

# COUNCIL MINUTES

## Regular Meeting September 7, 2004

Mayor Kathleen Huckabay called the regular meeting of the Sammamish City Council to order at 6:30 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, Public Works Director Delora Kerber, Interim Director Community Development Susan Cezar, Park and Recreation Director Jeff Watling, Director Administrative Services Mike Sauerwein, Communications Manager Tim Larson, Police Chief Richard Baranzini, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

### Roll Call/Pledge

Roll was called. Councilmember Barry led the pledge.

### Approval of Agenda

MOTION: Councilmember Whitten moved to approve the agenda. Councilmember Cross seconded the motion.

AMENDMENT: Deputy Mayor Gerend moved to amend the consent agenda by removing items 7 and 8 and moving them to New Business. Councilmember Whitten seconded. Motion carried unanimously 7-0.

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

Executive Session – Property Acquisition pursuant to RCW 42.30.110(1)(b)  
Council retired to Executive Session at 6:35 pm. They returned at 6:46 pm and no action was taken.

### Council/Committee Reports

- *Public Safety Committee (Councilmember Felling):* No Report
- *Finance Committee (Councilmember Felling):* Councilmember Felling has been meeting with staff members to review the proposed 2005/2006 budget. Two areas of particular challenge are balancing the budget without raising taxes and linking the two year budget with the six year capital plan. Our current surplus of **operational revenue over operational expense** will begin to disappear, so it will be important that when they approve the capital to build a project, they also approve the **expense dollars** to maintain it. Over the next six years the city will experience a 34 million

dollar deficit in **the capital budget unless some planned spending is eliminated**. These problems will not be solved by November, but Council should develop a timeline to solve the deficit **problem in the 6 year capital budget**. (Bold words indicate clarification changes requested by Councilmember Felling on November 2, 2004.)

- *Deputy Mayor Report (Deputy Mayor Gerend)* The Deputy Mayor has been attending the meetings of the WRIA8 Committee. This committee is prioritizing projects for salmon habitat rehabilitation. Three Sammamish residents gave public comment at the meeting to encourage the committee to consider a project to protect the Kokanee salmon. He also reported that Sound Transit is still working on the project list to determine when, or if they should place it on the ballot.
- *Community Development Committee (Councilmember Cross)*: Councilmember Cross attended the Public Works Committee meeting and is glad to see that the committee is approaching concurrency holistically. The CDC will meet tomorrow. They will be discussing short and long term code amendments.
- *Public Works Committee (Councilmember Petitti)*: Topics covered were the joint maintenance and operations facility. The staffs of both the water district and the city have met and there is an opportunity to reduce the covered parking and add more building space. The rest of the meeting was devoted to the topic of concurrency issues. The committee felt that, of the many options listed, the Council as a whole should review and decide on which method to use.
- *Legislative Committee (Mayor Huckabay)*: No Report.
- *Parks, Open Space & Natural Resources Committee (Councilmember Whitten & Petitti)*: The committee met in August and September. Councilmember Whitten encouraged integrating the WRIA 8 policies into the plans for the Commons project and Ebright Creek Park. The committee discussed the agreement with Issaquah School District. The committee interviewed consultants for design of the three-acre site at Eastlake High School. Ebright Creek Park is down to two alternatives for development of the site. Parks and Recreation Director Jeff Watling went over the two concepts. These two concepts will be refined and then presented at an open house on September 30. Both concepts contain trails, children play area, restrooms, parking, a play field of some size and restoration of the native creek sensitive area buffer. One concept shows the siting of the Freed House at the park. The other concept shows an off-leash dog park. Both concepts have plans to keep as many trees as possible. The two concepts will be previewed on the city website.
- *Mayor's Report (Mayor Huckabay)*: The Mayor along with Deputy Mayor Gerend and Councilmember Petitti have been meeting with various groups about the possibility of some partnerships for services, such as Bellevue Community College. There is a possibility of having a branch college using the second floor of the future City Hall building. She and Deputy Mayor Gerend attended the kick-off meeting of the Special Area Task Force just prior to tonight's Council meeting. She invited everyone to visit the new playground and wetland area at Discovery Elementary School. School parents raised all the money for this project and it is a real jewel.

## **Public Comment**

Joshua Teague,(no address given), Wants to have the area around the sewer line that is being installed by his home be left in a natural state.

Mary Doerr, 1224 212<sup>th</sup> Avenue SE, A wildlife corridor runs through the proposed Ebright Creek Park. A dog park in this area would be completely unacceptable. The great grandson of the creek's namesake came to the Parks, Open Space and Natural Resources meeting today and he emphasized that he would like to see the Freed house on the Ebright Creek property. She hopes low-level lighting will be used.

Marianne Wilkins, 10917 SE 12<sup>th</sup> Street, She does not feel that Ebright Creek has received enough attention in regards to saving the salmon.

Ilene Stahl, 21552 SE 28<sup>th</sup> Lane, She addressed the WRIA 8 committee and urged them to recognize Ebright Creek as an important habitat tributary. The reason this creek has remained viable for salmon is the natural tree cover. She emphasized how important it is to enforce the SO 180 and SO 190 in both the Commons Project and the Ebright Creek Park project.

#### **Consent Agenda**

- **Payroll for pay period ending July 15, 2004 for pay date July 20, 2004 in the amount of \$158,448.52**
- **Payroll for pay period ending July 31, for pay date August 5, 2004 in the amount of \$175,804.64**
- **Payroll for pay period ending August 15, 2004, for pay date August 20, 2004 in the amount of \$158,790.57**
- **Payroll for pay period ending August 31, 2004, for pay date September 3, 2004 in the amount of \$160,719.47**

**Approval: Claims for period ending August 10, 2004 in the amount of \$783,247.39 for Check No. 10694 through Check No. 10855**

**Approval: Claims for period ending August 24, 2004 in the amount of \$618,452.18 for Check No. 10856 through Check No. 10952**

**Approval: Claims for period ending September 7, 2004 in the amount of \$1,293,405.96 for Check No. 10953 through Check No. 11057**

**Approval: Minutes for July 20, 2004 Regular Council Meeting**

**Approval: Minutes for July 27, 2004 Study Session/Special Meeting**

**Resolution: Appointing Alternate Members To The Special Study Area Task Force To Assist In The Development Of A Community Vision For The Special Study Area.**

**Interlocal: Joint Purchasing Agreement**

**Interlocal: Amending Law Enforcement Services/King County**

## **Interlocal: Printing Services/State of Washington**

**MOTION:** Councilmember Gerend moved to approve the consent agenda. Councilmember Whitten seconded. Motion carried unanimously 7-0.

### **Unfinished Business**

#### **Resolution: Setting Speed Limits On 228<sup>th</sup> Avenue And Sahalee Way NE**

Public Works Director Delora Kerber gave the staff report. 16,000 to 23,000 cars currently travel along the corridor. Traffic counts were conducted during April and June. This information was used to determine what the 85<sup>th</sup> percentile was of the traveling traffic. Based on this information the staff is recommending the following speed limits:

##### 228<sup>th</sup> Avenue

- From the south City Limit on 228<sup>th</sup> Avenue SE, at approximately the 4300 block, to a point 100 feet south of NE 2<sup>nd</sup> Street the speed limit shall be 40 miles per hour.
- From a point 100 feet south of NE 2<sup>nd</sup> Street to a point 100 feet north of NE 14<sup>th</sup> Street the speed limit shall be 35 miles per hour.
- From a point 100 feet north of NE 14<sup>th</sup> Street to the intersection with Sahalee Way NE the speed limit shall be 45 miles per hour.

##### Sahalee Way NE

- From the intersection with 228<sup>th</sup> Avenue NE to the north City Limit at approximately the 4400 block the speed limit shall be 45 miles per hour.

Ms. Kerber said that if excessive speed remains a problem along 228<sup>th</sup>, traffic calming measures will be more effective than lowering the speed limit.

Deputy Mayor Gerend thinks that 40 mph is too fast on the south end of 228<sup>th</sup> and 45 mph is too fast for the north end. He thinks the speed limit should be 40 mph in the north end and 35 mph in the south end.

Councilmember Whitten is concerned about the children in the crosswalk at Discovery and asked that a "No-turn on red" be posted during school hours. She is concerned about traffic but she is also concerned about setting the speed limit so low that it cannot be enforced.

Councilmember Fellingse sees the problem of being able to strike a balance between safety and moving traffic through the city.

Mayor Huckabay agrees with Deputy Mayor Gerend. She thinks the speed limit should be set lower and then add traffic calming measures.

Councilmember Barry asked Chief Baranzini to weigh in on the question. He explained that enforcement will be possible but will it be effective? He feels that the methods used to determine speed is a better way to set the limits.

Councilmember Petitti said the Public Works Committee has studied this issue and they are recommending approving the speed limits as proposed.

**MOTION:** Councilmember Whitten moved to approve the resolution setting the speed limits on 228<sup>th</sup> Avenue. Councilmember Cross seconded. Motion carried 5-2 with Mayor Huckabay and Deputy Mayor Gerend dissenting (R2004-180).

### **Public Comment**

Kimberlee Stevens, 20606 NE 16<sup>th</sup> Street, She requested Council to consider adding light limits to the nuisance Code. She believes she is being harassed by her neighbor with bright lights.

Pai, lives close to Discovery Schools. She thinks people are driving too fast on 228<sup>th</sup> because there are no signs. There should be plenty of signs posted. She also thinks having a variable speed is inconsistent.

### **Interlocal: Amending Permit Processing/King County**

City Attorney Bruce Disend gave the staff report. This amendment is being proposed to assist in the development of the East Lake Sammamish Trail. This trail is vested to King County regulations; they have already conducted numerous studies. Given the vast amount of County resources being devoted to the trail, it makes sense to have them process the permits. This will save both time and money for the city. The county will be responsible for any future litigation defense.

**MOTION:** Councilmember Felling moved to approve the amendment. Councilmember Cross seconded. Motion carried unanimously 7-0.

Council recessed from 8:02 pm to 8:15 pm.

### **New Business**

#### **Hardship Request: Decaro/22613 SE 4<sup>th</sup>**

Interim Community Development Director Susan Cezar gave the staff report. This request is for hardship exception due to financial reasons and expiration of their water certificates in January. The development is .69 acres in the R-4 zone. The request is for a three lot short plat. There was no one representing the DeCaros at the meeting.

**MOTION:** Councilmember Petitti moved to table this request to the September 21, 2004 meeting. Deputy Mayor Gerend seconded. Motion carried unanimously 7-0.

#### **Resolution: Granting Final Plat Approval to the Plat of Wynn Rose Subdivision**

Ms. Cezar gave the staff report. This is a King County transfer project and is vested to King County regulations. Construction is substantially complete and the applicant has paid fees for traffic impacts, ½ the school impact fees and has paid additional fees for improvements to the roads. Access to the plat is off of SE 32<sup>nd</sup> Street. The developer has opted to pay the entire mitigation fee, the level of which is vested to King County's rate.

**MOTION:** Councilmember Cross moved to approve the resolution granting final plat to the Wynn Rose subdivision. Councilmember Barry seconded. Motion carried unanimously 7-0 (R2004-181).

**Approval: Slope Mower Purchase**

Ms. Kerber gave the staff report. There is money available in the budget to purchase this mower. In addition to cutting vegetation along the road, it can be used to load gravel on trucks. Owning the mower will allow more flexibility and quicker response time to citizen requests. Purchasing the mower will be significantly lower than the current King County contract. The mower will be purchased through the Washington State Bid consortium at a cost of \$69,158.

**MOTION:** Councilmember Whitten to approve purchase. Councilmember Felling seconded. Motion carried unanimously 7-0.

**Amendment: Engineering Services/ARC Architect**

Assistant City Manager Pete Butkus gave the staff report. Sammamish Plateau Water & Sewer has required many changes to the original plan for the Sammamish Commons project. These changes require substantial engineering changes that were not budgeted for in the original contract. These required changes will allow for the placement of a fire hydrant near the two existing homes and will eliminate the need for a pump for irrigation. This amendment will not exceed \$20,584.

**MOTION:** Deputy Mayor Gerend moved to approve the amendment in an amount not to exceed \$20,584. Councilmember Whitten seconded. Motion carried unanimously 7-0.

**City Manager Report**

**Update: SE 24<sup>th</sup> Street Sidewalk**

Ms. Kerber gave an update on the estimated costs of different alternatives to the original boardwalk proposal. The first phase of this project has already been completed. The second phase will go through a significant wetland. The original boardwalk proposal would cost around \$1.54 million. The first alternative plan called for a gabion wall, although it would require additional support. The concern is that there could be differential settlement and it would be difficult to maintain. The cost would be approximately \$1.4 million and would require additional re-design. Another alternative was to put the sidewalk in the existing road bed and setting the guardrail outside of the roadbed. Due to the deep peat in the area, this does not seem to be a reasonable option. The last alternative is to cantilever out the boardwalk. There are sewer issues and the cost would be around \$1.3 million.

Mr. Yazici said that this trail could be the starting point for creating trails that connect Beaver Lake and Pine Lake with Section 36.

Councilmember Whitten inquired if the city could pursue grant money to fund this project. Staff will pursue grants, but the state transportation board is limiting grants for sidewalks to \$10,000. This project will begin in 2005.

Councilmember Felling said that this is a great project but it will not help in eliminating the city deficit.

### **Neighborhood Traffic Management Program**

Ms. Kerber updated Council on the Neighborhood Traffic Management Plan. Council had requested current information on how the program is working. Ms. Kerber said there are currently two projects in the second phase of the program. The first project is by Blackwell Elementary. The streets were striped down to 10 foot lanes. The average speed was 33 mph before the striping. After the revisions the average speed was 31 mph and 22 mph during school time. To engage in more than two or three projects at one time would require additional staff resources. Mr. Yazici said that increasing the neighborhood traffic management program should be discussed in conjunction with the budget.

The second neighborhood in the program is in the Audubon Park area. Temporary speed bumps were installed. Permanent speed bumps will be installed later this year. The speed bumps have reduced the speed from 36 mph to 29 mph.

The city will be purchasing radar speed signs to be placed in permanent locations around the city.

### **Level Of Service Revisions**

Ms. Kerber gave the staff report. The level of service was set in the Comprehensive Plan. The Six Year TIP addresses concurrency projects. There was a concern about the number of projects and the associated costs to bring the city into concurrency. Some options were presented to the Planning Commission. The commission did not want to change the level of service. They considered allowing single-family homes be exempt for the concurrency requirements, a bond be considered to finance parks projects and that certain projects be deleted. It is very difficult to make these decisions in time to modify the comprehensive plan this year. If several projects are funded for environmental studies only during 2005/2006, this will satisfy the state requirements for moving forward on concurrency projects. This would allow for more time to make the decisions and to have the necessary code modifications ready for next year's revision of the comprehensive plan.

Councilmember Whitten was concerned that if this issue is not addressed soon; the city will still be charging the highest road impact fees in the state. If there are any projects that are going to be removed from concurrency, they should be addressed sooner, rather than later.

Councilmember Barry said that he feels the Council should set a specific time aside to study this issue in depth, and consider all the issues that are impacted by the level of service.

Mr. Yazici will schedule a study session to study this issue in October

### **Sammamish Commons Update**

#### *Artist Rendering of Sammamish City Hall*

Mr. Butkus gave an update on the Sammamish City Hall project. Some conceptual changes have been made to outside of the city hall. The small windows along the council chamber wing of the building have been removed. More wood has been added to the doorway. The brick work will be removed from the middle of the building. The window look has been changed. Pavement has been removed to allow for more landscaping. He asked if the Council

would like to proceed with this design. Council has directed the use of more wood on the columns.

**Briefing – Impervious Surface**

Ms. Cezar explained the requirements of the SEPA process and the requirements of the SO180. The SEPA, which was part of the Comprehensive Plan, required a Master Plan for the Sammamish Commons project and this has been done. SEPA is an on-going process.

The SO-180 wetland management area includes the Sammamish Commons site. The limitation of 30% impervious surface applies. The plan for the commons will probably end up in the 20% range. Public agencies are allowed in the SO180. This was not a change in the code made by the city, but was a carry over from the county requirements.

Councilmember Whitten would like to see an assessment on how the city is mitigating the difference between the 30% requirement with the 8% residential requirements.

Gail Twelves, 19727 SE 19<sup>th</sup> Street, She does not think that there has been enough public involvement in the design of the city hall. She urged Council to delay the continuation of the city hall project until the Special Area Task Force can develop the overall plan for the Special Study Area.

Based on various public comments, a public meeting will be held with the Special Area Task Force to give a presentation on the City Hall.

- Redmond City Council meeting set for September 30, 2004
- There may be a joint meeting with Lake Washington School District on October 11 or 18
- The amendments to the sensitive area ordinance will proceed on the following timeline:
  - September 9<sup>th</sup> Code amendments on web site
  - Sept 16<sup>th</sup> the new codes will come before the Planning Commission
  - Sept 23 a Public Hearing will be held by the Planning Commission.

Mayor Huckabay adjourned the meeting at 10:45 pm.

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Melonie Anderson, City Clerk

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Kathleen Huckabay, Mayor