

**City of Sammamish  
City Council Minutes  
Regular Meeting  
May 12, 1999**

The meeting of the interim Sammamish City Council was called to order by Mayor Dyer. The interim City Clerk called the roll and the following Councilmembers were present: Jack Barry, Troy Romero, Don Gerend, Kathy Huckabay, Kenneth Kilroy and Ron Haworth

ANNOUNCEMENTS Mayor Dyer announced the receipt of the following:

- A letter of congratulation to all newly elected Councilmembers from Judith Peterson, Principal Skyline High School
- An invitation from Issaquah Middle School to attend the dedication of the school on May 26, 1999, 6:30 - 7:00 p.m.,
- An offer from the Suburban Cities Association for a presentation at an upcoming City of Sammamish City Council meeting
- Letters from King County Executive Ron Sims and King County Councilmember Maggi Fimia.

Mayor Dyer announced that the City Council would hold a retreat on Saturday, May 15, 1999, at the Washington Athletic Club in Seattle from 9:00 a.m. to 3:00 p.m. Agenda topics include: administrative matters regarding ethics, public meetings act and appropriate conduct of meetings

APPROVAL OF THE AGENDA

Councilmember Haworth requested that item 3.f. on the Consent Calendar, regarding the establishment of standards and authorizing reimbursement for travel and expenses, be moved to New Business, item 6 b. Mayor Dyer stated that if there were no objections, the item would be moved. There were no objections.

It was the consensus of the Council to approve the agenda as submitted.

CONSENT CALENDAR

MOTION: by Mr Kilroy, second by Mr. Romero to approve the following items on the Consent Calendar:

- c) Resolution No. 001 establishing the date, time and location of Council meetings,
- d) Resolution No. 003 establishing locations for posting of official notices, and
- e) Resolution No. 002 designating a newspaper for publication of official notices.

Mayor Dyer noted that the approval of the minutes of the May 10, 1999 City Council meeting would be carried over to the May 26, 1999 meeting.

MOTION: Mayor Dyer, second by Mr. Haworth, that item 3.d. on the Consent Calendar regarding the establishment of locations for the posting of official notices, be moved to New Business, item 6.c. Motion carried unanimously (7 - 0). Main motion, as amended, carried unanimously (7 - 0) .

UNFINISHED BUSINESS - RESOLUTION PROVIDING FOR A SIX-MONTH MORATORIUM ON CERTAIN NEW DEVELOPMENT APPLICATIONS

Referring to a handout regarding the declaration of a moratorium on new applications for development permits inside the city, Councilmember Huckabay stated that under the proposed resolution, "development permits and approvals" would include subdivision approvals, short subdivision approvals, site plan approvals, multi-family dwelling unit approvals, rezones, building permits, shoreline permits and conditional use or special use permits. Permits and approvals for community facilities such as churches and schools, alterations to existing residential structures, single-family residences, residential short subdivisions, public facilities and commercial-zone development would be excluded from the moratorium, she explained. She concluded by requesting that the proposed resolution be placed on the Council's May 26, 1999 agenda.

Motion by Mr Romero, second by Mr. Barry to place on the Council's May 26, 1999 agenda the

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proposed resolution providing for a six-month moratorium on certain new development applications. Motion carried unanimously (7 O).

#### NEW BUSINESS - SELECTION AND APPOINTMENT OF THE CITY ATTORNEY

Councilmember Romero stated that he and Councilmember Huckabay took into account the City Council's desire to select a City Attorney who had represented a city through the incorporation process. As a result, he continued, the following four firms were considered: Ogden Murphy Wallace, Short Cressman, Inslee Best and Kenyon law firms. Due to a potential conflict, Ogden Murphy Wallace was not recommended because that firm represents the cities of Issaquah and Redmond, he noted. Requests for information were sent to the remaining three firms and two of those firms (Inslee Best and Kenyon law firms) responded, he added. He noted that the Inslee Best firm represents the Sammamish Plateau Water and Sewer District and Fire District 10 Inslee Best, he continued, indicated that if a conflict were to arise with the city, the firm would represent those longer standing clients. After reviewing the applications, the Land Use and Zoning Committee recommends that the Kenyon law firm, and specifically Mr. Bruce Disend as the principal attorney, be selected as the City Attorney for the City of Sammamish, he concluded.

Mr. Disend responded to questions from the Council and the public.

Motion by Mr. Romero, second by Mr. Kilroy to appoint the Kenyon law firm, with Mr. Disend as lead counsel, as the City Attorney for the City of Sammamish.

Motion by Mr. Romero, second by Ms. Huckabay that approval of the Kenyon law firm be conditioned upon the satisfactory negotiation of a contract to be approved by the Council. Motion to amend carried unanimously (7 - 0).

Upon a poll of the Council, Gerend, Romero, Huckabay, Barry, Kilroy, Haworth and Dyer voted aye. Main motion, as amended, carried

~ unanimously (7 - O)

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dL~.:a Motion by Mr. Romero, second by Mr. Kilroy to refer the negotiation of the City Attorney contract to the Administration Committee; that the chair of that Committee work in conjunction with the interim City Manager in the negotiations: and that a draft contract be presented the City Council prior to the next City Council meeting on May 26, 1999.

Motion by Mr. Haworth, second by Ms. Huckabay 8:

that the interim City Manager negotiate the City Attorney contract and report his findings to the Administration Committee for full Council consideration. Motion to amend carried

unanimously (7 - 0). ;

Main motion, as amended, carried unanimously (7

O). ~

RESOLUTION ESTABLISHING STANDARDS AND AUTHORIZING REIMBURSEMENT FOR TRAVEL AND EXPENSES

Motion by Mr. Haworth, second by Mr. Romero to table this item until the May 26, 199g City Council meeting. Motion carried unanimously (7

O). It:

RESOLUTION ESTABLISHING LOCATIONS FOR POSTING OF OFFICIAL NOTICES |

Motion by Mr. Haworth, second by Mr. Gerend to adopt Resolution No. 003 with the addition of a third location: "the official location of the city offices as determine~'. Motion carried unanimously, (7 - 0).

Councilmember Huckabay noted that the city had received a gracious offer by the eastsidetrail.com Web site to post city notices, and she reco~mended that the City Council

consider this offer. |

Motion by Ms. Huckabay, second by Mr. Gerend to accept the offer of post Council meeting notices on the eastsidetrail.com Web site, as the city's

site, until the city establishes I: unofficial Web

its own Web site. Motion carried unanimously (7



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#### COUNCIL AND COMMITTEE REPORTS

Councilmember Haworth stated that he would like to proceed with finding a location for the city's administrative offices. He suggested that the Council consider some of the identified properties in an executive session later this evening. Mayor Dyer stated that item would be added to the agenda.

#### STAFF REPORTS

Mr. Walton, interim City Manager, requested feedback from the Council on the agenda format presented this evening.

He indicated that this was a sample format.

Mr. Walton reminded the Councilmembers about the upcoming

Association of Washington Cities Conference, June 22 - 23, 1999, and urged them **to let him know who** would be attending.

so that appropriate reservations can be made. Mayor Dyer

noted that the association has waived the registration fee

for the interim Sammamish City Council.

In response to a question from Councilmember Gerend regarding the staffing of Council Committees, Mr. Walton

replied each Committee would be staffed and the meetings

would need to be coordinated.

Mayor Dyer stated that he had arranged for Councilmembers

Gerend and all Councilmembers to receive a briefing by the

Legislative Transportation Committee in Olympia after the

conclusion of the special session.

#### PUBLIC COMMENTS

Scott Hamilton, 23140 SE 8 Street, Redmond DB053, stated

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that he was concerned that the Council had postponed the vote on the development moratorium resolution for two weeks without the benefit of public input. He added that he was also concerned about there being a massive rush of development applications at King County Department of Development and Environmental Services prior to the May 26, 1999 Council meeting. He urged the Council to reconsider and adopt the development moratorium resolution tonight. Mayor Dyer responded that, on the advice of the City Attorney, the vote on the resolution was deferred because



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the city had not yet obtained liability insurance for the city's directors and officers. He added that a special Council meeting would be a possibility if the insurance matter was settled prior to May 26, 1999.

Bob Brady, 1304 251 Avenue SE, Issaquah 98029, presented a pine gavel to Mayor Dyer.

James Jordan urged the Council to hold a special Council meeting if the insurance is in place prior to the May 26, 1999 Council meeting.

Sharyn Shipley, 3911 222 Avenue NL, Issaquah 98029, stated she was concerned about establishing a development moratorium that would affect small homeowners. She explained that before the moratorium is enacted, she had hoped to sell one of the two lots that she owned, but had just learned that King County has lost all records on her property. Councilmember Huckabay recalled that the proposed moratorium resolution included an exception for smaller plats. Mr. Disend added that the proposed resolution did contain a hardship provision; citizens could come before the City Council and it could exempt property from the moratorium.

Jason Tauscher, 22804 NE 25 Street, Redmond 98053, asked if the Council would be discussing the possibility of changing the name of the city. He added that he hoped there would be some discussion on this issue and proposed that the city hold a contest to name the new city. Mayor Dyer replied that the residents can expect the Council to discuss this issue in the near future. He explained that any name change would require a ballot measure. Councilmember Kilroy added that it would cost money to change the city's name after signs welcoming people to the city are erected and the city has ordered stationery, etc.

Bob George, 3330 East Beaver Lake Drive SE, Issaquah 98029, stated that the city could not rely on the Sammamish Plateau Water and Sewer District to effect a moratorium. The district and the Council, he continued, need to discuss water supply in the future. Mayor Dyer stated that the Land Use and Zoning Committee and perhaps the Intergovernmental Relations Committees would discuss those issues .

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Tory Christian, 3023 East Lake Sammamish Parkway NE, Redmond 98053, expressed his concern that the East Lake Sammamish Trail development by King County would not be subject to the city's proposed development moratorium.

Carl Liest, Chair, East Lake Sammamish Association, stated that he was impressed with the conduct of the City Council meeting and the work accomplished to date

Greg Allen, 530 254 Avenue NE, Redmond 98053, recommended that the city select the Sammamish Review as its official newspaper. He stated that he and other residents would like to know the Committee meeting schedules so that they can provide input. There is a lot of expertise in the community, he continued, and the citizens want to be involved early in the process. He noted several concerns relating to the proposed resolution on the development moratorium, and in particular, that the moratorium would sunset with the incorporation date, which he felt was too soon.

Mayor Dyer stated that he had directed each of the Committee chairs to prepare a Committee schedule, as well as a community involvement plan. He suggested that Mr. Allen refer his remarks to the Land Use and Zoning

Committee. Councilmember Huckabay requested that Mr. Allen

present a written summary of his testimony so the Committee could discuss the issues raised with the City Attorney and other Councilmembers prior to the next meeting.

Mayor Dyer clarified that under state law a new city is allowed to enact a development moratorium and then hold a public hearing. The purpose of that law is to enable a new city to preempt a rush of development applications that could be submitted while the city is getting organized, he explained. The maximum length of the moratorium is six months, and if it were extended a new set of findings and conclusions would have to be adopted, he concluded.

James Jordan asked how Councilmembers would handle a conflict of interest? He added that the intersection of SE 4 Street and 228 Avenue NE is extremely dangerous. He urged the Council to identify a site for a park and ride soon before all of the parcels available are taken. He concluded that the residents need their own buses to Seattle.

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Tom Harmon, 2302 West Beaver Lake Drive, Issaquah 98029, announced that the videotape from tonight's meeting would air on Channel 29 on May 21, 1999 at 1:30 p.m. He gave the interim City Clerk the videotape from the installation ceremony on May 8, 1999. He suggested that the city contract with a transportation consultant who is familiar with the King County transportation concurrency model. Perhaps, he concluded, some of the development projects could be scaled down or modified to meet concurrency requirements.

John Abrason, 24517 SE 30 Street, Issaquah 98029, stated that the left-hand turn from 228 Avenue NE into the library can be dangerous and recommended that the speed on the roadway north of the intersection at 228 Avenue NE and Inglewood Hill Road be reduced. With the development across the street from the library, he was concerned that soon there would be a fatality.

Lisa Shenk, 1714 East Beaver Lake Drive SE, Issaquah 98029, requested that the city's Transportation Committee review the Beaver Lake Loop Study. She also invited the Councilmembers to attend the next watershed meeting.

#### EXECUTIVE SESSION

The Council recessed into Executive Session at 8:58 p.m. The Council meeting reconvened at 9:28 p.m.

Motion by Mayor Dyer, second by Mr. Haworth to empower the interim City Manager to present to the Council on Wednesday, May 19, 1999, the possible options, costs and issues related to a temporary interim location for city administrative offices. Motion carried unanimously (7 - 0).

Motion by Mayor Dyer, second by Mr. Barry to empower the Interim City Manager and Mayor to obtain the necessary liability insurance prior to May 19, 1999. Motion carried unanimously (7 - 0) ~

Motion by Mayor Dyer, second by Mr. Romero to convene a special meeting of the City Council on Wednesday, May 19, 1999, at 7:00 p.m. for the purpose of discussing and acting on the

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development moratorium and the location of interim city administrative offices.

Motion by Mr. Kilroy, second by Ms. Huckabay to start the special meeting at 7:30 p.m. Motion to amend carried unanimously (7 - 0).

Main motion, as amended, carried unanimously (7 0) .

#### ADJOURNMENT

There being no further business to come before the City Council, Mayor Dyer adjourned the meeting at 9:35 p.m.  
ayor Bonnie Mattson  
Interim City Clerk