



COUNCIL *Sammamish* **MINUTES**
City of
Washington

Regular Meeting
March 16, 2004

Mayor Kathleen Huckabay called the regular meeting of the Sammamish City Council to order at 7:30 pm.

Councilmembers present: Mayor Kathleen Huckabay, Deputy Mayor Don Gerend, Councilmembers Jack Barry, Mark Cross, Lee Felling, Michele Petitti and Nancy Whitten.

Staff present: City Manager Ben Yazici, Assistant City Manager Pete Butkus, Director of Community Development Ray Gilmore, Director of Parks & Recreation Jeff Watling, Communications Manager Tim Larson, City Attorney Bruce Disend and City Clerk Melonie Anderson.

Roll Call/Pledge

Roll was called. Councilmember Felling led the pledge.

Approval of Agenda

MOTION: Councilmember Petitti moved to approve the agenda. Deputy Mayor Gerend seconded the motion. Motion carried unanimously 7-0.

MAYOR/COUNCIL/COMMITTEE REPORTS

- *Public Safety Committee (Councilmember Felling):* The committee is looking forward to improving public safety service to the City. To keep moving forward in this direction efforts are being made to link city efforts to regional efforts (i.e. EF & R). Key goals are developing standards of response time and services provided. Developing comprehensive cost models will be important, especially in light of proposed property tax reduction initiative.
- *Finance Committee (Councilmember Gerend):* Finance committee meets next week. Deputy Mayor Gerend and Councilmember Petitti attended last week's Eastside Transportation Partnership (ETP) meeting. Sound Transit gave presentation on Phase II planning. This program will be brought for a vote in two years. A video explaining the plan will be made available to any city requesting it. The Regional Transportation Investment District Executive Committee voted on transportation projects to be included on the proposed funding list. The process did not go well. ETP nominated \$5 million for I-90 two-way HOV lanes and \$5 million for SR-522 through Bothell and Kenmore. The

Water Resource Inventory Area 8 (WRIA 8) yearly meeting will take place next week. Mayor Huckabay has been the City representative in the past but would like someone else to take over. Councilmember Gerend and Councilmember Whitten volunteered to Co-Represent the City.

MOTION: Councilmember Felling moved to nominated Deputy Mayor Gerend as the WRIA 8 representative with Councilmember Whitten as the alternate. Councilmember Petitti seconded. Motion carried unanimously 7-0.

- *Community Development Committee (Councilmember Cross):* No Report
- *Public Works Committee (Councilmember Petitti):* The Committee met tonight. A consultant gave a presentation on overseeing public works projects. Senior Transportation Program Engineer Jeff Brauns gave a course on Transportation 101. There is a video presentation available on this subject that could be put on the Sammamish TV station. The Issaquah-Pine Lake Road/Roundabout is still on schedule. The grade of road must be decreased and all underground utilities have to be moved. Adjacent property will be available to allow for two lanes of traffic at all times. With no detour. Phase II of boardwalk at SE 24th was discussed. There will be substantial environmental impact from the project. It might be possible to raise the boardwalk by two feet to prevent shading of the wetlands. If the boardwalk is at water level additional mitigations will be required. Issaquah Pine Lake Road Extension project update is that most concerns voiced by residents at the open house related to the winding road around that area. Engineers are looking at solutions to this problem. 228th Avenue SE will begin final paving once the weather has improved. The Contractor is hoping to finish next week. Evergreen Christian Church needs to underground utilities along the road so a hole is being left for that work. The committee is concerned with the litter around 228th.
- *Legislative Committee (Mayor Huckabay):* No Report
- *Parks, Open Space & Natural Resources Committee (Whitten):* No report.
- *Skyline High School Student Liaison:* No Report.
- *Eastlake High School Student Liaison:* The students viewed a controversial video on transgender and homosexual discrimination. Some parents felt the video was not appropriate and students could choose to opt out. Mr. Eastlake Contest will be next week. Six male students try out in beauty pageant style. Drama club play Alice in Wonderland is next week. There were many traffic issues due to construction on 228th but the added turn lane will help. Midterms are next week. Students are looking forward to spring break.
- *Mayor Report:* Mayor Huckabay met with a representative of the Kirkland Senior Council. This Council has hired a consultant to do a needs assessment for seniors in their city. Mayor Huckabay suggested that Council consider doing something similar if there is money in the budget. She suggested scheduling a study session in July and inviting this council.

PUBLIC COMMENT:

Erica Taliacos, 1130 Lancaster Way SE, Ebright Creek should be developed as passive park to protect the creek. This type of park could be used year round without bothering the adjacent property owners. The article in newsletter misleading.

Mary Obrien 1107 228th Avenue SE: Does not want skate board park to be part of the Sammamish Commons. She wanted to bring the new Councilmembers up to date on her objections. The City honored the public school's request that the skate park not be near their school, she would like the same considerations.

Sharon Hamilton, Wants to have Ebright Creek Park built. She has been waiting for two years. She keeps checking the web site and can only find two parks with swings for toddlers. She has to go to Redmond or Kirkland. She has spoken about the park before. The park is being stalled because some people don't want the park in their backyard.

Susan Lathram, 20725 SE 3rd Way, She represents many families that would like to see the Ebright Creek Park developed as an active park. Surveys and public meetings show that most residents want active recreation. Staff developed an environmentally safe park and one that will not bother the neighbors. Parks should provide a mix of recreational use. EBC park is not big enough for passive park and passive parks are really used by adults. She encouraged finding the middle ground.

Shannon Coleman, Montage resident: Want Ebright Creek Park construction to begin this year. Echoed previous speakers comments. Community is frustrated by concerns of the minority. Some minor tweaking should protect the creek and surrounding neighbors. A ball park is possible.

Brad Sourbeer, 11902 206th Avenue SE, Snohomish, Wants to see parks established before all available land is developed. The City should start a fund or seek people who want to donate land for parks. His main topic was his concern that he has spent time and money acquiring water certificates and sewer. He has been meeting with City staff and was told that he needed to fill out a concurrency application. This is the first time he has heard of this. He also found out the no concurrency certificates are being granted because some city roads are already failing. This is creating a de facto building moratorium. Wants to have Council adopt resolution to exempt all single-family construction lots created before 2004 from concurrency requirements.

MOTION: Councilmember Petitti moved to amend the agenda by moving the City Manager's Report to follow Public Comment. Councilmember Felling seconded. Motion carried unanimously 7-0 pass.

(NO name/address given): City purchased property for community park. Additional funds have been spent on additional studies and reports. Thousands of dollars have been spent on surveys and meetings. She doesn't want park shelved. It has been approved by residents, approved by fish and wildlife, and should move forward.

Radia Pearlman 21221 SE 13th Place, Very little open space available. Kids like to do things other than organized sports. There will not be room for parking. The street is very busy. A park would draw more traffic and increase noise.

Mary Richter, Eric Richter and Alexander Richter, They want the park at Ebright Creek. The city needs space for children to play. It would be nice to come to some sort of compromise. The field would be multiuse.

Tara Koffman 25720 NE 4th Place, She is a very busy mom. She likes to take her kids to parks. She asked Council to reconsider master plan. Multi use field will be most useful.

The Council needs to work towards resolution to the conflicts between the neighbors and the park.

City Manager Report:

City Manager Ben Yazici reported on the recent developments for building ball fields at Eastlake High School. Surrounding neighbors have been contacted and a lighting analysis has been completed. All adjacent residents are supportive. All of their concerns can be addressed (access, litter, restrooms, no early morning weekend scheduling.) The schedule for this project could be accelerated. The next step is to negotiate an interlocal agreement with Lake Washington School District. The field will be made of Astroturf to extend usage and minimize maintenance. Mr. Yazici answered questions from audience. This project will include ball fields only, however the Sammamish Commons will have mixed recreation. Work will continue on EBC.

Mr. Yazici is trying to schedule an additional study session for March 30 to include topics on concurrency and Capital Improvement Project prioritization. He would like the meeting to start at 4:30 or 5:00 pm.

The State Legislature has kept SR 202 funding in place thanks to help from the Sammamish Legislative committee meeting with them. Mr. Yazici will provide a break down on costs and schedule for the project.

Sammamish staff will be working with Issaquah staff to coordinate the construction of sidewalks on 228th south of the Pine Lake shopping center. They will also discuss the feasibility of a roundabout at Eastlake Sammamish Parkway and SE 43rd Street.

Consent Calendar

- Payroll for pay period ending February 15, 2004 for pay date February 20, 2004 in the amount of \$140,580.97.
- Payroll for pay period ending February 29, 2004 for pay date March 5, 2004 in the amount of \$143,024.92.
- Claims for period ending March 16 in the amount of \$828,925.14 for Check No.9696 through Check No.9797

- Approval: Minutes for February 3, 2004 Special Meeting/Study Session

MOTION: Councilmember Barry moved to approve the consent calendar. Councilmember Petitti seconded. Motion carried unanimously 7-0.

Unfinished Business - None

New Business

Ordinance: First Reading Amending Ordinance 02003-132 To Revise The Effective Date For Implementing Certain Sideyard Setback Regulations

Community Development Director Ray Gilmore gave the staff report. In December of 2003, Council adopted several amendments to the development code, as recommended by the Planning Advisory Board. One additional code amendment was included by Council (revised setbacks for buildings in the R-4 district). Since adoption, several citizens have expressed concern about the lack of adequate notice on the revised setback standards and the effect the new code has on immediate building plans. The Community Development Committee considered the options and recommend changing the effective date of this ordinance to be applied to this amendment only. The effective date will coincide with the adoption of the National Building codes on July 1. This is the first reading of this ordinance. No action is required.

Deputy Mayor Gerend questioned if waiting another two weeks to pass the ordinance will be an undue delay and suggested rules be suspended to adopt the ordinance on the first reading.

MOTION: Deputy Mayor Gerend moved to suspend the rules and vote on the ordinance on the first reading. Councilmember Whitten second. Motion carried unanimously 7-0.

Councilmember Cross asked if staff would be making a presentation regarding the reason for the setback change. Mr. Yazici said there will be a discussion in June or July. The Public Safety Committee will study this amendment and determine if it is critical for safety.

City Attorney Bruce Disend explained that this ordinance will change only the effective date of the setbacks, the rest of the ordinance will remain in place.

MOTION: Councilmember Whitten moved to approve the ordinance revising the effective date of the sideyard setbacks. Councilmember Cross seconded. Motion carried unanimously 7-0 (O2004-143).

Resolution: 2004 Overlay Projects

Public Works Director Delora Kerber gave the staff report. This resolution approves the 2004 paving project list and enables Ordinance O2001-78 which prevents cutting of streets with new pavement for five years. King County will do the work, which is budgeted for this year. The projects selected are based on recommendations from the Pavement Management System. This system analyzes city roads to determine which ones are most in need of repair. The Pavement Management System will also allow the City to plan the overlay projects for the next five years. This long-term projection will allow time for notification and planning so the pavement will not need to be cut.

MOTION: Councilmember Barry moved to approve the resolution adopting the 2004 Overlay Program. Councilmember Petitti seconded. Motion carried unanimously 7-0 (R2004-168).

Councilmember Felling asked why King County is the contractor and questioned if the project was competitively bid. Ms. Kerber said King County provides the lowest cost, provides the most timely service and the City has an interlocal agreement with them for road services. The County also helps enforcement of the “No-Cut” policy by denying Right-of Way permits if the road was overlaid less than five years from date of the request. Utilities and residents are notified and signs are posted warning of the “No-Cut” policy. The ability to project out five years will allow for additional notification and planning time.

Councilmember Whitten stressed the importance of notifying all involved parties.

Deputy Mayor Gerend explained the history behind this policy. In the past many of the City’s streets were being cut into right after they were newly overlaid. He suggested that the overlay of SE 24 Street be coordinated with some pedestrian space

Councilmember Cross suggested a staggered fee for a permit to cut into the street, more if road has just been overlaid, less if nearer to the end of the five years.

Approval: 228th Avenue N.E. Improvements Phase 1C2 Project Water Meter Installation By Sammamish Plateau Water & Sewer District In The Downtown Area

Ms. Kerber gave the staff report. This water meter installation is a necessary part of the 228th Street project. The plans for this meter were not completed at the time of the project bid so it must be included now. The cost of the meter has been budgeted.

MOTION: Councilmember Felling moved to approve the funding of a Water Meter for the 228th Street project in the amount \$21,975. Councilmember Petitti seconded. Motion carried unanimously 7-0.

Councilmember Felling questioned if the fee was a little too high. Mr. Yazici said the Water District must be self sufficient and most of the cost is in the connection fee.

Break 9:00 pm 9:20 pm

Adoption: Sammamish Commons Master Plan

Assistant City Manager Pete Butkus gave the staff report. He gave a brief history of the Sammamish Commons. In September 1999 the City purchased 10 acres for the purpose of building a city hall. Through fall and winter of 2001 negotiations took place to purchase an additional 20 acres and the process was completed in April of 2001. Proposals were solicited for architectural/engineering/environmental and public process support.

In April of 2002 ARC Architects were selected. ARC held three public meetings throughout 2002: Visions & Values (June), Hopes, Dreams & Fears with eight site options being presented (July), Options for the Central Park & City hall with four options being reduced to two (August).

The Council reviewed the two final options on September 2, 2002 and directed staff to develop a third option that would include:

- Use 228th/SE 8th Street as an access point
- Keep transportation and utility costs low
- Preserve the view shed
- Provide space for a future community building on the site
- Illustrate a 45,000 gsf building with parking underneath at the northeast corner of the upper Commons.

Council considered two options on October 1, 2002 and selected Alternate B. On November 5, 2002 cost estimates were provided to the Council based on Concept B and the direction was to reduce costs as much as possible. On January 21, 2003 the City Council made the decision to construct a building of approximately 40,000 sf with only one floor of underground parking. The remainder of the parking to be surface parking.

The Council decided to develop the lower 20 acres as a separate project.

Although the Sammamish Commons is already incorporated into the Comprehensive Plan, it is still necessary to adopt the Master Plan before the subarea planning can begin. The Master Plan being presented tonight is consistent with the priorities set out in the Comprehensive Plan. When the construction plans are complete, a full environmental review will be performed.

The current proposal for the Master Plan has three options for access. This is just a concept and is not specific. Staff is recommending that Council adopt Concept C for the Sammamish Commons. This is not the final design. There is much more environmental work to be done as the plan is refined.

Mayor Huckabay asked for a review of the skate park location. Mr. Butkus said the history of this park has been very problematic. The first concept was to use entire 10 acres as skate park. Then the idea was to move it to the southeast corner of the property as part of a youth recreation area: skate park, half court basketball and climbing structure. Locating skate parks adjacent to arterials and buildings makes them more successful. This facility should not be any closer than 150 feet to the southern border and must contain effective buffers. The picnic area, climbing structure and basketball park will be between Arbor School and skate park. The park will be below grade for additional noise shielding.

Deputy Mayor Gerend inquired how the site set aside for a future building will be landscaped. Mr. Butkus said it will be landscaped with native growth materials.

Councilmember Whitten is concerned about the skate park being located too close to the Arbor School. She questioned why the skate park couldn't be moved right in front of the police station? Mr. Butkus said this would mean that customers would have to walk a fair distance to city hall from the parking lot. Councilmember Whitten said employees could park in lot and let customers park in underground parking. Mr. Butkus said that there is a concern about allowing public parking under government businesses.

Deputy Mayor Gerend said Margaret Mead school is in a residential area. That is why the decision was made to move the skate park from that location. This plan calls for the park to be located on public grounds, and will be close to the city hall and 228th avenue.

Mr. Butkus explained that the skate park would be similar in size to Issaquah's and smaller than Redmond's. It will be designed for the beginner to mid level skater.

Mayor Huckabay asked staff to look again at exchanging places between the parking lot and the skate park.

Mr. Butkus reiterated that approval of this plan does not mean that changes cannot be made at a later date.

Currently the plans for city hall are about 95% complete. The lower part of the Commons is slightly behind. Staff has been waiting until the entire plan could be presented to council as one package. Councilmember Cross requested that the city hall plans be presented to Council sooner rather than later.

Mr. Butkus said that no final decision has been made on uses for the two houses currently located on the property. That will be up to Council. Access must be resolved before the houses can be used for purposes other than housing the Parks Department

MOTION: Councilmember Petitti moved to adopt the Sammamish Commons Master Plan with the stipulation that Council begins seeing the plans. Councilmember Felling seconded. Motion carried unanimously 7-0.

Executive Session

Council recessed to Executive Session at 9:40 pm to discuss matters relating to Potential Litigation – Pursuant to RCW 42.30.110(1)(i). They returned at 10:05 pm with no action taken.

Adjournment – Mayor Huckabay adjourned the meeting at 10:05 pm.

Melonie Anderson, City Clerk

Kathleen Huckabay, Mayor