

COUNCIL MINUTES

Regular Meeting January 18, 2005

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 6:30 pm.

Councilmembers present: Mayor Don Gerend, Deputy Mayor Michele Petitti, Councilmembers Jack Barry, Mark Cross, Lee Felling, Kathleen Huckabay 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, Director of Administrative Services Mike Sauerwein, Parks & Recreation Director Jeff Watling, Finance Director Lyman Howard, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

Roll Call/Pledge

Roll was called. Skyline Student Liaison Liz Morgan led the pledge.

Approval of Agenda

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

Presentations/Proclamations

- ❖ Sergeant Dan Pingrey – Mayor Gerend presented King County Sergeant Dan Pingrey with a plaque thanking him for five years of dedication to the City of Sammamish Police Department. He has been promoted to Captain and will be reassigned to a different City.

- ❖ State of the City – Mayor Gerend presented the State of the City Address. This address is given on a yearly basis. It recaps the achievements of the previous year and highlights the goals for next year. (A complete copy of the presentation is available upon request from the City Clerk's Office)

Public Comment

Loren Charlston 21614 NE 14th Place, He doesn't like the impromptu car lots that spring up on vacant lots around the city. He would also like to see traffic improvements for north bound commuters. His main purpose for speaking tonight was to thank the City Council and City staff members for the hardship exemption he was granted several years ago and all the help he received to bring his project to completion.

Paul Ebensteiner 1203 114th Avenue SE, Bellevue, WA He asked for clarification on when the public hearing will be held for the extension of the moratorium

Tom Harmon, 4369 243rd Avenue SE, The Issaquah City Council is considering the annexation of Klahanie tonight. He thinks this is a very important process but the City of Issaquah should ask for a vote of the residents. The City of Sammamish should be involved in the process. The residents should be given a choice of which city they want to be annexed to. He also thinks there should be a citizen board formed after the annexation.

Mayor/Council/Committee Reports

- *Public Safety Committee (Councilmember Huckabay):* She reported on East Side Fire & Rescue Board meeting last week. The board has been discussing funding for the ladder truck. Due to the lack of finances, this truck will be shut down. It was being staffed by firefighters on over time. Interviewed consultants for developing a new funding model. She also attended a Suburban Cities meeting.
- *Finance Committee (Councilmember Felling):* Committee will meet on Thursday. The committee will be studying both short and long term financial issues.
- *Community Development Committee (Councilmember Cross):* Community Development Committee reviewed the code amendments that are being presented for public hearing/first reading tonight. They cover a wide range of topics. Growth metering options will be coming from the committee to the Council soon.
- *Parks, Open Space and Natural Resources (Councilmember Whitten):* No Report
- *Public Works Committee (Councilmember Barry):* Public Works Committee met tonight. They met Kelly the new project review engineer. Delora Kerber will come back with an overview of the goals the committee hopes to achieve this year. He also asked the rest of the Council which types of road standards the committee should study and what type of information the committee should bring back to the Council. Councilmember Huckabay would like to know what the options are for street width and drainage. Deputy Mayor Petitti would like information on flexible options other than curb, gutter and sidewalk. Councilmember Cross would like to study the issue of soft surface trails and identify roads that would be better served by soft surface trails instead of sidewalks. The committee will also work on concurrency. The study session on January 25 will include a discussion on that topic. Councilmember Barry is the City's representative to the Eastside Transportation Partnership. This is a collection of cities who work cooperatively on projects of mutual interest. They meet once a month.
- *Legislative Committee (Deputy Mayor Petitti):* AWC will be hosting a cities action legislative meeting.
- *Mayor's Report (Mayor Gerend)* WRIA 8 met last week. They summarized and discussed all the public comment they received regarding salmon recovery projects. The Zacusse Creek and lower Ebright Creek projects are high on the list to receive grant funding. The redistricting of King County has resulted in Sammamish being in just one Council district.
- *Skyline High School Student Liaison (Liz Morgan, Reese Ishmael):* Tolo and finals are coming up. There will be various fundraisers to finance the movie night and other night activities

- *Eastlake High School Student Liaison (Spencer Salmon):* Leadership class is working to raise funds for Mercy Corp to help tsunami victims. Senior Projects are underway and next week is finals week.
- *Sammamish Youth Board Representative (Robert Baxter):* Battle of the bands will be Saturday. Weekend after next is the annual Teen Feed. The students cook and serve all the food to homeless teens in Seattle.

Consent Calendar

- **Payroll for pay period ending December 31, 2004, for pay date January 5, 2005 in the amount of \$149,159.69**
 - 1) **Approval: Claims for period ending January 18, 2005 in the amount of \$505,061.11 for Check No. 11851 through Check No. 11957**
 - 2) **Approval: Minutes for January 4, 2005 Regular Council Meeting**
 - 3) **Approval: Notes for January 11, 2005 Study Session**
 - 4) **Resolution: Establishing The Date, Time And Location Of Council Meetings (R2005-190)**

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

Public Hearing/First Reading

Deputy Director of Community Development Susan Cezar gave the staff report. She presented a display that listed the public involvement process for these amendments. It has been through the planning commission and is now before the Council for consideration.

She also explained that the net density ordinance is in compliance with the prevailing laws. This amendment will bring the development code in line with the comprehensive plan to meet projected capacity.

Public Hearing/First Reading of the following ordinances: Opened at 7:45 pm

- **Ordinance: First Reading Pertaining To Public Agency And Utility Yards, Including Amendments To Allow For Public Agency And Utility Yards, Providing Design Standards, And Creating A New Definition Of Satellite Public Agency And Utility Yards, Amending Chapters 15, 20, And 30 Of Title 21a Of The Sammamish Municipal Code.**
- **Ordinance: First Reading Amending Section 21a.25.080 Of The Sammamish Municipal Code Regarding Density Calculations Subtracting Certain Environmentally Sensitive Areas And Streets From The Allowed Maximum Density Calculation While Allowing For A Density Incentive For Tree Retention**
- **Ordinance: First Reading Pertaining To Tree Retention And Landscaping For Subdivisions, Undeveloped Property, And Commercial Development, Including Tree Retention Standards, Tree Retention Incentives, Tree Protection**

Standards, And Enforcement Provisions, Revised Landscaping Requirements For Drainage Facilities, And Landscaping Standards, Amending Chapter 15 Of Title 16 And Chapters 15 And 35 Of Title 21a Of The Sammamish Municipal Code.

- **Ordinance: First Reading Pertaining To Land Use And Zoning, Amending Section 21a.15.1255 The Definition Of Structure; Amending Section 21a.20.040(B)(1)(C) Development Conditions For Parks; Amending Section 21a.25,190(8) To Clarify Projections And Structures Allowed Within Setbacks; And Amending Section 21a.25.190(9) Regarding The Setbacks Within Which Projections And Structures Are Allowed**

Public Comment

Duana Kolouskřová 15001 114th Avenue NE Bellevue, Representing the Master Builders of King and Snohomish Counties, John F. Buchan Construction, William Buchan Homes, Inc., Lozier at Gramercy Park, LLC, Cam West Development, Pacific Properties, Chaffey Homes, Conner Homes, and Wynward Development (exhibit #1) She asked Council not to approve the density amendment because it constitutes down zoning. Removing sensitive areas before calculating net density can only be done after a site specific analysis is completed. Down zoning cannot be achieved by arbitrarily removing sensitive areas.

Paul Ebensteiner, 1203 114th Avenue Bellevue, Representing Lozier Homes. He recommended Council not approve the density amendment. The net effect of the ordinance is to down zone. They are currently waiting for the moratorium to lift to develop two properties. This density calculation would significantly reduce the number of homes they will be able to build. The tree retention ordinance does not really offer any real incentives. Both these amendments should be sent back to the Planning Commission.

Public Hearing closed 8:00 pm

Unfinished Business - None

New Business

Ordinance: First Reading Relating To Land Use And Zoning, Amending Ordinance No. 2004-156, To Extend A Moratorium On The Filing Of Certain Specified Applications For Development Permits And Approvals, Within The Corporate Limits Of The City Of Sammamish.

Community Development Director Bob Horne gave the staff report. This ordinance is a new approach to the moratorium. It does allow several types of development that have been precluded under the old ordinance. This includes commercial construction, rezoning, except for the special study area, and substantial shoreline development projects. Subdivisions and short plats of three lots or greater, and multi family will still be prohibited under the moratorium. The code amendments needed to lift the moratorium are going to the Planning Commission and should be in place soon. Wireless facilities are also prohibited, but the City

is working on a wireless master plan and once that is in place the moratorium on those projects can be lifted.

This is a first reading. The public hearing and second reading of this ordinance will be held on February 1, 2005.

Public Comment

LaVerne Poston, 23720 NE 22nd Street, He is unhappy that the moratorium is not being lifted. He understands the issues regarding growth in the city, but he feels these issues are not being dealt with in a timely manner.

Duana Kolouskǎvá 15001 114th Avenue NE Bellevue, If the City tries to lower growth below the urban densities required by law, they will not meet their projected growth targets.

Break from 8:15 to 8:30 pm

Resolution: Adopting The 2005 Work Program And Budget For The Regional Coalition For Housing (ARCH)

Arthur Sullivan, Executive Director for ARCH gave the staff report. ARCH is an interlocal organization formed to help cities meet their affordable housing goals. In the last twelve years, the coalition has provided over 2,600 units. City Manager Ben Yazici was elected to head the executive board for this year. The organization helped Sammamish draft the housing element of the comprehensive plan. They provide all the members with the work program and budget for the coming year.

Mr. Yazici explained that the fastest way Sammamish can increase their affordable housing is through the development of accessory dwelling units.

MOTION: Councilmember Felling moved to approve the resolution adopting the 2005 Work Program and Budget for the Regional Coalition for Housing (ARCH). Councilmember Cross seconded. Motion carried unanimously 7-0. (R2005-191)

Resolution: Appointment Park & Recreation Commissioners

Mr. Yazici gave the staff report. There are six vacancies on the commission. Three of the current commissioners expressed a desire to be reappointed. At the last meeting, the Council interviewed candidates for the other vacancies. Two more applicants will be interviewed on January 25 and the Council will make the decision to appoint the remaining members at the February 1, 2005 meeting.

In order to keep the commission staffed at a functional number, Council is being asked to reappoint the three commissioners tonight.

MOTION: Councilmember Huckabay moved to approve the resolution reappointing three Parks Commissioners to an additional three year term. Councilmember Petitti seconded. Motion carried unanimously 7-0. (R2005-192)

Councilmember Cross recommended discussing the process for appointing the rest of the commission members.

Councilmember Whitten is in favor of reappointing these commissioners but cautioned against automatically reappointing incumbents. She recommended clarifying this process for the future.

Councilmember Barry disagreed with Councilmember Whitten's suggestions and feels commissions should be free to recommend current members be reappointed.

Contract: Beaver Lake Preserve Management Plan/JA Brennan

Parks & Recreation Director Jeff Watling gave the staff report. The Beaver Lake Preserve is 57 acres that were acquired with the help of an IAC grant. Part of the requirements of receiving this grant was the development of a management plan. The site planning done under this contract will help to locate and build additional trails in the preserve.

12 consultants were interviewed for this contract. JA Brennan was selected based on their past experience in developing these plans. The project should be completed by July.

MOTION: Councilmember Huckabay moved to authorize the City Manager to enter into a contract with J.A. Brennan for the development of the Beaver Lake Preserve Management Plan in an amount not to exceed \$35,000. Councilmember Cross seconded. Motion carried unanimously 7-0.

Contract: Beaver Lake Lodge Repairs

The lodge was a county facility that was transferred to the city. After a structural inspection the following repairs were recommended, installation of gutter, replacement of beams and other repair work. Timing is critical in the project given the use of the lodge. Staff is recommending council consider adding a 10% contingency fund not to exceed \$126,000.

MOTION: Councilmember Whitten moved to authorize the City Manager to enter into a contract with Triple D Construction for repairs to the Beaver Lodge in an amount not to exceed the bid amount plus 10% contingency. Councilmember Felling seconded. Motion carried unanimously 7-0.

City Manager Report

Ben asked if the Council can hold a joint meeting with the City of Issaquah on either the second or fourth Tuesday.

- **Planning Commission Vacancies**

There will be three vacancies on the Planning Commission at the end of March. Council requested the current members be asked if they would like to be reappointed as well as solicit outside applicants.

- **Neighborhood Traffic Management Program Update**

Two neighborhood meetings were held. One was held for the project on SE 32nd and drew about 14 area residents. They were not very happy with the planned calming measures. Ms. Kerber suggested waiting on this project until the extension of the Issaquah Pine Lake Road is completed to determine if there is still a need for the project. The second meeting was for the project at SE 30th Street. The project calls for a traffic circle and chicanes. About 30 residents attended and were willing to see if this project will help solve the neighborhood traffic problems.

The City hired a consultant for a feasibility study for putting a roundabout at SE 43rd way. The result of the study was that a roundabout will be a very good option. This is a City of Issaquah project.

Permanent Speed Signs will be placed along 212th to help monitor the speed of traffic.

- **Sammamish Commons Update**

Assistant City Manager Pete Butkus gave an update on the drainage study being done at Sammamish Commons. Drainage consultant Tom Holtz will be at the next regular meeting to give a more in depth report and get direction from Council on how to proceed with the drainage design. Mr. Butkus then outlined some other changes being considered (see handout).

Executive Session – Property Acquisition pursuant to RCW 42.30.110 (1)(b), potential litigation and litigation.

Council retired to Executive Session at 9:45 pm and returned at 10:45 pm. No action was taken.

Mayor Gerend adjourned the meeting at 10:45 pm

Melonie Anderson, City Clerk

Don Gerend, Mayor