

COUNCIL MINUTES

Study Session/Regular Meeting April 19, 2005

OPEN JOINT STUDY SESSION

6:30 pm

- **Public Comment**

Scott Hamilton, 19727 SE 19th Street, He has some concerns about the proposed growth metering ordinance. He does not like the fact that permit applications will not be limited during the first two years. He is concerned that developers will circumvent the 60-lot limit.

Gail Twelves, 19727 SE 19th Street, Complimented the Planning Commission for adding low impact development regulations to their priority list. She feels these standards must be in place before lifting the moratorium. She recommended adopting Olympia's low impact development regulations as an interim measure.

Mike Miller, Pacific Properties, He disputed Mr. Hamilton's claim that there are loopholes in the growth metering ordinance.

Mr. Yazici introduced Kamuron Gurol as the new Director of Community Development for the City of Sammamish.

- **Growth Metering Ordinance**

Council and Planning Commission discussed the proposed growth metering ordinance. General consensus was reached that this ordinance should move on through the public hearing process.

- **Planning Commission Priorities.**

Council and Planning Commission reviewed the priorities for the commission for the rest of the year. Low impact design and design standards will be added to the priorities and the light shielding ordinance will be moved lower on the priority list.

CLOSE JOINT STUDY SESSION

8:00 pm

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 8:20 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, Community Development Director Kamuron Gurol, Deputy Director Community Development Susan Cezar, Senior Planner Rob Garwood, Director of

Administrative Services Mike Sauerwein, Parks & Recreation Director Jeff Watling, Police Chief Richard Baranzini, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

Roll Call/Pledge

Roll was called. Student Liaison Reese Ishmael led the pledge.

Approval of Agenda

MOTION: Councilmember Felling moved to amend the agenda by moving the Committee reports, with the exception of the Student Liaison, to follow New Business. Councilmember Cross seconded. Motion carried unanimously 7-0

MOTION: Deputy Mayor Petitti moved to approve the agenda as amended. Councilmember Huckabay seconded. Motion carried unanimously 7-0.

Presentations/Proclamations

- Arbor Day /Earth Day – The Mayor read the following proclamation

Celebrate Arbor Day/ Earth Day

Whereas, In 1872 J. Sterling Morton proposed that a special day be set aside for the planting of trees, and that this holiday, called Arbor Day, was first observed with the planting of more than a million trees, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable economic resource, and trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal, and

Whereas, Earth Day, first proposed by John McConnell in 1969, is set aside each year to help us learn about our natural environment and how we are part of that environment; and

Whereas, there needs to be more understanding of how important the connections are between human survival and the diverse web of biological life; and

Whereas, the steps we can take to protect and preserve diversity in the environment through education, partnerships, and positive actions should be encouraged in the City of Sammamish;

Therefore, I, Donald J. Gerend, Mayor of Sammamish, do hereby proclaim April 23, 2005 as

Arbor Day/ Earth Day

in the City of Sammamish, and urge all citizens to celebrate this day and to support efforts to plant and protect trees, our woodlands, and our natural environment as a whole. Dated this 19th Day of April, 2005.

- Police Officer of the Year – Deputy Mayor Petitti introduced Andreas Kaltsounis Sammamish Police Officer of the Year. He is a University of Washington Law School graduate. He Joined the King County Police force in 1999. Det. Kaltsounis has worked in Sammamish for most of his time on the force. He was promoted to detective and has proven a valuable officer, especially in the area of computer forensics and identity theft.

Public Comment

David Klosterman 24703 SE Beaver Lake Drive, His property backs to Beaver Lake Park. He has had an ongoing problem with trespassers. He has blocked his property off with a gate and now the trespassers are going along 244th. That is a busy street without sidewalks and is a very hazardous situation.

Mayor/Council/Committee Reports

- *Skyline High School Student Liaison (Reese Ishmael)*: Last week was Spring Fling Week. Students participated in casino night and other activities. Students are taking the WASL test this week. Reese is helping to hire camp councilors for a youth camp. 12 French foreign exchange students are visiting.
- *Eastlake High School Student Liaison (Spencer Salmon)*: No Report
- *Sammamish Youth Board Liaison (Robert Baxter)*: No Report

Consent Calendar

Payroll for pay period ending March 31, 2005 for pay date April 5, 2005 in the amount of \$164,541.19

Approval: Claims for period ending April 19, 2005 in the amount of \$885,066.04 for Check No. 12491 through Check No. 12584

Approval: Minutes for April 5, 2005 Regular Meeting

Approval: Notes for April 12, 2005 Study Session

Professional Services Agreement/Fire

Resolution: 2005 Overlay Projects (R2005-195)

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

Unfinished Business

Second Reading: An Ordinance Of The City Of Sammamish, Washington, Amending Sammamish Municipal Code Chapter 8.10, Fireworks, To Ban The Sale, Purchase, Possession, Or Use Of Consumer Fireworks

Carol Hill, 8401 384th, Snoqualmie, She has sold fireworks in Sammamish for the last few years. She believes the general public does not know that this ordinance is being considered. Banning fireworks will force people to buy very dangerous fireworks at tribal stands. She feels fireworks provide great family entertainment. The stand also provides employment opportunities for youth.

Liz Lisicich, 1006 N Laurel Lane, Tacoma, She is speaking on behalf of the firework stand owners. She feels that the city could benefit from a public education program on safe use of fireworks rather than banning them outright. She suggested the City of Kent as a good example.

Curt Carrol, 2711 22 Avenue NW, Gig Harbor, He was also speaking on behalf of the firework stand owners. He questioned if the city was ready to enforce this new ordinance. He also agreed that people will bring in illegal fireworks.

Ken Spence, 24504 SE 3rd Court, He and his family and neighbors enjoy setting off fireworks. This ordinance will take this tradition away from his family. The ban will not prohibit fireworks and it will not be enforced. The current ordinance is practical and safe.

Scott Waitehead, 27218 SE 22nd Way, He grew up in a town that prohibited fireworks but still experienced problems with them. This ordinance will not prohibit the use of fireworks. The ordinance will force people to buy the dangerous fireworks instead of using the safe and sane fireworks.

Jerry Farely, 16526 Shore Drive NE, Lake Forest Park, He is a lobbyist for the fireworks industry. He has written all the fireworks regulations to date. He is striving to write regulations that provide safety and still allow fireworks. He expressed the same concern about people buying unsafe fireworks at the tribal stands. It will be impossible to enforce this ordinance.

Ken Sogge, 22439 Inglewood Hill Road, He feels this is too much government. It is a law that is unenforceable. The Fourth of July is a great time for bonding and lighting off fireworks is a big part of the celebration. The risk of accidents is very small. He suggested amending the ordinance so it doesn't apply to the Fourth of July and New Years or leaving the law as it is or putting it to a vote of the people in November.

Ron (unintelligible) 323 240 Place SE, He has fabulous memories of setting off fireworks with his dad. He does the same with his children. No one has ever gotten hurt. He feels the Council is exercising too much zeal. He encouraged Council to find a way to allow the use

of fireworks and not take the easy way out. A community fireworks show is not a substitute for home fireworks.

MOTION: Councilmember Whitten moved to amend the ordinance to exclude pop-its. No second.

MOTION: Deputy Mayor Petitti moved to table ordinance to allow more time for public comment. Councilmember Huckabay seconded. Motion carried 4-3.

Second Reading: Amending Sammamish Municipal Code Section 5.05.090 To Make Certain Violations By Peddlers A Civil Infraction; Amending Sammamish Municipal Code Section 5.05.030 To Require Peddlers To Show Their Business License Prior To Sale; And Amending Sammamish Municipal Code Section 5.05.040 To Exempt Fundraising Sales Conducted By Nonprofit and Not for Profit Organizations From Licensing Fees

MOTION: Councilmember Huckabay moved to approve the ordinance. Deputy Mayor Petitti seconded. Motion carried unanimously 7-0 (O2005-177).

Councilmember Whitten questioned if this ordinance would be enforceable. City Manager Ben Yazici said the ordinance will be enforced as much as police staffing will allow.

Second Reading: Ordinance Declaring Public Use And Necessity For Land And Property To Be Condemned As Required For Pine Lake Transit Access Road Transportation Improvement Project; And Authorizing Payment Therefore From The City's Transportation Capital Improvement Program Fund

MOTION: Councilmember Whitten moved to approve the ordinance. Councilmember Cross seconded. Motion carried unanimously 7-0 (O2005-178).

Second Reading: Ordinance Amending Section 2.60.020 Of The Sammamish Municipal Code Related To The Appointment Of Members Of The City Planning Commission

MOTION: Councilmember Huckabay moved to approve the ordinance. Deputy Mayor Petitti seconded. Motion carried unanimously 7-0 (O2005-179).

Resolution: Appointing Members To The Citizen Advisory Committee To Assist In The Critical Areas Ordinance Update

MOTION: Councilmember Whitten moved to accept all the applicants who applied. Deputy Mayor Petitti seconded.

AMENDMENT: Councilmember Huckabay moved to amend the motion by deleting the candidate who did not provide sufficient information and the

candidate that does not live in the city. Councilmember Cross seconded. Motion carried 6-1 with Councilmember Whitten dissenting.

Main motion: Main motion carried as amended unanimously 7-0 (R2005-196).

Mr. Yazici urged Council to limit the committee members to residents of the city because that was the way the committee was advertised.

New Business

Easement Agreement: NE Sammamish Water & Sewer District

Parks & Recreation Director Jeff Watling gave the staff report. NE Sammamish Water & Sewer District approached the city last year with a request to run a connecting water line across Evans Creek Preserve. The water line will be tunneled underneath the ground so there will be no disruption of the surface land. The District will provide two water stubs in the park and will compensate the city \$21,000.

Councilmember Fellingge offered a non-binding suggestion to use the \$21,000 to create a trail through the preserve.

MOTION: Councilmember Cross moved to approve the easement. Councilmember Fellingge seconded. Motion carried unanimously 7-0.

Mayor/Council/Committee Reports

- *Public Safety Committee (Councilmember Huckabay):* She asked if the Public Safety Committee should reconsider the fireworks ban ordinance. She asked if Council would support an emergency ban on fireworks for this year due to the expected draught. The committee will get more information on this issue, and bring a recommendation back to Council at the May 3rd meeting. The committee will continue to explore the possibility of a community celebration.
- *Finance Committee (Councilmember Fellingge):* Finance Committee will meet on Friday, April 22.
- *Community Development Committee (Councilmember Cross):* No report.
- *Parks, Open Space and Natural Resources (Councilmember Whitten):* Will attend the Growth Management Meeting and the Suburban Cities Policy Board. This board has asked Sammamish to identify three issues they would like Suburban Cities to address in the coming year. Transportation, Municipal Courts and sales tax equalization were suggestions from the City Manager.
- *Public Works Committee (Councilmember Barry):* The committee met tonight. They reviewed the Neighborhood Traffic Management Program. Information about this program should be made available to the citizens through the newsletter. Staff is working on the parking issues at the Vintage 1 Neighborhood. Staff gave an update on Sound Transit Park and Ride. Bids will go out soon and construction should begin in June with completion in the late fall.

- *Legislative Committee (Deputy Mayor Petitti):* Met with the President and Principal from Eastside Catholic. It was basically a “welcome to the neighborhood” meeting and a discussion about the possible shared use of facilities. Eastside Catholic representatives will also address the Chamber and Rotary about their plans for the new school.
- *Mayor’s Report (Mayor Gerend):* No report. National League of Cities will be in December. Please let the Clerk know if you would like to attend.

City Manager Report - None

Executive Session – Litigation and Potential Litigation 42.30.110(1)(i) and issues of national security pursuant to 42.30.110(1)(a).

Council retired to executive session at 10:10 pm and returned at 10:40 pm. No action was taken.

Mayor Gerend adjourned the meeting at 10:40 pm.

Melonie Anderson, City Clerk

Donald J. Gerend, Mayor