

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

January 11, 2001

The regular meeting of the Des Moines City Council was called to order by Mayor Thomasson at 7:30 p.m. in the Council Chambers, 21630 11th Avenue South.

PLEDGE OF ALLEGIANCE to the Flag was led by Councilmember Kaplan.

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Bob Sheckler, Councilmembers Terry Brazil, Dave Kaplan, Gary Towe and Don Wasson. Absent: Councilmember Dan Sherman (vacation). Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, City Attorney Gary McLean, Harbormaster Joe Dusenbury, Planning Manager Corbitt Loch, Public Works Director Tim Heydon and City Clerk Denis Staab.

MOTION was made by Councilmember Brazil, seconded by Councilmember Kaplan and passed unanimously, to excuse Councilmember Sherman.

BOARD & COMMITTEE REPORTS

Suburban Cities Association

Councilmember Brazil advised that he attended a meeting last night regarding "Inflow and Infiltration of Wastewater". He noted that he found the information to be very educational regarding wastewater infiltrating the wastewater treatment plants and how that adds to the costs passed on to the customers of the sewer districts.

ADMINISTRATION REPORTS

Highline Community College - Dr. Priscilla Bell

City Manager Olander introduced Dr. Priscilla Bell, new President of Highline Community College, replacing Ed Command who retired last year.

Dr. Bell informed Council that she became President of the College at the end of July, 2000. She presented an overview of the College noting there are currently 8,500 to 9,000 students enrolled and the College has a budget of \$50 million. She proceeded to outline her goals stating that the needs of the community are of the utmost importance and she is working closely with various groups to ensure future programs reflect the communities concerns. She informed Council that she will be distributing a questionnaire to Councilmembers and would appreciate Council's input. She noted that the College will be holding a series of community forums and their vision plan is to offer "Hope, Choice and Opportunity". In conclusion, Ms. Bell requested Council's support of their budgeted requests to the State Legislature for future funding.

SR 509 Open House

City Manager Olander noted that an open house was held yesterday and a number of changes are being studied, particularly in the collector distributor lanes, as a result of the value engineering study. He has requested that the Public Works Director try to arrange a briefing by Washington State Department of Transportation to Council on the issues and changes sometime in the next month or two.

CONSENT CALENDAR was read by City Clerk Staab.

City Manager Olander pointed out that in regards to item number 2, due to the holidays, the voucher dollar amounts represent four accounting periods.

1. Motion is to approve the minutes of November 9, 16 & 27 and December 1, 2000.
2. Findings: Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.080, have been recorded on a listing which has been made available to the City Council.

Motion: As of this date the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim check # 73963 through #74651 in the total amount of \$2,241,419.90
Payroll fund transfers in the total amount of \$1,213,285.51

3. Motion is to extend the exclusive license agreement between the City of Des Moines and Seatac Disposal through June 30, 2001 and direct the City Manager to prepare a letter authorizing the extension; further, all acts taken prior to the date of this motion that are consistent with the intent and purpose of the license agreement are ratified and confirmed retroactive to September 26, 2000.

MOTION was made by Councilmember Brazil, seconded by Mayor Pro Tem Sheckler and passed unanimously, to approve the Consent Calendar as read.

Agenda Revision

Mayor Thomasson announced that the agenda items under New Business will be heard prior to Old Business.

NEW BUSINESS

Municipal Court Judge Appointment

City Manager Olander announced his recommendation of the confirmation of his appointment of Colleen Hartl as Des Moines' Municipal Court Judge. He pointed out that upon the resignation of Judge Raines, it is necessary to appoint a Municipal Court Judge to fill the remainder of the unexpired term. He noted that Ms. Hartl has worked for the City of Des Moines as Prosecutor. He noted her experience includes some of the following: has experience as a defense attorney, private attorney, Judge Pro Tem with Des Moines and the City of SeaTac. He further advised that she works well with our current Court staff and comes highly recommended. He concluded by stating that he feels Ms. Hartl is well suited as she possesses the experience, intellect, training and temperament to be Des Moines Municipal Court Judge.

MOTION was made by Mayor Pro Tem Sheckler, seconded by Councilmember Brazil, to confirm the appointment of Colleen Hartl to the position of Municipal Court Judge for the City of Des Moines for the remainder of the unexpired term of the position, which is through December 31, 2001. Motion passed unanimously.

Ms. Hartl addressed Council, thanking them for confirmation of her appointment. She advised Council that she, and Court staff are looking forward to serving the citizens of Des Moines with competency, efficiency, and the respect and courtesy that all individuals who enter the Court room deserve.

Airport Communities Coalition Representative and Alternate for 2001

MOTION was made by Mayor Thomasson, seconded by Councilmember Brazil, that Mayor Pro Tem Sheckler serve as the City's representative and Councilmember Kaplan as alternate, to ACC for the year 2001.

Councilmember Brazil noted that this position requires extra personal time, with no pay and he personally thanked the Councilmembers for accepting this demanding position.

VOTE ON MOTION passed unanimously.

Amendment to Transportation Plan Consultant Contract

Public Works Director Heydon informed Council that the City Council Public Safety and Transportation (PS&T) Committee and City staff have been working with the City's consultant in order to ensure that the Plan is as accurate as possible and that it fulfills the expected needs. Two changes to the consultant contract are needed as a result of the PS&T Committee deliberations. He noted that the recommendation of the Committee is to approve an amendment for additional meetings and an added SR 509 study to the contract for professional engineering services for the Transportation Element Update to the Transpo Group in the amount of \$23,940, and to authorize the City Manager to sign said amendment.

MOTION was made by Councilmember Kaplan, seconded by Mayor Pro Tem Sheckler, to approve an amendment for additional meetings and added SR 509 study to the contract for professional engineering services for the Des Moines Transportation Element Update to the Transpo Group in the amount of \$23,940, and to further authorize the City Manager to sign said amendment substantially in the form as submitted.

Councilmember Wasson spoke in opposition to the motion stating he felt it will be a waste of Des Moines funds. He felt that whatever the developers and the City of SeaTac wants done, is what will happen and there will be no benefit to Des Moines or its taxpayers.

Councilmember Kaplan spoke in support of the motion, noting that if the funding does not come through for the construction of SR 509 the City needs to know exactly what it will be responsible for in terms of managing its future transportation. He felt the \$23,940 could save the City hundreds of thousands of dollars in planning later.

Councilmember Brazil felt it is important that the City participate in the process.

VOTE ON MOTION: Motion passed 5 to 1 with Councilmember Wasson voting NO.

OLD BUSINESS

Draft Resolution No. 00-177 Marina Master Plan - Public Comments

City Attorney McLean informed the audience on the rules of conduct for the public testimony on the Marina Master Plan.

Planning Manager Loch noted the purpose of the agenda item is to allow public comments on the proposed Plan and that no Council action or decisions are being requested for this evening.

PUBLIC COMMENT:

Bill Loewes, 207 S. 212th

Mr. Loewes spoke in opposition to enlarging the Marina office and noted that he felt the office would be better located if it was built where the existing south park is. He suggested that a "self-launch" boat launch be installed.

Frank Urabeck, 2409 SW 317th, Federal Way

Mr. Urabeck, Director of Fishing Affairs for the Northwest Marine Trade Association, noted they are opposed to removal of the launcher, unless another launching facility is provided. He noted that Des Moines has the only all weather launching, retrieval facility along 35 miles of shoreline. He requested more time and study be given to provide for a public launching facility.

Norm McDonell, 908 S. 279th Place - Redondo Community Council

Mr. McDonell spoke against removal of the Marina launching facility, stating that doing so would have negative impacts to the Redondo neighborhood citing increasing traffic congestion and parking on neighborhood side streets. He felt that no study had been done regarding these impacts to Redondo, if the public launcher is removed.

Earline Byers, 22315 6th Avenue South

Ms. Byers voiced safety concerns of the proposed dry stack storage facility regarding fire danger, fumes and noise that would impact the neighboring condos. She requested Council keep the Marina facilities as recreational facilities for all citizens. She also felt that the proposed roof design for office facilities was improper. She would like see an open observation deck placed on the top of proposed commercial space.

Michael Allan, 27013 Pacific Highway South

Mr. Allan praised staff and consultants for an excellent effort to involve and inform the community of the proposed plans. He felt that the South Marina Park should be utilized for much need storage lockers for boat owners and noted this would produce a revenue income with little needed maintenance. He felt a park could still be placed on top of this storage facility. He spoke in favor of the proposed pedestrian amenities.

Everett Woods, 22315 6th Avenue South

Mr. Woods spoke in opposition to the proposed plan overall, particularly the dry stacked boat storage due to safety concerns and high insurance costs. He proposed building the dry stack boat storage at the Midway Sewer Treatment Plant. He felt the City should use all available funds to take care of immediate needed repairs to the existing facility.

Mark Salisbury, 1139 Apple Lane

Mr. Salisbury stated that as a Des Moines citizen and a boater, he would like to see the renovation and upgrade of the Marina, but not to the detriment of the trailer boater. He also noted that launching from Redondo is not an acceptable alternative as it is a very dangerous place to use except in the most calm conditions.

Owen Simmerer, 1213 S. 230th Street

Mr. Simmerer advised Council that he is shocked by the proposed plan, feeling that it eliminates the small boater, while catering to the larger, expensive boats and their owners.

Willard Hughes, 22303 Marine View Drive

Mr. Hughes requested that the public boat launch not be eliminated.

Lynne Voss, 20810 7th Place S - Marina Tenant

Ms. Voss suggested that Council consider purchasing remaining property near the Marina, sell them and put the profits back into the Marina and the community. She spoke in favor of keeping the public boat launch. She cautioned Council on allowing the City and the Marina to become a place for only the rich.

Norm Stokes, 23917 West View Court, Kent

Mr. Stokes encouraged Council to keep the unique family environment that the Marina is now known for and spoke against removal of the public boat launch.

Dan Ayers, 308 SW 295th Place, Federal Way

Mr. Ayers advised Council that Des Moines is the only safe harbor for miles and strongly encourage retention of the boat launching facilities.

Jerry Reese, 23104 Marine View Drive, Owner of Classic Yachts

Mr. Reese spoke in favor of the overall plan, however he felt repairs should have the highest priority, such as the seawall.

Dan Caldwell, 19547 2nd Avenue S.

Mr. Caldwell felt that the proposed plan plays one class of boater against another. He stated that the stacked dry boat storage should not be built near the condos, but should be placed on top of the existing dry storage sheds. He also requested that the launcher not be removed.

John Pacunski, 22334 10th Ave. S

Mr. Pacunski spoke in favor of retaining the boat launch and requested more study be undertaken to keep launching facilities for trailerable boats. He felt this is a vital element to the boating community.

Gene White, 28742 Redondo Beach Drive S.

Mr. White strongly urged Council to study the impacts to the Redondo community if the boat launcher is removed from the Marina. He noted that Redondo already suffers from insufficient parking and should be included in any environmental impact statement.

Brian Mitchell, 22033 16th Avenue South

Mr. Mitchell stated that if boat owners who use trailers are not allowed to launch from the Marina, the City would lose the customers that helped make the Marina what it is today.

8:55 p.m. Mayor Thomasson declared a 10 minute break.

Mike Berry, 28633 Redondo Beach Drive S.

Mr. Berry spoke against removal of the existing launch facilities, noting it is the only close place to open fishing in the summer. He requested a more detailed study on the full impact to the Redondo community citing lack of adequate parking and neighborhood congestion creating a dangerous situation.

Jim Howell, 1205 S 276th Place

Mr. Howell requested that the sling launch be retained, noting removal would mean a revenue loss to the Marina.

Wayne Bader, 21938 Marine View Drive

Mr. Bader spoke in opposition to the proposed stackable boat storage. He suggested a boat ramp be installed on the south side of the fishing pier. In conclusion, Mr. Bader requested Council quit funding the fight against the 3rd runway and use those funds to expand the Marina by moving the bulkhead.

Tom Sitterley, Des Moines Marina Association, 601 S. 227th

Mr. Sitterley spoke in overall support of the proposed plan, but requested that further study be given to keeping launching facilities or perhaps working with the Yacht Club or the Block and Tackle to provide alternatives. He noted that boaters from all over the Puget Sound area utilize the Marina which in turns benefits the local business community. He requested that capital maintenance remain a high priority and in conclusion, praised staff and the Municipal Facilities Committee for their work on the proposed plan.

Dennis Daus, 22211 Cliff Avenue S. #302

Mr. Daus expressed overall approval of the proposed plan as it represents a positive, efficient use of the Marina facilities. He noted that the Marina parking lot is only full about 4 week-ends a year. He noted that he does not believe the Marina is even close to covering the costs of operating the launcher. He suggested the launching rate should be raised to \$40 or \$50.

Irv Lott, Redondo

Mr. Lott strongly encouraged retention of the boat sling, stating that the Des Moines Marina is one of a very few safe harbors during a storm.

Ben Stark, 1310 South 230th

Mr. Stark, a Marina tenant, noted that his moorage rate has increased substantially over the years, and he felt that there must be something wrong if the Marina cannot be maintained with such high rates. He requested that the Marina be left as is, with only needed repairs undertaken, as warranted.

Jim Irish, 24229 11th Avenue South

Mr. Irish encouraged Council to reject the proposed plan as written. He noted elimination of the public launch would be a major mistake and that launching at Redondo is not acceptable. He stated that surface water runoff has not been addressed in the plan. He further noted the following reasons to reject the plan: the dry stacked storage will increase costs to the Marina, and the traditional Waterland Festival would not be able to operate. He felt the City should focus on families, not industry. He stated the Marina should get rid of the covered moorage which would mean a savings in maintenance and liability.

David Garmen, Federal Way resident and member of Des Moines Yacht Club

Mr. Garmen noted he is a trailerable sail boat racer and suggested Des Moines consider issuing keys and selling the right to citizens to launch their own boats, after some training. He noted this method has worked well in other communities.

Tim Brown, 200th and 5th Avenue South

Mr. Brown requested Council keep the sling launch. He spoke against the proposed dry stack storage due to potential fire danger and felt it would be an eyesore. He suggested that the site for the stack storage be used for office buildings and noted this would be a source of income to the City.

Lee McMullen, 22624 24th Avenue South

Mr. McMullen stated, that as a 30 year resident, he objected to the Marina being constructed due to the loss of beach access to the citizens. Now, he objects to the removal of the boat launcher. He felt costs of the dry storage will be tremendous and is unnecessary. He requested the Marina be kept simple and that the plan is just another way for the City to increase revenues to the general fund.

Allan Satale, 103 S. 199th

As a small boat owner and fisherman, Mr. Satale spoke against the master plan as excluding the general public from enjoyment of the Marina.

Jess Carter, 1326 S. 279th

Mr. Carter noted that the business community would lose revenue, as well as the Marina, if the sling launcher is removed. He suggested that the plan should be studied further as he feels it will benefit a few, at the expense of many.

Ray Overholt, 4448 S. 175th, SeaTac

Mr. Overholt spoke against the proposed plan. He felt Council should concentrate on improving the downtown business district to draw people to the area. He felt it is irresponsible to consider enlarging the Marina without more to offer the boating public.

Councilmember Brazil commended the Council Municipal Facility Committee for all their hard work on the proposed plan update. He stated that there are some things he does not agree with while there are others that he feels are very exciting. He noted, as a boat owner, he is opposed to the removal of the sling launch. He requested that staff and the Council committee review the plan for other alternatives for boat launching.

MOTION was made by Mayor Pro Tem Sheckler, seconded by Mayor Thomasson, to remand the plan back to the Municipal Facilities Committee and staff to study the issues raised by citizens such as sling launch versus ramp, impacts to the Redondo community and safety concerns surrounding the dry stack storage. Motion passed unanimously.

NEXT MEETING DATE

Mayor Thomasson announced that the next regular meeting will be January 25, 2001.

ADJOURNMENT

The meeting was adjourned at 9:58 p.m.

Respectfully submitted,

Denis Staab
City Clerk