

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

January 25, 1996

The regular meeting of the Des Moines City Council was called to order by Mayor Thomasson at 7:31 p.m. in the City Council Chambers, 21630 11th Avenue South.

PLEDGE OF ALLEGIANCE to the flag was led by Mayor Pro Tem Brazil.

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 Greg Prothman, Assistant City Manager Bob Olander, City Attorney Jim Gorham, City Attorney Appointee Gary McLean, Public Works Director Tim Heydon, Finance Director Jim Hathaway, Chief of Police Don Obermiller, Civil Engineer Loren Reinhold, and Deputy City Clerk Angela Chaufty.

COMMENTS FROM THE PUBLIC

Xenia Gianetsas, 2121 SW 169th, Burien

On behalf of Paula Aviles, Des Moines' resident, Highline School District music teacher, and Celebrate Arts! chairman, Ms. Gianetsas asked Council to contribute money toward the sponsorship of a southend performance of the Seattle Symphony. The symphony is scheduled to perform March 8, 1996 at 7:30 p.m. at Tyee High School. Tickets are available at Mills Music Store and Kennelly Keys Music Store.

Liz Bowlin

As President of the Chamber of Commerce, Ms. Bowlin expressed a strong desire for the Chamber to work with the Council during the next year. She also asked Council for their suggestions and comments. She noted that the Chamber Board members would like to organize a Town Meeting or Summit for Des Moines. In closing, she introduced Mike Waters, Interim Executive Director of the Chamber of Commerce.

Gene Achziger, 28708 Soundview Drive, Redondo

On behalf of the Redondo Community Club, Mr. Achziger requested that Council reconsider the election date for the proposed annexation. Due to recently developed policing issues, Mr. Achziger asked Council to set a May 21, 1996 election.

BOARD & COMMITTEE REPORTS

King County Parks and Open Space Future Funding Committee

Mayor Pro Tem Brazil reported that the purpose of the committee is to determine whether to place a Parks and Open Space bond before the voters. The committee will meet to discuss funding options, allocations, and criteria selection.

PRESIDING OFFICER'S REPORT

1996 Committee Appointments & Liaison Assignments

Mayor Thomasson announced the following committee assignments:

South County Area Transportation Board	Councilmember Sherman Councilmember Wasson (Alternate)
South Access Steering Committee	Councilmember Sherman
Planning Agency	Councilmember Roberts
Public Safety & Transportation	Councilmember Sherman (Chair) Councilmember Wasson Mayor Thomasson
Municipal Facilities	Mayor Pro Tem Brazil (Chair) Councilmember Wasson Councilmember Sheckler

Appointments to the other committees will be made later.

Resolution No. 800 - City Attorney Appreciation

Mayor Thomasson read the proposed resolution recognizing the contributions of City Attorney James Gorham during his years of service to the City of Des Moines.

MOTION was made by Councilmember Sherman, seconded by Councilmember Wasson, and passed unanimously to adopt Res. No. 800.

ADMINISTRATION REPORTS

Employee of the Year

City Manager Prothman explained the selection process for City of Des Moines Employee of the Year.

Chief of Police Obermiller introduced Terryann Cormier, Records Specialist for the Police Department as the 1996 Employee of the Year.

1996 Budget Cover Presentation of Certificates of Appreciation

Finance Director Hathaway and Mayor Thomasson presented certificates of appreciation to the following runner-ups in the 1996 Budget Cover contest:

Jesse Foxworthy	Carley Brockmiller
Jeff Maramatsu	Brianna Milonas
Shaylee Nielson	Kirsten Werner

They then presented Tim Robles, winner of the 1996 Budget Cover contest, with a framed copy of his drawing and a certificate of appreciation.

Water Quality Monitoring Program - Annual Briefing

Civil Engineer Reinhold introduced Rob Zissette of Herrera Environmental to present the 1995 annual report of the water quality monitoring program.

Mr. Zisette briefed Council on the water quality and biological monitoring processes for Des Moines Creek, Massey Creek, and McSorley Creek basin areas. He highlighted the following test results of the areas during storm flow and base flow periods:

- Water Temperatures
- Dissolved Oxygen Concentrations
- Total Suspended Solids (Sediment) Concentrations
- Dissolved Copper Concentrations
- Total Phosphorus Concentrations
- Fecal Coliform Bacteria Concentrations

He noted that initial biological monitoring indicates that toxic runoffs have severely affected the ability for habitat to survive. In closing, Mr. Zisette stated that the monitoring program will continue for four more years.

Public Works Director Heydon stated that the collected data will provide information for future basin plans to improve the ecological quality of the City.

Briefing: SR 509/South Access

Assistant City Manager Olander introduced Project Consultants Jeff Bailey, from ABAM, and Craig Stone, a WSDOT staff member.

Mr. Bailey outlined the following local and regional objectives of the SR 509/South Access project:

- Support local and regional comprehensive planning and development,
- Improve access to airport for south oriented customers,
- Relieve local congestion,
- Improve mobility and safety.

Mr. Bailey then displayed the four alternative routes and noted their respective projected relocation totals, right-of-way acquisition requirements, and cost efficiency analysis. Mr. Bailey stated that all of the alternatives affect wetland areas in Des Moines.

Mr. Stone noted that specific configurations of the routes have not yet been determined.

After discussion, Council concurred to conduct a public hearing on the SR 509/South Access alternatives to determine the corporate decision of the City.

At 9:15 p.m., Mayor Thomasson declared a ten minute break.

Woodmont Annexation

Assistant City Manager Olander reviewed the history of the proposed Woodmont annexation. He noted that Council has set a September 17, 1996 election date. Mr. Olander displayed a

preliminary proposed zoning map of the area and noted that 95% of the zoning could easily be converted to Des Moines' area zoning. He estimated the total pre-annexation zoning process will take five to six months.

Council concurred to revisit the Woodmont annexation issue at the next council meeting.

Councilmember Towe requested that staff provide a flow chart for establishing the annexation area zoning prior to the election date as well as the establishment of zoning after the election date.

Mayor Thomasson suggested that the City arrange to provide police services for the remaining unincorporated area should the annexation effort prove successful.

ACC Interlocal Agreement

Assistant City Manager Olander noted the addition of liability language on Page 3, Section 3 of the proposed ACC Interlocal Agreement, Consent Calendar Item No. 4.

CONSENT CALENDAR was read by Deputy Clerk Chaufy.

1. Motion is to approve the minutes of January 11 and 18, 1996.

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 #43354 through #43955 in the total amount of \$983,098.56

Payroll fund transfers in the total amount of \$325,570.51

3. Draft Resolution No. 96-001 [Assigned Res. No. 801] - Title: A Resolution of the City Council of the City of Des Moines, Washington, requesting U S West Communications to inform customers, prior to making calls, of the potential for charges when connecting to certain cellular telephone numbers.

MOTION is to approve Draft Resolution No. 96-001.

4. Motion is to authorize the City Manager to sign on behalf of the City of Des Moines the 1996 Airport Communities Coalition Interlocal Agreement.

5. Motion is to set a public hearing on March 7, 1996, for Rezone Application File RZ 95-050, Applicants Mattson, Fluharty, Rimpler, for a 1/2 acre RS 9600 parcel at 2712 Kent-Des Moines Road, reclassification to RM 2400.

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

PUBLIC HEARING

Draft Resolution No. 95-136 [Assigned Res. No. 802] Establishing CATV Rates and Request for Rebate to Subscribers

City Attorney Gorham read the rules for conducting a public hearing. He then introduced Lon Hurd, a principle of 3-H Cable Consultants.

Mr. Hurd noted that the proposed resolution was being submitted to Council in response to the Cable Television Consumer Protection and Competition Act of 1992. He noted that Des Moines has taken the steps necessary to establish itself as a rate regulating body and to certify with the FCC for the right to order rate changes.

Mayor Thomasson asked for speakers.

SPEAKERS

George Minnich, 22701 19th Avenue South

Mr. Minnich questioned the legality of TCI charging for the use of the customer owned remote control.

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

In response to Mr. Minnich's question, Daniel Hanies, representative of TCI Cable of Auburn, noted that TCI no longer charged for customer's use of their own universal remote control. He noted that he would review Mr. Minnich's account to assure proper refund of leasing charges. He also noted that the proposed rebate would apply to current subscribers only.

Mr. Hurd noted that TCI concurs with the fees listed in the proposed resolution.

Mayor Thomasson closed the public hearing.

MOTION was made by Mayor Pro Tem Brazil, seconded by Councilmember Sheckler, and passed unanimously to adopt draft Res. No. 95-136.

NEW BUSINESS

TV-W Coverage for Des Moines

Councilmember Sherman informed Council that the City could receive TV-W broadcasts during the night hours at no charge by accepting the Seattle feed.

Council concurred to make TV-W programming available to Des Moines cable subscribers.

Resolution No. 95-162 [Assigned Res. No. 803] Selection of City's ACC Representative

MOTION was made by Councilmember Sherman, seconded by Mayor Pro Tem Brazil, and passed unanimously to name Gary Towe as the elective representative to the ACC executive committee.

MOTION was made by Councilmember Sherman, seconded by Mayor Pro Tem Brazil, and passed unanimously to adopt Res. No. 95-162.

Barnes Creek Detention Facility - State Revolving Loan

Public Works Director Heydon described the Barnes Creek biofiltration wetland/detention facility area and the project. If the loan were accepted, Mr. Heydon noted that the project would cost an additional \$28,000, due to the development of a required design plan, but it would also

provide more information up front, allow the City to get the money without interest, and provide a better opportunity to obtain additional funds and grants. In closing, he noted the affect the proposed loan would have on the CIP.

MOTION was made by Mayor Pro Tem Brazil, seconded by Councilmember Towe, and passed unanimously to approve amendment to the Barnes Creek Detention Facility element of the Capital Improvement Plan and direct staff to submit a State Revolving Fund Loan agreement on the February 1st Consent Calendar.

NEXT MEETING DATE - Regular Meeting February 1, 1996

ADJOURNMENT

Meeting was adjourned at 10:14 p.m.

Respectfully submitted,

Angela M. Chaufy
Deputy City Clerk