

# COUNCIL MINUTES

## Regular Meeting February 15, 2005

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 6:35pm.

**Councilmembers present:** Mayor Don Gerend, Deputy Mayor Michele Petitti, Councilmembers Jack Barry, Mark Cross, Lee Felling, and Nancy Whitten (excused at 7:30 pm).

**Councilmembers absent:** Councilmember Kathleen Huckabay.

**MOTION:** Deputy Mayor Petitti moved to excuse Councilmember Huckabay. Councilmember Cross seconded. Motion carried unanimously 6-0.

**Staff present:** City Manager Ben Yazici, Assistant City Manager Pete Butkus, Public Works Director Delora Kerber, Director of Administrative Services Mike Sauerwein, Director of Community Development Bob Horne, Communications Manager Tim Larson, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

### **Roll Call/Pledge**

Roll was called. Councilmember Whitten led the pledge.

### **Approval of Agenda**

**MOTION:** Councilmember Felling moved to approve the agenda. Deputy Mayor Petitti seconded. Motion carried unanimously 6-0.

### **Presentations/Proclamations (insert proclamation)**

#### **❖ 100 Years of Rotary**

Dee Hooeke, Rotary President presented City Manager Ben Yazici with a past president pin. On behalf of the Rotary, Bernie Lucking/Co-Chair Community Services donated a granite bench to the City. It will be placed at the new City Hall. Andre Pomeroy was the sculptor. He is a Washington resident and learned his craft in Alaska. His sculptures are internationally recognized.

Mayor Gerend read the following proclamation marking 100 years of Rotary:

#### ***Rotary International Proclamation***

*WHEREAS, Rotary International, founded on February 23, 1905 in Chicago, Illinois USA, is the world's first and one of the largest non-profit services organizations; and*

*WHEREAS, there are over 1.2 million Rotary club members comprised of professional and business leaders in over 31,000 clubs in more than 165 countries; and*

*WHEREAS, the Rotary motto “Service Above Self” inspires members to provide humanitarian service, encourage high ethical standards, and promote good will and peace in the world; and*

*WHEREAS, Rotary funds club projects and sponsors volunteers with community expertise to provide medical supplies, health care, clean water, food production, job training, and education to millions in need, particularly in developing countries; and*

*WHEREAS, Rotary in 1985 launched Polio Plus and spearheaded efforts with the World Health Organization, US Centers for Disease Control and Prevention, and UNICEF to immunize the children of the world against polio; and*

*WHEREAS, polio cases have dropped by 99 percent since 1988 and the world stands on the threshold of eradicating the disease; and*

*WHEREAS, Rotary is the world’s largest privately-funded source of international scholarships and promotes international understanding through scholarships, exchange programs and humanitarian grants; and*

*WHEREAS, more than 35,000 students from 110 countries have studied abroad since 1947 as Rotary Ambassadorial Scholars; and*

*WHEREAS, Rotary’s Group Study Exchange program has helped more than 46,000 young professionals explore their career fields in other countries; and*

*WHEREAS, 8,000 secondary-school students each year experience life in another country through Rotary’s Youth Exchange Program; and*

*WHEREAS, there is an active Rotary club in Sammamish with over 50 members sponsoring local service projects such as the Haunted House, Challenge Day Race, College Scholarship Grants for local students, recognition of successful local students, implementation of Choices program to teach local students to make right choices in life, participation in the Habitat for Humanity projects, buying Christmas gifts for needy children, furnishing computers and developing drinking water wells for third World countries to address poverty, health, hunger, illiteracy, transportation, and the environment in Sammamish and abroad.*

*Therefore, I, Don Gerend, Mayor of the city of Sammamish, Washington, do hereby proclaim February 23, 2005, as Rotary International Day in Sammamish, Washington, and encourage all citizens to join me in recognizing Rotary International for 100 years of service to improving the human condition in local communities around the world.*

Deputy Mayor Petitti read a proclamation thanking all the members of the Armed Forces, especially those from Sammamish for serving their Country. She encouraged Sammamish residents with friends and relatives in the armed services to send their names to the city for recognition at a later date.

## **Proclamation**

**Whereas,** This nation was created more than two centuries ago by the brave men and women who fought the revolutionary war; and

**Whereas:** The freedom and prosperity we enjoy in 2005 flows from the historical sacrifice our military men and women have made on our behalf in dangerous times; and

**Whereas:** Hundreds of thousands of our soldiers, sailors and aviators are at this moment placing themselves in harm's way in service to America, and

**Whereas:** The best and brightest who wear the uniform in this endeavor find among their number the precious young of our Sammamish families; and

**Now, therefore on this 15<sup>th</sup> Day of February 2005,**

I, Michele Petitti, Deputy Mayor of the City of Sammamish, do hereby proclaim profound gratitude, on behalf of everyone in our community to all the men and women in uniform who are tonight sacrificing and placing themselves at risk on our behalf.

### **Public Comment**

Ilene Stahl, 21553 SE 28<sup>th</sup> Lane, She believes that the City is not following the own municipal code for the Hearing Examiner process. She also believes that the City Manager has interfered in the process as well. An example is the City did not forward a copy of the Friends of Pine Lake SEPA appeal to the Hearing Examiner in a timely manner as the code requires. The Hearing Examiner does not receive a yearly evaluation as required by code. She requested an independent investigation of the Hearing Examiner's decisions.

Paul Wells, 22965 26<sup>th</sup> Place, He does not like the fact that Lodge at Beaver Lake Park is managed by a private company. The reservation policies are not fair. The rental price is very high.

Scott Hamilton, 19727 SE 19<sup>th</sup> Street, He agreed with the previous comment. He handed out information that he would like Council to read before considering the net density ordinance. He does not believe that any previous law case decisions apply to this city's ordinance. He wants Council to know that the Master Builder's Association may not be telling the whole story.

John Galvin 432 228<sup>th</sup> Avenue SE, The City will not have enough money to fund their capital projects. The city is falling into a legal quagmire. The City is creating a paradoxical position by having stringent development regulations on the one hand and trying to get the developers to donate land for trails and parks. The City should hire a consultant to help their image.

## Mayor/Council/Committee Reports

- *Public Safety Committee (Councilmember Felling):* The City and Eastside Fire and Rescue are conducting a study to ensure that the City is using the best model for providing fire service. One third of residential property taxes are used to fund the fire service. The Eastside Fire and Rescue board is trying to establish a baseline against which to measure the level of service and then the City will perform an internal study to see if the City is getting the most for its money and Eastside Fire & Rescue will do the same for the total partnership. The issue is very complicated but all partners are committed to working together to develop a sensible plan. No assumptions are being made about the results of this project.
- *Finance Committee (Councilmember Felling):* The committee reviewed the January Financial results and the City on track. They looked at future issues that will impact the City in the coming years. Each one of these issues will be topics discussed at upcoming meetings. The committee is not recommending the raising of Council salaries.
- *Community Development Committee (Councilmember Cross):* Staff gave the committee an update on the meeting held with various members of the community regarding the tree retention and the net density ordinances. The went well and those ordinances will come before Council at the March 1 meeting. There will be a stake holder meeting on February 17 and March 10 to get public input on growth metering. It was suggested to hold a joint meeting with the Council and the Planning Commission before the growth metering ordinance is developed in late March or early April. This would be an informational meeting. Interim design standards and low impact development regulations would be the next codes the Planning Commission will consider. Analysis of the SO180/190 will be part of the update of the sensitive areas ordinance. Staff will also be working on new regulations for placement of political signs. The committee is also going to review commercial lighting standards to see if they can be applied to residential areas as well.
- *Parks, Open Space and Natural Resources (Councilmember Whitten):* No Report.
- *Public Works Committee (Councilmember Barry):* He attended the Eastside Transportation Partnership meeting. Public Works Committee met tonight. They have developed a Mission Statement for the Committee. (1) They studied the costs associated with the City providing staff support to special events. These events have become more numerous so the committee is developing some polices to ensure these events continue but will not become a burdensome cost to the City. They will be bringing recommendations to a future meeting. (2) They discussed ways to encourage public participation in projects.
- *Legislative Committee (Deputy Mayor Petitti):* She attended the Suburban Cities Association meeting. It was an organizational meeting to develop work plans and priorities. Very little progress was made on developing the priority list.
- *Mayor's Report (Mayor Gerend):* Council and the City Manager will be going to Olympia tomorrow to do some lobbying in support of the City. In March Mayor Gerend, Deputy Mayor Petitti, and City Manager Yazici will be going to the National League of Cities convention in Washington DC. He suggested that the March 15 meeting should be cancelled. Art Commission interviews will be held on March 8, 2005

- *Skyline High School Student Liaison (Liz Morgan):* Jazz Band sold candy grams. Skyline students took part in an inter-high school exchange. This week is Freshman/Sophomore registration. Liz is KMPS Student of the month.
- *Eastlake High School Student Liaison (Spencer Salmon):* The wrestling team is Kingco Champion. The basketball team is playing Skyline tonight. Last Friday Eastlake participated in an interschool exchange with several other area high schools. Last Saturday was the Tolo. Monday 172 pints of blood were collected at the blood drive. Senior Projects are moving ahead. Next week is Mid Winter Break.
- *Sammamish Youth Board Liaison (Robert Baxter):* Working on a joint dance to include all the local high schools. Neighborhood night is still in the planning stages and will be held the end of May. Community Service Board is still working on Drive-In Movie night, however they have found that the movies are quite expensive to rent.

### **Consent Calendar**

**Payroll for pay period ending January 31, 2005 for pay date February 4, 2005 in the amount of \$159,155.66**

**Approval: Claims for period ending February 15, 2005 in the amount of \$411,953.98 for Check No. 12042 through Check No. 12156**

**Approval: Minutes for February 1, 2005 Regular Council Meeting**

**Approval: Notes for February 8, 2005 Joint Study Session**

**Contract Amendment: Sammamish Commons/ARC Architects**

There was no opposition to the consent calendar and it was approved.

### **Unfinished Business - None**

### **New Business**

#### **Hardship Exemption: Alford (SE 19<sup>th</sup> Street and 248<sup>th</sup> Avenue SE)**

Community Development Director Bob Horne gave the staff report. This request is for 28 lots on 6 acres zoned R-6. The property is surrounded by two highly developed properties. The wife of Mr. Alford passed away two weeks ago.

Art Whittelsy, 9240 NE 37<sup>th</sup> Place, He was representing the Alfords. The hardship is being requested for health reasons. The couple has waited patiently for the moratorium to be lifted. Since his wife recently passed away he is going to move into an assisted living arrangement. It is necessary to sell his property to accomplish this. The property will be more valuable if it can be developed at its highest density.

**MOTION: Deputy Mayor Petitti moved to table this hardship to March 1, Regular Meeting. Councilmember Fellingse seconded. Motion carried 4-1 with Councilmember Barry dissenting.**

**Ordinance: First Reading Granting The Issaquah School District, A Public School District, The Right, Privilege, Authority And Franchise To Construct, Maintain, Repair, Replace, And Operate Upon, Over, Under, Along And Across The Franchise Area For Purposes Of A Fiber Optic Network**

Councilmember Barry excused himself from discussion and voting on the ordinance to avoid any appearance of conflict of interest.

Public Works Director Delora Kerber gave the staff report. This franchise would allow the Issaquah School District to bring all of their schools on line for internet connection. There is no cost associated with the franchise. There is a clause in the agreement that would allow the City to add conduit if it is so desired. This is the first reading of the ordinance. No action is recommended at this time.

**City Manager Report**

The Mayor, Deputy Mayor, Councilmember Barry will be going to Olympia tomorrow to talk to the state legislators. The top issues to be discussed are sales tax streamlining, district court issues and keeping the funding in place for SR202/520.

Mr. Yazici gave a recap of the meeting to discuss the net density and tree ordinance. There will be some minor adjustments to the ordinances. These ordinances will be improved as a result of this meeting.

**Executive Session – Potential Property Acquisition and potential litigation pursuant to RCW 42.30.110(1)(i).**

Council retired to Executive Session at 7:55 returned at 9:00. No action was taken.

Mayor Gerend adjourned the meeting at 9:05pm

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Melonie Anderson, City Clerk

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Don Gerend, Mayor