

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

March 1, 2004  
8:00 p.m.

Council Chambers  
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Noble, and Councilmembers Balducci, Chelminiak, Davidson, Degginger, and Lee

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:06 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers were present. Mr. Chelminiak led the flag salute.

(a) Proclamation for Red Cross Month

Mayor Marshall read a proclamation declaring the observance of American Red Cross Month in Bellevue in March. Shellee Hale, a Red Cross volunteer, accepted the proclamation.

3. Communications: Written and Oral

- (a) Pamela Watson expressed concern about a permit application by her neighbor to sell firearms and ammunition from his residence. She asked the City to reject the application and to prevent Mr. Kwan from continuing to sell firearms without a permit.
- (b) Mark Olson spoke against his neighbor's permit application to sell firearms and noted concerns about traffic, safety, and the potential for attracting thieves.
- (c) Barry Shaw, President of Washington CeaseFire, said there are 24 gun dealers in Bellevue, including eight in residential areas. He noted the state constitution and state law preempt cities and counties from passing more stringent laws than the state.
- (d) In reference to the SE 14<sup>th</sup> Street/168<sup>th</sup> Avenue SE traffic calming proposal, Paul Snyder said the initial vote by residents resulted in 53 percent against the project. Subsequent

canvassing and ballot collection by volunteers resulted in a group of ballots that were 94 percent in favor of the proposal. Mr. Snyder encouraged Council to follow the will of the citizens as reflected in the initial vote and to explore additional alternatives for a solution that meets the approval of residents.

- (e) Joe Walter, President of Washington Arms Collectors, noted his 20 years of experience as a firearms safety instructor. He clarified that the two accidental discharges at Wade's gun shop occurred in the firing range and not in relation to gun sales. He said many Bellevue residents have firearms in their homes. With many cottage industries in the city, he noted the potential for an equal protection lawsuit if the sale of firearms is specifically prohibited.

4. Reports of Community Councils, Boards and Commissions: None.

5. Report of the City Manager:

- (a) Lewis Creek Park Project

City Manager Steve Sarkozy asked staff to provide an update on the Lewis Creek Park bid award. Parks and Community Services Director Patrick Foran explained that bids are due March 10, and Council will be asked to approve the bid award at its March 15 meeting. Phase 1 development includes two Little League baseball diamonds with a soccer field overlay, trails, a play area, basketball court, and a community building for program space and meeting rooms. Most of the development will occur on 10 acres of the 55-acre site to preserve the forests and wetlands. Construction is scheduled to begin in April, and the soccer field could be ready for use as early as fall 2005.

Councilmember Degginger lives near the park site and said he is asked the following two questions most frequently by residents: 1) Will there be a sidewalk installed along the east side of Lakemont Boulevard? and 2) Will a low level of lighting be maintained as promised to the community?

Mr. Foran said a sidewalk will be installed along the park but it will stop at the Johnson property to the north, which is now owned by the City. The Parks Department will work with the Transportation Department to mitigate the wetlands on the Johnson property and eventually connect the two sidewalk links.

Mr. Foran acknowledged residents' concerns about lighting. The only lighting elements in the plan are at the park entrance, parking lot, and community building entrance. The lighting will be designed to project downward and not spill over into the surrounding residential area.

Responding to Dr. Davidson, Mr. Foran said the barn planned for Phase 2 is not funded in the current Capital Investment Program (CIP) Plan through 2009. However, it might be possible to construct a picnic shelter through other funding sources including grants and the Neighborhood Enhancement Program (NEP).

(b) Home Occupation Permit Application for Firearm Sales

Planning and Community Development Director Matt Terry referred to the management brief on page 5-2 of the Council packet regarding a home occupation permit application for firearm sales. Kate Berens, Legal Planner, said the decision on the application will be made by the PCD Director. The decision can be appealed to the City's Hearing Examiner, who would make the final decision if an appeal is filed. The City Council is not involved in this type (Process II) of land use decision. Ms. Berens said the applicant is also required to obtain a dealer's license from the State and a federal permit from the Bureau of Alcohol, Tobacco, and Firearms.

(c) New City Building Monthly Update

Mr. Terry noted the New City Building project schedule provided on page 5-4 of the Council packet and highlighted the Open House at City Hall on Thursday, March 4, 6:00-8:00 p.m. Meetings are planned for presentations to business groups, and public hearings are scheduled for April 5 and May 3.

6. Council Business

Dr. Davidson attended Bellevue Youth Link's annual Gumbo Night and meetings of the Regional Water Quality Committee's Wastewater Service Plan subcommittee, the WRIA 8 Steering Committee, and Cascade Water Alliance's annual meeting.

Ms. Balducci attended an Eastside Transportation Partnership all-day seminar and Bellevue Transportation Commission's retreat.

Mr. Degginger attended the Economic Development Council's annual meeting and Cascade Water Alliance's annual meeting. Mr. Degginger was re-elected as Chair of CWA for another year.

Mr. Chelminiak attended a Bellevue Economic Partnership subcommittee meeting and the Probation Board meeting.

Mr. Lee attended the Bellevue Convention Center Authority Board meeting.

Deputy Mayor Noble attended the ETP seminar.

Mayor Marshall attended the Puget Sound Regional Council Executive Board meeting.

7. Approval of the Agenda

➡ Deputy Mayor Noble moved to approve the agenda, and Mr. Degginger seconded the motion.

➡ The motion to approve the agenda carried by a vote of 7-0.

8. Consent Calendar

- Deputy Mayor Noble moved to approve the Consent Calendar, and Mr. Degginger seconded the motion.
- The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:
  - (a) Minutes of February 17, 2004 Study Session  
Minutes of February 17, 2004 Regular Session
  - (b) Resolution No. 6962 adopting the City of Bellevue 2004 Federal Legislative Agenda.
  - (c) Motion to approve payment of claims for the period ending February 25, 2004, and payroll for the period February 1 through February 15, 2004.
  - (d) Ordinance No. 5514 amending Ordinance No. 5512 adopted by Council on February 17, 2004, by authorizing use of grant funds to increase a 0.56 FTE position in the Emergency Preparedness Division of the Fire Department to a 0.715 FTE position. *(The current 0.56 FTE position is 100 percent grant funded and any future change in the amount of the grant will lead to a corresponding change in the FTE position.)*
  - (e) Resolution No. 6963 authorizing an amendment to an agreement with Cabot Dow for mediation or interest arbitration services related to achieving a successor labor agreement with the International Association of Fire Fighters, Local 1604 (the Union) and the City of Bellevue.
  - (f) Resolution No. 6964 authorizing execution of an agreement with Sanborn Mapping Company to obtain high resolution color digital ortho photo images, digital terrain elevation data, contour information, 2-D building footprints, and 3-D model of CBD in an amount not to exceed \$110,000. *(Discussed with Council on February 17, 2004, as part of the Information Technology update.)*
  - (g) Ordinance No. 5515 authorizing execution of the Waste Reduction and Recycling Grant Program Agreement with King County to distribute grant funding to the City and establish a project within the Operating Grants and Donations Fund by appropriating unanticipated and future revenues to that fund.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions: None.

12. Unfinished Business: None.
13. Continued Oral Communications: None.
14. New Business: None.
15. Executive Session: None.
16. Adjournment

At 8:52 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich  
City Clerk

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