REGULAR MEETING OF THE DES MOINES CITY COUNCIL

MINUTES January 22, 1998

At 7:30 p.m., the Mayor announced that the City Council would be in executive session for an additional ten minutes.

The regular meeting of the Des Moines City Council was called to order by Mayor Thomasson at 7:42 p.m. in the Council Chambers, 21630 11th Avenue South.

Pledge of Allegiance to the Flag was led by Cub Scout Troop 391.

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Terry Brazil, Councilmembers Dave Kaplan, Bob Sheckler, Dan Sherman, Gary Towe and Don Wasson. Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, City Attorney Gary McLean, Public Works Director Tim Heydon, Community Development Director Judith Kilgore, Chief of Police Don Obermiller, Public Works Superintendent Frank Olson, Senior Services Manager Sue Padden, and Deputy City Clerk Angela Chaufty.

COMMENTS FROM THE PUBLIC

Don Clayton, 22426 12th Avenue South

On behalf of the Des Moines Midway Soccer Club Association, Mr. Clayton thanked Council for deciding to purchase the land for the development of a Sports Park. He felt that the land purchase was beneficial to the future of Des Moines.

Mark Proulx, 26202 14th Avenue South

Mr. Proulx informed Council of his pleasure in supporting the annexation of the Woodmont area to Des Moines. He cited clean streets, fixed curbs, police visibility, and government communication and accessibility as benefits of joining the city. He thanked Council for voting to purchase the land for a senior and sports facility.

Gene Achziger, 28708 Soundview Drive

In regard to the proposed Lakehaven Utility District assumption by Federal Way, Mr. Achziger asked Council to address jurisdiction issues. He also questioned when surcharge fees from Water District No. 56's assumption would be eliminated.

Terry Anderson

As Mayor of SeaTac, Mayor Anderson asked Council to cooperate in writing to Mason Sizemore and Frank Blethen of the Seattle Times regarding the closure of the local newspapers. She noted that she was attempting to schedule a meeting between Mr. Sizemore and the area mayors to discuss possible solutions. Mayor Anderson invited Council to attend the February 11, 1998 Suburban Cities meeting which would be hosted by the City of SeaTac.

Council concurred that a letter should be sent to Mason Sizemore and Frank Blethen expressing their displeasure over the closure of the local newspaper.

Councilmember Sherman suggested that a letter of appreciation also be sent to Rob Smith and the reporting staff of the Community News.

BOARD & COMMITTEE REPORTS

Senior Services Advisory Committee Year End Report

Mayor Pro Tem Brazil introduced John Rann, Chairman of the Senior Services Advisory Committee, to present the committee's year end report.

Mr. Rann noted the following accomplishments of the Senior Services Advisory Committee:

- Received funding from King County and the City of Normandy Park for senior programs and services.
- Attended the first annual Seniors Legislature Day in Olympia.
- Collaborated with area retirement facilities for Older Americans Month activities.
- Initiated the Vial of Life medical information program.
- Represented the City of Des Moines older population on the METRO Sounding Board Task Force.
- Supported the City Council's efforts to pass the bond for a Sports Park and Senior/Community Center.
- Increased the number of available parking spaces at the Senior Center.

Mayor Pro Tem Brazil thanked the Senior Services Advisory Committee and Senior Services Manager Sue Padden for their efforts.

Airport Communities Coalition

Councilmember Sherman announced that Councilmember Sheckler had been selected to serve as Vice Chairperson of the ACC.

South County Area Transportation Board

Councilmember Sherman noted that he had been appointed chairperson of the South County Area Transportation Board.

PRESIDING OFFICER'S REPORT

Standing Council Committee Appointments for 1998

Mayor Thomasson distributed a listing of the proposed council committee assignments. He asked Council to inform him of any concerns with the appointments. In regard to the Human Services Committee, Mayor Thomasson suggested that Administration be directed to develop an ordinance making the Council appointments not subject to citizen advisory term limits. In regard to the Senior Advisory Committee, Mayor Thomasson recommended the development of an ordinance setting two year terms for councilmembers.

MOTION was made by Mayor Thomasson, seconded by Councilmember Kaplan and passed unanimously to direct Administration to prepare the above ordinances.

Citizen Committee Appointments

Mayor Thomasson proposed the following committee appointments:

Library Board - 3 year terms
- Katherine Den (reappointment)
- Bob Nichols (reappointment)
- Marsha Kauzlarich

Senior Services Advisory Committee - 4 year terms
- Georgetta Nupan (reappointment)
- Nancy Schmoll
- Roger Lane

Human Services Advisory Board - 2 year terms
- Jerod Theckston (reappointment)
- Pat Colgan (reappointment)
- Karen Hendrickson (reappointment)
- Michael Tayag
- Susan Fulmer
- Stacy Montague

Mayor Thomasson noted that the motion for the appointments was listed on the consent calender.

Certificates of Appreciation

Mayor Thomasson recognized the efforts of the following individuals and distributed certificates of appreciation to them:

Retiring Human Services Committee Members
- Earline Byers
- Jean Hueston
- Brooks Powell
- Gary Towe

Retiring Police Chaplains
- Gene White
- Mel Hinz

Retiring Senior Services Advisory Committee Members
- Flossie Bussmeir
- John Rann
- Terry Brazil

Ms. Byers encouraged all citizens to volunteer in their communities. She voiced support for Council's pursuit of local press coverage for the city.

Councilmember Towe thanked the Human Services Committee members for their efforts. He encouraged them to reflect on the accomplishments of their service.

Pr. Hinz thanked Council and the City for the privilege of serving them through the Police Chaplain Program.

ADMINISTRATION REPORTS

1997 Employee of the Year

City Manager Olander explained the City's employee recognition program. He presented Public Works Maintenance Worker Scott Muirhead with the 1997 Employee of the Year Award.

Public Works Director Heydon and Public Works Superintendent Olson voiced their appreciation for Mr. Muirhead's efforts and creativity.

Briefing: Metro 6-Year Plan Implementation - Southwest County Transit Service

Public Works Director Heydon introduced Doug Johnson from METRO.

Mr. Johnson noted that METRO has been working with a citizen group to develop a Six-Year Plan for the area. The group identified improving East/West service and local mobility within

Des Moines through van service as key issues. Mr. Johnson displayed and explained the proposed revisions for Des Moines' bus service.

Councilmember Sherman noted that several Mount Rainier High School students utilize the bus service to travel to the Occupational Skills Center.

Mr. Johnson informed Council that comment sheets had been mailed to residents and would also be available at City Hall. He encouraged input from all. Mr. Johnson noted that improvement to shelter areas was determined by the level of volume and senior ridership.

Council concurred to study the METRO Six-Year Plan in committee.

As head of the Public Safety and Transportation Committee, Councilmember Sherman requested that METRO provide the committee with the comments regarding service affecting Des Moines' residents.

Consent Calendar Revision

City Manager Olander announced that consent calendar Item No. 4 would be pulled from the agenda.

CONSENT CALENDAR was read by Deputy City Clerk Chaufty.

1. Motion is to approve the minutes of December 11, 1997 and January 8, 1998.
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 #59450 through #59653 in the total amount of $1,103,950.05
   Payroll fund transfers in the total amount of $204,949.64
3. Motion is to authorize adjustment in the construction contract expenditures of the Des Moines Memorial Drive Slide Repair to Precision Builders, Inc. to an amount not to exceed $75,000.
4. ~~Draft Ordinance No. 98-022 - Title: An Ordinance of the City of Des Moines, Washington, amending DMMC 11.12.040, DMMC 11.12.090, DMMC 11.12.100, and DMMC 11.12.105, in order to update the Code consistent with King County Interlocal Agreement No. 10367, for billing, collection, and disbursement of City of Des Moines surface water management service charge fees.~~

   ~~TWO MOTIONS: First motion is to suspend Council Rule 26(b). Second motion is to approve Draft Ordinance No. 98-022.~~ (Removed by Administration).
5. Draft Resolution No. 98-031 ***[Assigned Res. No. 839]*** - Title: A Resolution of the City Council of the City of Des Moines, Washington, changing the City's official newspaper for publication of ordinances and notices required by law.

   MOTION is to approve Draft Resolution No. 98-031.
6. Motion to confirm Mayor's Committee appointments.

MOTION was made by Mayor Pro Tem Brazil, seconded by Councilmember Towe and passed unanimously to approve the consent calendar as read.

At 8:53 p.m., Mayor Thomasson declared a ten minute break.

OLD BUSINESS

Briefing: Status of SR 509 Project

Public Works Director Heydon introduced Susan Everett and Craig Stone from Washington State Department of Transportation.

Mr. Stone displayed charts of the SR 509 Project organization. He briefly reviewed the background of the project and the alternatives previously presented to Council. He noted that the project had advanced from the corridor level to the project specific work level. Mr. Stone reviewed the following merits of the project:

- Complete unfinished SR 509 corridor;
- Maximize use of First Avenue Bridge;
- Distribute Southcenter Hill traffic;
- Improve ground and air freight mobility;
- Improve south access link;
- Aid in establishing SeaTac as an urban center;
- Reduce congestion on local arterials and streets; and
- Improve safety on streets.

He projected the following reductions in traffic if SR 509 were extended:

- First Avenue South - 18%
- Downtown Des Moines - 13%
- Pacific Highway South - 17%

As Project Engineer, Ms. Everett noted that the design team was seeking to identify the route that met the needs with the least amount of impact to the area. She reviewed three alternatives, noting their park, wetland, and residential/business impacts. Upon questioning from Council, Ms. Everett described the preliminary plans for phasing development.

Mr. Stone informed Council that the six year expenditure for Stage 1 and 2 of the SR 509 Project is currently before the legislature.

Council expressed concern that Stage 6 (development of south access arterials) might not be built due to funding constraints. They felt that the project should identify and include all stages of development.

Mr. Stone stated that a memorandum of understanding would identify the expectations for all parties and aid in establishing funding.

Ms. Everett explained that by separating the project into stages, more qualified construction firms would be able to meet the bonding requirements.

Mr. Stone noted that an open house for the SR 509 Project would be conducted at Tyee High School on February 26, 1998 at 4:00 p.m. to 8:00 p.m.

NEW BUSINESS

Draft Resolution No. 98-023 ***[Assigned Res. No. 840]*** - Sales Tax Equalization

Mayor Thomasson introduced the topic.

City Manager Olander noted that, if left unchanged, the City would receive approximately $220,000 less in sales tax equalization payments than the formula state law allows. The draft resolution would encourage the Legislature to find the revenue necessary to fully fund the sales tax equalization account.

MOTION was made by Councilmember Towe and seconded by Mayor Pro Tem Brazil to adopt draft Resolution No. 98-023 requesting the State of Washington Legislature to allocate sufficient additional resources to the sales tax equalization account to resume full distribution on the second half-cent of the local sales tax.

Mayor Thomasson read the title of the draft resolution into the record.

VOTE ON MOTION: Motion passed unanimously.

Interlocal Agreement With the City of Federal Way Re. Lakehaven Utility

City Attorney McLean distributed a revised draft of the Interlocal Agreement with the City of Federal Way regarding Lakehaven Utility. He noted that the revised draft provided additional flexibility for Des Moines should the city opt to provide utility services and also gave additional protection for the residents within the identified service area. He introduced Public Works Director Cary Rote and Assistant City Attorney Bob Sterbank from the City of Federal Way.

Mr. Rote displayed a map of the Lakehaven Utility water and sewer service areas. He noted key infrastructure in the area and informed Council of the background prompting Federal Way's assumption actions. He noted concerns with Lakehaven Utility's long term water supply, the disinfection and infiltration of ground water, the water conveyance system, a permit violation, and the lack of financial planning efforts. Upon questioning, Mr. Rote stated that Federal Way had not yet performed a comprehensive study to determine whether fixed rates or water usage methods would be used for determining rates.

City Attorney McLean noted that the draft interlocal agreement required all proposed rate increases to be reviewed by Council.

Mayor Thomasson suggested that the agreement include a provision eliminating the Water District No. 56's surcharge upon assumption by Federal Way. He felt that the purpose of the surcharge had been served.

City Attorney McLean noted that the draft agreement would also need to be approved to form by Federal Way's Council.

Mayor Thomasson stated that New Business, Item No. 1 (Draft Res. No. 98-020 - Standing Council Committees) had been tabled by the initiator. New Business, Item No. 2 (Draft Ord. No. 98-019 - Change in Method of Council Compensation) had been postponed to a later meeting.

At 10:29 p.m., **MOTION** was made by Councilmember Wasson and seconded by Councilmember Sherman to extend the meeting fifteen minutes. **VOTE ON MOTION**: Motion passed, 6 - 1, with Mayor Pro Tem Brazil opposed.

Upon Council's questioning, Mary Ausburn, Program and Policy Analyst for Lakehaven Utility District, asked Council to allow Lakehaven Utility District the opportunity to present their concerns and efforts to Council. She stated that the District's Comprehensive Plan was in the process of being updated.

City Attorney McLean noted that the proposed interlocal agreement would not approve the assumption but would seek to protect the City's assets.

City Manager Olander stated that the Growth Management Act had recommended a reduction of special districts in urban areas. He noted that coordination of maintenance and development of facilities is simplified if the utilities are under the control of the City.

Councilmember Wasson felt that assumption was not necessary for changing the direction of the utility as the commissioners were elected officials.

At 10:45 p.m., **MOTION** was made by Councilmember Wasson and seconded by Councilmember Kaplan to extend the meeting fifteen minutes. **VOTE ON MOTION**: Motion passed, 4 - 3, with Mayor Pro Tem Brazil and Councilmembers Sheckler and Towe opposed.

Councilmember Towe stated that he preferred to hear Lakehaven Utility District's comments prior to voting on the interlocal agreement.

Mayor Thomasson suggested that Item 7 of the proposed interlocal agreement be revised to reflect a more neutral position as the Boundary Review Board had authority to decide the assumption issue.

Mr. Sterbank informed Council that the Boundary Review Board hearing was scheduled for March 16, 1998.

Councilmember Sherman suggested that Item No. 7 of the proposed agreement state that Des Moines will not contest the Federal Way assumption of Lakehaven Utility District. He suggested that mutual cooperation language be incorporated into the document.

MOTION was made by Mayor Thomasson and seconded by Mayor Pro Tem Brazil to approve the interlocal agreement between the Cities of Des Moines and Federal Way concerning assumption and dissolution of the Lakehaven Utility District and authorize the City Manager to sign such agreement, substantially in the form as attached and as modified regarding mutual cooperation and the waiver of the Water District No. 56 surcharge.

Councilmember Towe felt that Council needed more information before voting on the issue.

MOTION was made by Councilmember Sheckler and seconded by Councilmember Kaplan to table the issue to the February 5, 1998 meeting.

Mayor Thomasson withdrew his previous motion and Mayor Pro Tem Brazil withdrew his second.

VOTE ON MOTION: Motion passed unanimously.

Memorandum of Understanding with Wescot Company re. Comp Plan Amendment EIS

City Manager Olander introduced the topic.

MOTION was made by Councilmember Sheckler, seconded by Mayor Pro Tem Brazil, and passed unanimously to approve the Memorandum of Understanding relating to the Wescot Company and authorize the City Manager to sign the memorandum substantially in the form as submitted.

Henry Hopkins, President of Wescot Company, submitted a letter for distribution to Council.

NEXT MEETING DATE - Study Session February 5, 1998

ADJOURNMENT

The meeting adjourned at 11:00 p.m.

Respectfully submitted,

Angela M. Chaufty
Deputy City Clerk