changes:

The changes to LUP-2.2, section d are: (4) The sub-area planning shall focus on undeveloped and underdeveloped parcels within the final boundaries. (5) Sub-area planning shall respect the integrity of fully developed single-family residential neighborhoods, and give consideration to landscaping and/or buffer requirements between single-family "residential neighborhoods" and mixed use/commercial development. (6) The sub-area planning process shall include opportunities for public participation and comment.

Councilmember Huckabay recommended adding recreational uses to Section 5 when considering buffers and landscaping.

Mr. Yazici said that with the concurrence of the Council these changes will be made and incorporated into the Comprehensive Plan to be considered at the September 16 meeting. Council gave direction to make these changes.

228th Avenue SE/NE road improvement project is about a week behind schedule. Both school districts will be updated biweekly on the progress of the project as it may impact bus service.

Pine Lake Park improvements originally included a new sewer hook-up. The park currently is on a septic system, which is working fine. The cost of connecting to the sewer would be around \$70,000. Mr. Yazici recommends installing the sewer line, but delaying hook-up until such time as the septic system becomes inadequate.

Mr. Yazici handed out an updated version of a letter from the Department of Fish & Wildlife regarding the improvements at Ebright Creek Park.

Presentations/Proclamations

Steven A. Marcotte, representing the Government Finance Officers Association, presented the City with a Distinguished Budget Presentation Award. This award was established to promote professionalism and excellence in budget presentation. Receiving this award reflects many hours of hard work on the City's budget. He then presented a plaque to Finance Director Lyman Howard and Mayor Kilroy on behalf of the City.

MAYOR/COUNCIL/COMMITTEE REPORTS

- *Public Safety Committee (Councilmember Gerend):* Eastside Transportation Partnership has been meeting to give input on which projects should be listed on the draft recommendation that will be going to the State Legislature for approval. The cost for the recommended projects is around \$9 billion so the cities are hoping to get input for their respective councils to confirm they would support these projects. The proposed sources of funding would be 1/2 % sales tax increase, \$50 vehicle license fee, .03 % vehicle excise tax and 02.8 cents local option gas tax. The only local project currently on the list is the 244th corridor.
- *Finance Committee (Councilmember Barry):* No report
- *Community Development Committee (Councilmember Huckabay):* The Community Development Committee will meet on September 9, 2003 at 6:00 pm.
- *Public Works Committee (Councilmember Petitti):* The committee met tonight and discussed the following topics: (1) The roundabout planned for SE 32nd and Issaquah-Pine Lake road will be delayed until next spring due to the needed relocation of sewer lines. (2) A consultant has been hired to design the Issaquah-Pine Lake Road extension. (3) A contract for the north section of 244th Avenue Corridor will come before Council soon. (4) The SE 24th Street sidewalk project will go to bid soon and the contract should be awarded in September. (5) 228th Street project is on schedule. (6) Staff is reviewing the design standards in the Interim Public Works Standards, which will be updated soon. (7) A consultant will be hired to produce the Environmental Impact Statement for the improvements to East Lake Sammamish Parkway. A Citizen's Advisory Group may be formed to study issues relating to the

widening of East Lake Sammamish Parkway. The City has a \$2 million grant for this project. (8) Staff is working on **sS**storm and surface water issues. It would be beneficial if the moratorium remained in place until new standards are developed. (9) The consultant hired to evaluate 212th Avenue SE stability reported that it would cost around \$3 million for the most immediate fixes to the roadway. They also recommend cutting into the hillside to stabilize the roadway. (10) Sound Transit is again moving forward on the Park & Ride lot. (12) Councilmember Petitti recommended Council and Staff read up on low-impact housing.

- *Legislative Committee (Councilmember Romero):* No report
- *Mayor Report:* No report

Deputy Mayor Haworth said that 2,300 jurisdictions nationwide are eligible for the Distinguished Budget Presentation Award but only about 20 actually receive the award. He commended the Finance staff on a job well done

PUBLIC COMMENT:

Nancy Whitten, PO Box 1294, She was unable to attend the public hearings for the comprehensive plan but would like to offer her opinion tonight. She believes that both the residents along 228th and the Planning Advisory Board (PAB) were against enlarging the commercial areas along 228th Avenue Corridor. She believes that Council, by removing the limit to the commercial expansion around the existing shopping centers, will promote a concept the citizens don't want. She also requested Council to return to the three-year concurrency recommended by the PAB.

Martine Hebrant, 1602 207th Avenue NE, She believes a house being constructed near her is in violation of the building codes and is too tall for the lot. Even though the Community Development Department confirmed the house was in violation of the codes, she feels the City is not willing to enforce the rules.

Raymond Brooke, 2434 Sahalee Drive W., He disagrees with the ordinance prohibiting combustion engines on Pine Lake. He has lived here for 20 years and does not believe any problems are created by boats and trailers at the boat launch. He also does not believe the parking lot needs to be moved farther from the lake.

Mark Crosse, 247 208th Avenue NE, He is concerned by the City's processes. He recommended notifying people who live around the sub-area study boundaries as well as those who are included in it.

CONSENT CALENDAR

8:10 pm

Payroll for pay period ending July 31, 2003 for pay date August 5, 2003 in the amount of \$144,287.91. Payroll for pay period ending August 15, 2003 for pay date August 20, 2003 in the amount of \$114,170.61.

Claims for period ending August 1, 2003 in the amount of \$1,061,710.88 for Check No. 8289 through Check No. 8414.

Claims for period ending August 15, 2003 in the amount of \$1,905,068.05 for Check No. 8415 through Check No. 8513 and Claims for period ending August 29, 2003 in the amount of \$200,492.78 for Check No. 8514 through 8569..

Minutes for June 17, 2003 Regular Meeting.

Minutes for July 1, 2003 Regular Meeting.

Minutes for July 22, 2003 Special Meeting.

Minutes July 30, 2003 Special Meeting/Public Hearing.

Amendment: Police Contract

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

Unfinished Business - None

New Business

Hardship Request – Jim Wolfe (247 218th Ave SE)

Mr. Gilmore gave the staff report. The request is for an exception to the moratorium to develop a four-lot short plat on 1.22 acres that is zoned Residential 6. His hardship is based on the loss of sewer certificates. Mr. Wolfe was present to answer Council questions. He bought this property two years ago, based on staff information that the moratorium would be lifted soon.

Councilmember Huckabay questioned Mr. Wolfe if he was aware he was taking a chance in getting water certificates before the moratorium was lifted. She feels that other applicants for exception due to loss of water certificates have been denied and she thinks that to be fair, Council should deny this one as well.

Councilmember Gerend felt that this exception should be granted because Mr. Wolfe was given assurance from the staff that the moratorium would be lifted. He also said that Mr. Wolfe would have very little chance of renewing his water certificates in the next lottery.

Councilmember Romero believes that this exception should be granted based on the applicant receiving assurance that the moratorium would be lifted.

Councilmember Petitti questioned the applicant's monetary ability to develop this property.

Councilmember Haworth does not want to grant another exception because he does not want any more building vested to King County standards. Mr. Disend explained that this project would be subject to whatever standards are in place at the time of application.

MOTION: Councilmember Gerend moved to approve the hardship exception. Councilmember Romero seconded. Motion carried 4-3 with Deputy Mayor Haworth and Councilmembers Huckabay and Petitti dissenting.

Final Plat: Sammamish Heights

Mr. Gilmore gave the staff report. This is a King County plat. It is a 9-lot subdivision on a little over 9 acres. It is zoned R-6 and over half the property is to remain open space. All fees and bonds are in place.

Jim Tosti, applicant was present. Councilmember Gerend questioned whether this property was considered under-developed when calculating our housing numbers for the comprehensive plan. He also questioned if any of the lots were designated for on-site infiltration. Mr. Tosti answered that all surface water would be handled by a retention/detention pond. Either the City or the Homeowners Association would be responsible for maintenance of the storm drainage system.

Mr. Yazici said a study session would be scheduled to discuss low-impact housing and alternatives to building large detention ponds.

MOTION: Deputy Mayor Haworth moved to approve the final plat of Sammamish Heights. Councilmember Romero seconded. Motion carried unanimously 7-0 (R2003-150).

Ordinance: First Reading – Relating To School Impact Fees In The City; Amending Chapter 21A.43 (Impact Fees) Of The Sammamish Interim Development Code; And Adopting The Issaquah School District No. 411 Capital Facilities Plan And Impact Fee Schedule For 2004.

Mr. Gilmore gave the staff report. This is the first reading of the ordinance. No action is required. The fees increase to \$4,617 (\$693 increase for last year) for single-family dwellings and \$680 (reduction of \$25 from last year).

Councilmember Gerend questioned whether bonds have already funded this capital improvement plan? He also feels the district may be overbuilding. He requested the Issaquah School District to provide more information on their Capital Facilities Plan.

Resolution: Appointing Planning Commission

Mr. Yazici explained that this resolution appoints the new commissioners and establishes their initial terms. Those Commissioners and terms are as follows:

Scot Jarvis	Four Year Term
Robert Keller	Four Year Term
Robert Conger	Four Year Term
Karen Moran	Four Year Term
Catherine Kendal	Two Year Term
Stuart Carson	Two Year Term
Will Sadler	Two Year Term

MOTION: Deputy Mayor Haworth moved to approve the resolution appointing the Planning Commissioners. Councilmember Petitti seconded. Motion carried unanimously 7-0 (R2003-151).

Sports Field at Sammamish Commons

Deputy Mayor Haworth has always been in support of having athletic fields at the Commons. He is requesting Council give specific direction on the sports field vs. a sports meadow. Councilmember Barry questioned whether changing plans now would increase the cost of the contract to design the park. Mr. Yazici said there would be no significant impact. Councilmember Romero would like to know the cost of such a change before voting. Councilmember Petitti feels Council should stay with the original recommendation as put forth by the Park & Recreation Commission.

MOTION: Deputy Mayor Haworth moved to designate the sports meadow as a soccer field and that activity will take precedence over other activities. Councilmember Petitti seconded.

Councilmember Gerend feels that neighbors might be unhappy this change was made without any public process.

FRIENDLY AMENDMENT: Councilmember Romero moved to amend the motion by adding striping for T-ball. Deputy Mayor Haworth accepted the amendment.

MOTION: Amended motion carried unanimously 7-0.

Council recessed from 9:05 pm to 9:10 pm.

Executive Session - Real Property Purchase pursuant to RCW 42.30.110(1)(b) and Personnel pursuant to RCW 42.30.110(1)(g).

Council recessed to Executive Session at 9:10 pm and returned at 9:40 pm.

MOTION: Councilmember Petitti moved to award Mr. Yazici a \$5,000 bonus for completing his goals as set by Council at the beginning of the year. Councilmember Romero seconded. Motion carried unanimously 7-0.

Mayor Kilroy asked each Councilmember to comment on Mr. Yazici's performance this year.

Councilmember Petitti: I think Ben is doing a great job.

Councilmember Barry: Ben, I think that you are an outstanding City Manager. I feel honored to be on your Council and to work with you. I think you are deserving of the \$5,000 meet your goals. I am pleased to vote yes on it. I don't think, and you would agree with me I am sure, that we don't have any room for improvement. We still have some areas we can work on and I have shared that so I'm not saying anything that I feel is degrading to you, the position or suggesting that you have not met our expectations. One of the things that I would like to see, and I guess it maybe will come out in our workshop as we set goals for next year, is improving the website and that whole area. But we will look at that again. Another one is our Technology Committee and you and I have shared that, so again I'm not blind-siding you, I'm not suggesting anything. I want to make it perfectly clear I think you are doing a wonderful job. I am pleased to work with you. I am looking forward to the opportunity to work with the Council in the future and redefining some areas that we could add to the list of goals next year and build upon the successes that you have brought to this City and this Council so with that I am pleased to vote yes.

Councilmember Gerend: Well, Mr. Yazici I think we have all been very pleased with your performance and pleased with your ability to get in the harness and take this young city forward another step and I think that is a very difficult job in this City with low staffing and a novice Council and I recognized that you put in long hours. One of the concerns that the Council has had for some time now is "burn-out" and I think Kathy and I discussed this afternoon with you the question of perhaps not taking as many lead positions with outside organizations because of the time requirements and responsibility. I think I am certainly very pleased and feel very comfortable with you (inaudible).

Councilmember Romero: I think Ben is doing a great job!

Councilmember Huckabay: I spent two hours with Ben this afternoon giving him a recap of what all of you thought and put it in written document. (inaudible).

Deputy Mayor Haworth: Ben, when were you born?

Mr. Yazici: 1960.

Deputy Mayor Haworth: 1960. I started municipal service in February 1959 and I have worked for five different cities, two different fire districts and it only because I couldn't hold a job, because that happens. You are, in my opinion one of the finest city managers that I have had the opportunity to work with, and I have worked with a lot of them. I commend you for the excellent work that you do with your staff. You have met the expectations of me certainly, by not being here at every meeting asking for more people as is typical of a lot of city managers. I think you have led us down the right direction; the right path as far as the City is concerned. Where I am going to bail out at the end of the year, I hope that you will be interested and have the desire to

stay working for this City for many years to come. The bad news is, I am going to be on the negotiation team to negotiate your new contract.

Mayor Kilroy: Ben, I just want to say it is a pleasure working with a professional, as you are. Working the short staff and putting in the long hours that you do I certainly appreciate it and enjoyed working with you. One thing I really enjoyed is how you work with each of the Councilmembers one on one and know what we expect and go ahead and put forth the polices, programs and the plans that we have laid out for you.

Adjournment – Mayor Kilroy adjourned the meeting at 10:05 pm

Melonie Anderson, City Clerk

Kenneth J. Kilroy, Mayor