

PRELIMINARY
REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

January 24, 2002

The regular meeting of the Des Moines City Council was called to order by Mayor Wasson at 7:34 p.m. in the Council Chambers, 21630 11th Avenue South, Suite B

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

ROLL CALL - Present: Mayor Don Wasson, Mayor Pro Tem Richard Benjamin, Councilmembers Gary Petersen, Bob Sheckler, Maggie Steenrod, Scott Thomasson and Susan White. Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, City Attorney Gary McLean, Public Works Director Tim Heydon, Park and Recreation Director Patrice Thorell, Police Commander Kevin Tucker, Harbormaster Joe Dusenbury, Senior Services Supervisor Sue Padden and City Clerk Denis Staab.

COMMENTS FROM THE PUBLIC

Gill Simmons, Staff Member Woodmont Elementary School

Mr. Simmons read a letter from Christy Bury, parent of student at Woodmont Elementary School, supporting the project for renovation of a soccer field at the school. Mr. Simmons also voiced his strong support for Council to enter into the contract with King County for the Youth Sports Facilities Grant and the continued partnership between the City of Des Moines and the Federal Way School District to make these much need soccer field improvements at the School.

Angie Laudram, Woodmont Elementary School Parent

Ms. Laudram informed Council that her children play on the soccer field at Woodmont and it is in very bad shape and she is very excited about the proposed improvements. She encouraged Council to support the partnership with King County and the Federal Way School District.

Del Rivero, 1228 South 230th

Mr. Rivero expressed concern over the Des Moines Marina development plan calling for removal of the sling launch. He felt it would hurt local business. He further noted that using the launch at Redondo is not an answer and it is unsafe to use.

City Manager Olander advised that the sling launch will not be removed from the Marina. After Council's review of the Marina plan, it was adopted with a sling launch.

Denny Burnham, 26826 15th Avenue South

Mr. Burnham remarked that he was also under the impression that the sling launch would be removed and is happy to hear that this is not true.

Joe Coomer, Burien Resident

Mr. Coomer noted that since there is a new majority on the City Council he hopes some of the following items will be addressed:

- Airport 3rd runway is a "done deal", any further expenditures should be put to a citizen vote.
- ACC expenses are reported at different figures depending on which City you ask, wants this explained.

- Need new representative from Des Moines on the ACC.
- Building permits should not be necessary for home owners repairing or replacing roofs and windows. Only structural changes should require permits

Stuart Jenner, 200 SW 178th, Normandy Park

Mr. Jenner addressed Council as Co-Chairman of Highline Citizens for Schools, and urged support of the Highline School District Bond Issue in March. With the use of pictures he showed out of date heating systems, asbestos problems, out of date electrical systems, and the fire hazard of portable class rooms. He invited anyone who would like, to call and make arrangements to tour school facilities to see the deplorable conditions for themselves.

Ed Pina, 24219 7th Avenue South

Mr. Pina announced that it is his opinion some of the Highline Schools are in such bad shape that they really ought to be torn down.

In regards to ACC, Mr. Pina stated that they were mainly responsible for helping the Highline Schools get monetary relief for the impacts of the 2nd runway.

In regards to the 3rd runway at SeaTac Airport, he felt the Port is in trouble and the fight should not stop now. He also noted that Des Moines will be the most heavily impacted by any such construction. He strongly urged that Councilmember Sheckler be allowed to continue his role with ACC.

Gary Hisel, 23003 marine View Drive, #102

Mr. Hisel commented that the last rate hike at the Marina of 3.6% became a financial burden that forced him to give up his live-aboard tenant status. He concluded by questioning what is happening to the funds being raised as he feels the Marina is in deplorable shape.

Arlene Brown, 239 SW 189th Place, Normandy Park

Ms. Brown informed Council that as a technical engineer, she is very involved with issues relating to the proposed 3rd runway. She felt Councilmember Sheckler is responsible for retaining a new law firm for ACC that is winning the fight on environmental technical issues. In conclusion she urged Council to keep Councilmember Sheckler as the ACC representative.

Jim Bartlemay, 23510 10th Avenue South

Mr. Bartlemay stressed that one of Council's most critical appointments is that of the representative and alternate to ACC. He noted that Councilmember Sheckler has changed the 3rd runway fight from a political one to an environmental one and the tide is changing. He felt Mr. Sheckler is the best qualified and experienced with an in-depth knowledge of the issues. He advised Council to retain Councilmember Sheckler as there is not enough time to bring anyone else up to speed in time for an expected March decision on critical issues. He stated that if anyone else is appointed to ACC it will be a victory for the Port.

Marie Rosenberg, 22222 Dock Avenue South, #1-C

Ms. Rosenberg brought up several issues of concern:

- As a retirement community, citizens would suffer from increased air traffic if 3rd runway is constructed, urged continuing support of ACC. Also felt property taxes support City and this would be negatively impacted by the 3rd runway by reduced property values.

- Thanked Harbormaster Dusenbury and his staff for wonderful event at the Marina for the Olympic torch run.
- Expressed concern over the proposed dry stack storage at the Marina as it would negatively impact the adjacent residential properties with noise, diesel fumes and potential fire hazards.

Tom Sitterley, 601 S. 227th

Mr. Sitterly referenced Councilmember Petersen's comments regarding a potential conflict of interest brought out at the January 10th Council meeting and offered his support if there is anything he can do to help.

Mr. Sitterly requested Council carefully review automatic increases built into the City's budget. He requested Council take a close look at how funds are generated and perhaps remove automatic escalations.

Pat Pompeo, 434 SW 186th

Ms. Pompeo noted that ACC has been fighting the airport proposed 3rd runway for the past 11 years. She encouraged Council to do what is best for the community and guard against personal grievances and continue support of ACC.

Robert McCauley, 553 John Street, Teamster Representative

Mr. McCauley advised Council that the Teamster's Union represents the City's Parks, Public Works and Marina employees. He encouraged Council to take an active part in employees being well treated.

Mayor Wasson ruled McCauley's remarks out of order and requested he leave the speaker's podium.

Michael Fiemann, 23069 17th Avenue South, President Highline Soccer Association

Mr. Fiemann informed Council that due to insulation problems, a good portion of the time you cannot hear in a lot of the Highline Schools. He urged future construction of more soccer fields and supports Des Moines partnership in bringing Woodmont Elementary School's soccer field up to a good playing field.

Jordan Cranwill, 25822 15th Avenue South

Mr. Cranwill thanked Mayor Pro Tem Benjamin for his informal meeting with citizens last night and noted he looks forward to the next one scheduled for the 3rd Wednesday in February at the North Hill Community Club.

Mr. Cranwill spoke in support of Councilmember Sheckler continuing his strong leadership role with ACC. He strongly discouraged Council from pulling out of ACC and noted that he has yet to hear a tax paying citizen of Des Moines complain about paying for the fight against the 3rd runway.

Dave Kaplan, 2614 South 226th

Mr. Kaplan spoke against extending the AT&T Cable Franchise until the end of the year as he felt this is too long of an extension. He encouraged Council to accept the grant from King County for the improvements to the Woodmont Elementary School soccer field.

Ben Stark, 1310 S. 230th

In regards to New Business Item #2, making it illegal to park in front of mail boxes, Mr. Stark requested Council consider where mail boxes are placed. With so little parking in residential areas, he felt perhaps clustering of mail boxes would be better.

Rose Clark, Deputy Mayor, City of Burien

Ms. Clark advised that a State audit of ACC records had brought kudos from the auditor, who also reviewed ACC's by-laws and interlocal agreements. She complimented Councilmember Sheckler for his hard work to do the best for citizens and the various agencies involved in the ACC partnership. She concluded by inviting everyone to attend a Burien Council meeting which are held on the 1st and 3rd Monday at 7 p.m.

Chuck Green, 425 S. 168th

Mr. Green echoed previous speakers on the outstanding job Councilmember Sheckler has done as an honorable and intelligent representative for Des Moines on ACC. He encouraged Councilmember Sheckler's continued role as there is not time to train someone new.

Brett Fish, President of Citizens Against SeaTac Expansion (C.A.S.E.)

Mr. Fish acknowledged Councilmember Sheckler's efforts for two very successful court decisions regarding ACC and the fight against the 3rd runway. He encouraged Council to keep Mr. Sheckler involved at this critical stage.

BOARD & COMMITTEE REPORTS

Thanks for Support

Councilmember Sheckler thanked speakers for their words of support of his leadership as the past Executive Director of the Airport Communities Coalition.

Meeting Procedures

Councilmember Steenrod voiced concern over not clearly understanding procedures at the January 17th Council meeting. She advised that in the future she will be asking more questions until she feels comfortable making decisions on issues.

Highline School District Bond Issue

Councilmember White expressed concerns over the need for economic growth in our area. She felt that one of the biggest concerns is the deterioration of our public schools and therefore voiced strong support for the upcoming Bond issue. She requested that a resolution of support be prepared by staff for Council's consideration. This item will be brought to the February 7th Study Session.

Certificates of Appreciation

Sue Padden, Senior Services Supervisor and staff support for the City's Human Services Advisory Board and Senior Services Advisory Committee, acknowledged the outgoing members for their hard work for the City as follows:

Senior Services - Georgetta Nupen

Human Services - Andrea Crisler, Susan Fulmer and Stacy Montage.

Mayor Wasson presented each with a Certificate of Appreciation and thanked them for their efforts on behalf of the City.

PRESIDING OFFICER'S REPORT

Mayor's 2002 Standing Committee Appointments

Mayor Wasson announced the following Committee appointments for 2002:

- ENVIRONMENT: Sheckler, Chair; Thomasson & White
- PUBLIC SAFETY & TRANSPORTATION: Benjamin, Chair; Thomasson & Petersen
- MUNICIPAL FACILITIES: Steenrod, Chair; Wasson & White

ADMINISTRATION REPORTS

Olympic Torch Run

City Manager Olander thanked City staff, especially Marina and Park and Recreation Departments, for all their efforts and hard work in the recent event.

Councilmember Steenrod also acknowledged the Evergreen Marching Band and the Des Moines Chamber of Commerce for their participation.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the minutes of January 10, 2002.
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 checks # 79510 through #79713 & electronic fund transfers in the total amount of \$461,704.40

Payroll fund transfers in the total amount of \$293,348.56

3. Motion is to confirm Mayor Wasson's appointments as follows: Patricia Bergrud, Rob Caudillo, Joby Crawford and Leslie Newman to two year terms on the Human Services Advisory Board; Kaylene Moon to a four year term on the Senior Services Advisory Committee, and Lynn Edwards and Nadine Byers to three year terms to the Library Board.

~~4. Motion is to approve the Aquatic Lands Lease with the Department of Natural Resources and authorize the City Manager to sign the agreement substantially in the form as approved by the City Attorney. [ED NOTE: Item removed by Councilmember Steenrod and placed under New Business.]~~

Councilmember Steenrod requested Item #4 be removed.

MOTION was made by Councilmember Sheckler, seconded by Councilmember Thomasson and passed unanimously, to approve the Consent Calendar as read.

NEW BUSINESS

Consent Item #4 - Aquatic Lands Lease with Department of Natural Resources

Upon questioning by Councilmember Steenrod as to whether this would impact parking fees at Redondo, Harbormaster Dusenbury advised it would not. He explained the aquatic lands (under water) are on the lower part of the boat launching ramp and most of the public fishing pier. He noted that when the facility was transferred from the County it was assumed the original aquatic

lands lease would be assigned to the City, but it was not. It was decided that it was in the best interest of the City and the County to write a new lease. This gives the City specific authorization to make improvements to the facility.

MOTION was made by Councilmember Thomasson, seconded by Councilmember White, to approve the Aquatic Lands Lease with the Department of Natural Resources and authorize the City Manager to sign the agreement substantially in the form as approved by the City Attorney. Motion passed unanimously.

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

Draft Ordinance No. 02-009 - Extending AT & T Cable Franchise - 1st Reading

Assistant City Manager Piasecki reviewed the history of cable TV franchises, noting that before 1984 the City did have the authority to regulate channels and rates, but now we only have control over the very basic rate fee.

City Manager Olander noted that prior to 1984 the City could go out to bid, now cities must renew franchise holder agreements or prove why not.

Assistant City Manager Piasecki advised Council that staff and the City's Cable consultant have held numerous negotiating sessions with AT&T since early August 2001, when Council last extended the Franchise. He noted that the process is taking longer than had been hoped. Since the last extension expired at the end of October 2001, he feels it would be prudent to extend it once again. Staff recommends extending the Franchise through the end of December 2002, in order to provide enough time for negotiating sessions, Committee briefings especially since there are new Councilmembers, discussion with the Council, and public review.

MOTION was made by Councilmember Thomasson to suspend Council Rule 26(b) in order to enact Draft Ordinance No. 02-009 on first reading. Motion died for lack of a second.

MOTION was made by Councilmember Sheckler, seconded by Councilmember Steenrod, to move the draft ordinance to a second reading on the February 28th Consent Calendar. Motion passed unanimously.

Draft Ordinance No. 01-169 Mail Box No Parking Regulations - 1st Reading

Public Works Director Heydon advised Council that over the last few years, City Public Works and Police staffs have received numerous citizen complaints about vehicles parking in front of their mailboxes. There have been cases where the postal employee did not deliver their mail as a result. U. S. Postal officials have indicated that the Postal vehicles must be able to drive right up to the mailboxes in order to deliver the mail. He noted there are also concerns for pedestrian safety and the City's liability. He stated that worst problems occur around Mt. Rainier High School and swimming pool, and sports fields. The City's Traffic Safety Committee, made up of staff members from Public Works, Police and Administration, has reviewed these complaints and determined that there are no existing City regulations that can be used to address this parking problem. As a result, staff is recommending that the draft ordinance be enacted by Council so that the Police Department will be able to ticket offenders, thus reducing the parking problem in front of mailboxes.

Police Commander Tucker informed Council that the Police Department would be flexible and use discretion by using tags, notices, and verbal warnings, citing and towing would only be a last resort. He noted they would spend the first 30 days advertising the new law and educating the public by placing signage near sport parks, placing Police Department cards on car windshields, use city's web page and government access channel, City Currents article and use the Park Department's flyers.

Upon questioning by Councilmember White, City Attorney McLean stated that Kent and Renton have similar laws.

Councilmember Thomasson felt perhaps grouping mail boxes in neighborhoods should be explored further. Also felt the distance of 10 feet away from a mail box may be too restrictive. He would prefer language that just said "blocking of mail delivery" instead of a hard footage number.

Councilmember Sheckler commented his neighborhood has a group mail box situation, and it is usually blocked whenever the sports field near his home is in use. He spoke in favor of the proposed ordinance as written.

Upon questioning by Council, Commander Tucker explained there would be no mass signage, but 3 or 4 places such as schools and sports field.

MOTION was made by Councilmember Sheckler, seconded by Mayor Pro Tem Benjamin, to move Draft Ordinance No. 02-009 to a 2nd reading at the February 28th Council meeting.

MOTION was made by Councilmember Thomasson, seconded by Councilmember White, to amend Section 1(1) to change the language to blocking delivery, in place of the 10 foot restriction.

ABSTENTION - Councilmember Petersen announced he will abstain from discussion or voting due to the language in Section 3 regarding impoundment.

City Attorney McLean ruled that the amending motion should come before the motion for adoption. The maker and seconder of the original motion withdrew their motion.

VOTE ON AMENDMENT - Motion passed 6 to 0.

MOTION was made by Councilmember Sheckler, seconded by Mayor Pro Tem Benjamin, to move Draft Ordinance No. 02-009 to a 2nd reading at the February 28th Council meeting. Motion passed 5 to 1 with Councilmember White voting NO.

King County Youth Sports Facilities Grant Contract

Park and Recreation Director Thorell, with the use of a power point presentation, demonstrated the terrible conditions and concern for the safety of children using the soccer field. She advised Council that this project has a high priority in the City's Capital Improvement Plan. She noted that the King County Youth Sports Facilities Grant will provide for design and renovation of a soccer field located at Woodmont Elementary School on Federal Way Public Schools property in Des Moines. King County will reimburse the City of Des Moines in the amount of \$50,000.00 for the project. The project includes financial and in-kind involvement by Des Moines Midway

Soccer Club, Federal Way Public Schools and the City of Des Moines. She noted the funding of the project is from the following sources:

\$15,000 Des Moines/Midway Soccer Club

\$50,000 King County/Des Moines

\$57,000 Federal Way Public Schools

Park and Recreation Director Thorell concluded by informing Council that the Federal Way School District will be the project manager and that ongoing maintenance will be the responsibility of the School District and the Soccer Club.

Councilmember Sheckler announced that he strongly supports this project and feels it is exciting not just for the school students but all of Des Moines citizens.

MOTION was made by Councilmember Sheckler, seconded by Councilmember White and passed unanimously, to approve the contract between the City of Des Moines and King County for King County Youth Sports Facilities Grant and to authorize the City Manager to sign the agreements substantially in the form as submitted.

Council Representative Appointments:

- South County Area Transportation Board (SCATBD)
- Airport Communities Coalition (ACC)
- SR 509 Executive Committee
- Watershed Resource Inventory Area 9 (WRIA9)

Mayor Wasson announced this item will be removed and moved to the February 7, 2002 Study Session.

NEXT MEETING DATE - Study Session February 7, 2002

ADJOURNMENT

The meeting was adjourned at 10:07 p.m.

Respectfully submitted,

Denis Staab
City Clerk