

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

January 23, 1997

At 7:29 p.m., Deputy City Clerk Chaufy announced that the City Council would continue in Executive Session for approximately another ten minutes.

The regular meeting of the Des Moines City Council was called to order by Mayor Thomasson at 7:40 p.m. in the Council Chambers, 21630 11th Avenue South.

PLEDGE OF ALLEGIANCE was led by Councilmember Sheckler.

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Terry Brazil, Councilmembers Bruce Roberts, Bob Sheckler, Dan Sherman, Gary Towe and Don Wasson. Also present were City Manager Bob Olander, City Attorney Gary McLean, Assistant City Manager Tony Piasecki, Community Development Director Judith Kilgore, Planning Manager Corbitt Loch, Public Works Director Tim Heydon, Senior Services Manager Sue Padden and Deputy City Clerk Angela Chaufy.

CORRESPONDENCE

City Manager Olander announced that the following letters had been received:

1. Letter of resignation from Planning Agency Member Larry Watson;
2. Letters from Fire Districts 26 and 39 expressing concern with a potential Kent annexation (area between Interstate 5 and Highway 99, south of Midway Landfill and north of South 272nd Street) causing a loss in revenue for the Fire District and requesting that Des Moines consider annexation of the area.
3. Petition submitted by thirteen signers requesting Des Moines consider annexation of their area.
4. Letter of thanks for the volunteer clean-up effort received from Paul and Lorraine Duggan and neighbors.
5. Letter of thanks for correction of water flow problem received from Claire Walker.
6. Letter of thanks for police efforts in correcting a theft problem received from Christine Hickey, owner of E-Z Car Wash.
7. Letter of thanks for the holiday storm efforts received from Mary Ann Fitzpatrick.

Mayor Thomasson directed staff to advertise for the vacant Planning Agency position as well as to schedule Council review of the potential annexation item.

BOARD & COMMITTEE REPORTS

Volunteer Storm Clean Up

Councilmember Sheckler thanked all the volunteers participating in the storm clean up effort.

TVW

Councilmember Sherman announced that TVW is now being broadcast on the City's public access channel from 11:00 p.m. to 6:00 a.m.

ADMINISTRATION REPORTS

Storm Clean Up Efforts

City Manager Olander reported that 45 tons of storm debris had been collected at the Des Moines Marina during the January 18, 1997, collection event. The City paid approximately \$5,000 for this clean up effort. Volunteers from Kiwanis, KeyClub, Rotary, and Police Reserves also collected storm debris from sixty houses in the area. City Manager Olander thanked participating volunteers and staff members for their efforts. In closing, City Manager Olander noted that several residents were confused by the newspaper's announcement of the event. Therefore, SeaTac Disposal has agreed to remove the remaining storm debris for a special rate during one day in February. Interested parties must contact the City to register for the special rate.

Federal Way Slide Area

City Manager Olander noted that Federal Way was working to stabilize a hillside located just outside the Des Moines City limits. He stated that Federal Way had dealt with the immediate problem.

Lower Woodmont Area Earth Movement

City Manager Olander informed council that earth movement on privately owned property had been reported to the City. Staff has contacted the affected residents of the potential danger.

Briefing: Community Center/Senior Center

Assistant City Manager Piasecki briefly reviewed the sites considered by the Community Center/Senior Center Committee, as well as the criteria used to rate each site. He noted that the committee had rated Des Moines Elementary as the first choice with the Sport Park Site coming in second. Due to the uncertain availability of Des Moines Elementary and the opportunity to share facilities with the Sport Park, Mr. Piasecki noted that the committee recommended locating the Community Center/Senior Center at the Sports Park site. He stated that the committee is currently exploring various phasing options to insure adequate facilities at all phases. In response to Council's questions, Assistant City Manager Piasecki recognized that the Sonju property was more centrally located but noted that the site would be difficult to develop as one third of the property is wetlands.

Council encouraged a thorough study of the issue and its various options.

Councilmember Roberts suggested contacting METRO to discuss the possibility of providing bus service to the Sports Park site.

CONSENT CALENDAR was read by Deputy City Clerk Chaufy.

1. Motion is to approve the minutes of January 9, 1997.
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 #54556 through #54724 in the total amount of \$430,936.15
Payroll fund transfers in the total amount of \$180,606.81

3. Motion is to set a public hearing on February 27, 1997 to consider Administration File No. PP96-020, Portage Point Estates, Applicant: Larry Crews.

MOTION was made by Councilmember Roberts, seconded by Councilmember Sherman, and passed unanimously to approve the consent calendar as read.

PUBLIC HEARING

Textual Code Change: Draft Ordinance No. 96-219 Development Regulations for Undersized Single Family Residential Lots, and Legalization of Certain Nonconforming Residential Structures.

Mayor Thomasson introduced the subject.

Community Development Director Kilgore summarized the setbacks and maximum lot coverage standards proposed by Draft Ordinance 96-219.

City Attorney McLean read the rules for conducting a public hearing. He announced that the hearing was not a quasi-judicial hearing.

Mayor Thomasson opened the public hearing.

SPEAKERS

Gordon Rodlin, 26439 8th Avenue South

Mr. Rodlin congratulated the City on the storm clean up efforts as well as the visible police presence in the Redondo area. He expressed concern about the effect of the proposed lot development standards on lots where building areas were limited due to slope. He also voiced concern with the proposed height restrictions and method for determining height. He urged Council to maintain the market value of the land.

Victor Anderson, 27036 8th Avenue South

Mr. Anderson urged the council to think “three dimensional” while considering the height issue. He stated that the building height limitations for surrounding cities were set higher than Des Moines’. He felt that small lots needed three stories to allow for parking on the first level. Mr. Anderson requested that the property owners be allowed to build or rebuild their houses according to King County standards.

David Brown, 18240 51st Avenue South

Mr. Brown questioned the affect of the proposed ordinance on corner lots. He felt that the proposed ordinance might be in conflict with DMMC 18.08.100.

Ben Stark, 1310 South 230th

Mr. Stark noted that single family residences were allowed in zones other than single family zones. He stated that some RM-2400 areas were too small for two units but could handle the development of a single family home. He asked that the proposed zoning extend to the RM-2400 zone as well.

Jeremy Barry, 28815 Redondo Shores Drive South

Mr. Barry noted that some houses do not have a clearly defined front yard. Therefore, he suggested that the ordinance allow for a ten foot setback on either side of the house.

George West, 24117 19th Avenue South

Mr. West voiced support for the proposed ordinance as written.

Cliff McNeal, 28120 Redondo Beach Drive South

Mr. McNeal expressed concern with the proposed building height limitation. He felt that the standard would create parking problems for substandard lots and cause more vehicles to be parked on the streets.

After calling for additional speakers, Mayor Thomasson closed the public testimony period of the hearing.

Planning Manager Loch clarified how building heights are measured from the average finished grade.

Community Development Director Kilgore noted that the frontage of a house is determined by the street from which the house receives its address. She further explained that DMMC 18.08.100 refers to standard sized lots while the proposed ordinance would apply to substandard lots only.

At 9:10 p.m., Mayor Thomasson declared a ten minute break.

Community Development Director Kilgore explained the variance process. She clarified that the proposed ordinance would apply to any lot in the City under 7200 square feet. Ms. Kilgore noted that repairs to existing structures could be built to the previous standards while any new construction would fall under the new ordinance.

Mayor Thomasson closed the public hearing.

MOTION was made by Councilmember Sherman and seconded by Councilmember Towe to pass draft Ordinance 96-219 on to a second reading.

Councilmember Towe requested that a summary of the variance procedure as well as specific examples be brought back to Council.

MOTION was made by Mayor Thomasson and seconded by Councilmember Sherman to amend DMMC 18.08.075 to 6,400 square feet rather than 7,200 square feet.

Mayor Thomasson and Councilmember Sherman withdrew their motion.

Council concurred that DMMC 18.08.075 should not be revised.

VOTE ON MOTION: Motion passed unanimously.

OLD BUSINESS

Human Services Plan

City Manager Olander introduced Senior Services Manager Sue Padden and Human Services Consultant Wendy Morgan.

Senior Services Manager Padden reviewed the purpose and recommendations of the proposed Human Services Plan and Human Services Advisory Committee. She defined human services as those resources available to the Des Moines community which make it possible for citizens to live with dignity and purpose, including food, shelter, clothing, services for personal safety, prevention, information, and referral.

Councilmember Towe noted that the primary difference between the recommendations of the plan versus the committee was that the plan recommended the hiring of a full time Human Services Coordinator while the committee did not believe the City should take that step now.

Mayor Thomasson and Councilmembers Roberts and Sheckler voiced agreement with the committee's position regarding the hiring of a full time Human Services Coordinator.

Councilmember Towe also informed Council that the Human Services Advisory Committee recommended that expectations and the person responsible for attendance should be identified prior to membership in any Human Services organization.

Council briefly discussed possible options for expanding the role of the Human Services Advisory Committee.

Mayor Pro Tem Brazil requested additional information regarding current human services programs and memberships.

Councilmember Towe asked Council to contact him regarding any questions dealing with the Human Services Advisory Committee's policies, recommendations, or focus.

Mayor Thomasson noted that continued discussion of this issue would be scheduled for a later meeting.

At 10:25 p.m., **MOTION** was made by Mayor Thomasson and seconded by Councilmember Roberts to extend the meeting to 10:45 p.m. Motion passed, 6 - 1, with Mayor Pro Tem Brazil opposed.

NEW BUSINESS

Award Consultant Design Contract for Des Moines Creek Trail Passage

Public Works Director Heydon briefly described the scope of work proposed in the contract and the projected timeline. He explained the potential funding sources and noted that interlocal agreements would hopefully be obtained from WSDOT and Midway Sewer District. He projected the project to start in 1998.

City Manager Olander noted that most of the funding sources were dedicated to this project and could not be used on other projects.

Mayor Thomasson felt that the City would need to deal with the public relations issue early for this project.

MOTION was made by Mayor Pro Tem Brazil and seconded by Councilmember Roberts to amend the 1997-2002 SWM CIP project budget to include adjustments in this year's expenditure schedule in order to cover the design costs and to revise the expected funding sources scheduled for the Marine View Drive Bridge Project (formerly called the Des Moines Creek Trail Tunnel). The City Manager is authorized to make expenditures up to \$150,000, the amount of the ISTEA grant plus \$65,620, the amount of the SWM CIP fund toward the cost of the design until Interlocal Agreements have been signed, at which time, staff is authorized to proceed to completion of the full design contract in the amount of \$346,860 plus the 10% contingency. Further, to award the contract for professional engineering services for the design of the Marine View Drive Bridge to INCA Engineers, Inc. in the amount of \$346,860 plus a 10% contingency, and to authorize the City Manager to sign said contract based on the stipulation of the revision of the CIP.

At 10:45 p.m., **MOTION** was made by Councilmember Wasson and seconded by Mayor Thomasson to extend the meeting five minutes. Motion passed, 6 - 1, with Councilmember Towe opposed.

Councilmember Wasson voiced opposition to spending tax payers' money on the project.

Mayor Pro Tem Brazil suggested that the previous consultant work of Shannon and Wilson and King County be included in the data collection portion of the project.

VOTE ON MOTION: Motion passed, 6 - 1, with Councilmember Wasson opposed.

NEXT MEETING DATE - Study Session February 6, 1997

ADJOURNMENT

The meeting adjourned at 10:50 p.m.

Respectfully submitted,

Angela M. Chaufy
Deputy City Clerk