

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

January 27, 2005

The regular meeting of the Des Moines City Council was called to order at 7:33 p.m. by Mayor Sheckler in the City Council Chambers, 21630 11th Avenue South, #B.

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

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Scott Thomasson, Councilmembers Richard Benjamin (left at 9:05 p.m.), Gary Petersen, Dan Sherman and Maggie Steenrod. Absent: Councilmember Susan White (vacation). Also in attendance were City Manager Tony Piasecki, City Attorney Linda Marousek, Assistant City Engineer Maiya Andrews, Public Works Director Tim Heydon, Parks and Recreation Director Patrice Thorell, Harbormaster Joe Dusenbury and City Clerk Denis Staab.

MOTION was made by Councilmember Sherman, seconded by Councilmember Petersen and passed unanimously, to excuse Councilmember White.

COMMENTS FROM THE PUBLIC

Bob Pond, 23116 30th Avenue South

Mr. Pond informed Council that property along Pacific Highway South, including Kings Arm Motel, have recently sold for less than estimated value. He felt that this is a trend that will continue until crime in the area, particularly at the motels, is curtailed. He stated that Police emphasis has helped, but the problems have not gone away.

BOARD & COMMITTEE REPORTS

South King County Area Transportation Board

Councilmember Sherman advised Council that the Board is preparing a brochure to present to the Legislature requesting that funding be found to replace funding that has been lost in recent years for transportation projects in South King County, and to try to find solutions to greater transportation problems.

Beach Park Historical Designation

At the request of Mayor Sheckler, Parks and Recreation Director Thorell noted that tomorrow the City will be making a presentation in front of the State Board for Historic Preservation for the Beach Park. She advised that Artifacts Consulting Company will be making the presentation on behalf of the city for National recognition which will open up opportunities for funding, including Federal funds.

Comprehensive Plan Update - Ad Hoc Committee

Mayor Pro Tem Thomasson announced that the Committee will meet next Friday at 10 a.m.

PRESIDING OFFICER'S REPORT

Certificate of Recognition Sr. Services Committee Member Carroll

Mayor Sheckler presented John Carroll with a plaque commemorating his 6 years of service on the Sr. Service Advisory Committee.

Mr. Carroll thanked the City Council for their support in regards to senior citizen concerns.

Chamber of Commerce

Mayor Sheckler noted he met the new Chamber President Jane Ipsen last week. He felt confident she will move the Chamber in the right direction and he looks forward to working closely with her for the mutual benefit of the City and the Chamber.

Highline Forum

Mayor Sheckler announced that he and the City Manager attended a meeting today with the former members of the ACC, the City of SeaTac and Port of Seattle to discuss common goals.

Conclusion of common goals included:

- Promote Economic Development of Southwest King County
- Collaborate on transportation, environmental and infrastructure priorities
- Provide an opportunity to communicate and form joint efforts on related actions for cities, county, Highline School District and the Port of Seattle
- Provide opportunities for members to share information and discuss operational and capital project issues
- Explore joint use of agency resources and other items that might be placed on the Agenda by the Co-Chairs

Mayor Sheckler announced that the Co-Chairs are:

Bob Edwards, representing the Port of Seattle

Mayor Steve Mullet, representing the cities and Highline School District

He advised that meetings will begin in February and will be on the 3rd Wednesday of every month between 3 p.m. and 5 p.m. He noted that the meetings are open to the public and the meeting place will rotate between the Port and the cities.

Upon questioning by Council, Mayor Sheckler confirmed that the City of Normandy Park is a member and that he will distribute copies of minutes to Councilmembers.

Council Retreat

Mayor Sheckler reminded Council that there is a retreat set for this Saturday and requested Councilmembers review the Council's Vision and Mission statement to see if there are changes that need to be made.

Steven J. Underwood - Charles Champion Sentencing

Mayor Sheckler advised that he attended the sentencing of Charles Champion last week for the shooting death of Des Moines Police Officer Underwood. He noted that it was a very long, emotional day. In particular he noted the playing of the 911 tape, reporting the shooting, and a video presentation made by the Underwood family and the Des Moines Police Department.

At this point the video tape of “Steven J. Underwood, Murdered in the line of Duty” was shown.

Mayor Sheckler announced that at the conclusion of the Council meeting tonight, he will play the 911 tape. Anyone who is interested may stay to hear it.

COUNCILMEMBER COMMENTS

Steven J. Underwood - Charles Champion Sentencing

Councilmember Benjamin noted that no words can possibly express Council’s gratitude for the men and women that serve our community. He noted this has been a long ongoing Court case and thinks that justice has been served. He wished the extended Underwood family the very best in moving on with their lives.

Iraq War

Councilmember Steenrod commented that yesterday was the most deadly day in the war for American soldiers. She felt that it is good for everyone to keep in mind that many families are going through the same agony that our community and the Underwood family went through several years ago. She stated that is appropriate to keep them in our thoughts and prayers at this time, as they are fighting for our safety at home and freedoms abroad.

Community Events

Councilmember Steenrod noted the upcoming community events:

- Wally’s Chowder Night - March 4th, proceeds to benefit the Sr. Center
- Poverty Bay Wine Festival - weekend of March 12th
- Des Moines’ Dollars for Scholars - Sports Night Auction - May 14th

Fire District Proposed Merger

Councilmember Sherman noted that Council has received notification from the Federal Way Fire District regarding the potential Merger of that Fire District and Fire District #26. He advised that both of the Districts Commissioners have agreed to proceed with the merger that will have to go to a vote on the citizens.

P.I. Newspaper Article

Councilmember Sherman referenced an article that was in the Seattle P.I. last week titled “*State’s Cities Awash in Financial Problems*”. He noted that the article pointed out that cities are hard-pressed to provide basic services and decent roads. He advised that the Association of Washington Cities made a report “The State of the Cities” that they presented to the State Legislature. He noted that if anyone is interested in reading the report they should go to the web site: www.awcnet.org.

Police Academy

Councilmember Petersen stated that last week he attended the Police Academy graduation of 31 officers. He announced that a former employee of his was one of 3 young ladies to graduate and will be working for the Bellevue Police Department. He expressed pride for the service these people provide to all the cities in this Country.

ADMINISTRATION REPORTS

Proposed Fire District Merger

City Manager Piasecki advised that he has spoken with Chief Polhamus of Fire District #26 and they would like to make a presentation to Council sometime in February to provide an update and give Council an opportunity to ask questions regarding the proposed merger.

CONSENT CALENDAR was ready by City Clerk Staab.

1. 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 42.24.090, 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 #97590 through #97766 & electronic fund transfers in the total amount of \$267,687.83

Payroll fund transfers in the total amount of \$327,714.27

~~2. Motion is to approve the surplus and disposal of two MicroPalm handheld computers, Serial #s 205748 and 205747, and two Micro Palm docking stations, Serial #s 188010 and 188011 and authorize disposing of by auction or sale.~~ [ED NOTE: Item was removed by Councilmember Benjamin.]

3. Motion is to approve the Agreement for Professional Services with Prosecutor Susan Mahoney and to direct the City Manager to execute the agreement substantially in the form as submitted.

Councilmember Benjamin requested Consent Item #2 be removed.

MOTION was made by Councilmember Sherman, seconded by Councilmember Petersen and passed unanimously, to approve the Consent Calendar as read (Items 1 and 3).

REMOVED CONSENT CALENDAR ITEM

Item #2 - Surplus & Disposal of two MicroPalm Handheld Computers & two MicroPalm Docking Stations

Upon questioning by Councilmember Benjamin, Harbormaster Dusenbury advised that the equipment was used in 1996 for sending the moorage bills from the Marina office and were used for reading electric meters and doing boat checks. He stated that the MS Dos machines had to be replaced as part of the Y2K update. He noted they had been stored and are no longer in working order.

MOTION was made by Councilmember Benjamin, seconded by Councilmember Sherman, to approve the surplus and disposal of two MicroPalm handheld computers, Serial #s 205748 and 205747, and two Micro Palm docking stations, Serial #s 188010 and 188011 and authorize disposing of by auction or sale. Motion passed unanimously.

AGENDA REVISION

Mayor Sheckler announced that he will take New Business Item #1 before Old Business.

NEW BUSINESS

Draft Resolution No. 04-030A Authorizing Amendment to Rotary Wine and Music Festival

Clark Snure of Des Moines Rotary, noted that on March 25, 2004, Council adopted Resolution No. 967 granting permission to the Rotary Club to conduct the 2005 Poverty Bay Wine and Music Festival from March 11, 2005 through March 13, 2005, in a fenced and tented location in the Marina parking lot. He noted that the Club has recently learned that the Des Moines Beach Park Auditorium is now available, and suitable for the Festival and he requested permission to relocate the Festival to the Beach Park Auditorium.

MOTION was made by Councilmember Benjamin, seconded by Councilmember Sherman to adopt Draft Resolution No. 04-030A.

Upon questioning by Council, Mr. Snure stated that Rotary plans for the Festival to be an annual activity. He informed Council that they have received tremendous support from sponsors and enthusiasm has been expressed from all over the area.

Mayor Pro Tem Thomasson advised that he supports the event, but questioned if there are other items that may need to be handled in the Resolution that would make this different than a normal Park rental use.

City Attorney Marousek noted that a resolution was prepared for the change of location, because there is an existing resolution.

City Manager Piasecki advised that normally this could be handled through a Park use rental agreement. However, he reminded Council that discussion has been held regarding setting new rules for events that may attract large numbers of participants and this is the type of event that would be impacted by new regulations, should Council adopt those rules, and would have to come to Council for final approval.

VOTE ON MOTION: Motion passed unanimously.

OLD BUSINESS

Beach Park Master Plan Briefing

Parks and Recreation Director Thorell noted the purpose tonight is to provide Council with the final draft of the Des Moines Beach Park Master Plan based on the Community Heritage option developed for the Park, and to seek any input Council may wish to offer. She introduced Consultant Gary Towe of Project Management Northwest.

Mr. Towe advised Council that he will be presenting the culmination of many meetings and reviews with City staff, community members and Councilmembers. He advised that the overwhelming opinion is that Des Moines Beach Park is a real "jewel" and the focus should be on capturing, rehabilitating and celebrating the rich history of the site and the facilities. He proceeded to review the Beach Park Master Plan Update as furnished in Council packets highlighting some of the following items:

- Potential Building Uses:
Auditorium - Community theater, music concerts, community rentals

Sun Home Lodge - Gift Shops, museum

Founders Lodge - Community clubs, conference center, corporate retreats

- Site Enhancements:
 - Flood Control - Elevate Dining Hall and Founders Lodge, or permanent creek diversion. Auditorium needs retaining wall and drainage improvements.
- Activities & Uses
 - Prime gathering place viewing area, possible gazebo structure.
 - Consolidate Play areas, to allow for more active play area such as volley ball.
 - Restore footbridge.
 - Clear some vegetation to create additional picnic and quite areas.
 - Replace railing along promenade area, eventual removal of private residence to improve pedestrian access between the Marina and the Beach Park.
- Access Entry Improvements:
 - Create unified entry at convergence zone between Marina & Beach Park.
 - Reconfigure Overlook Park II to provide a better visual corridor & additional access point. Replace deteriorating retaining wall, helping improve pedestrian safety.
 - Provide bus/shuttle route through Marina & Beach Park.
 - Improve and designate entry point at top of pedestrian trail.
 - Remove rip rap and improve beach access
 - Develop new trail and connection to 7th Ave. S.
 - Remove private residence & extend promenade area to Marina.
- Cost Summary:
 - \$3,175,000 one time costs.
 - \$68,000 recurring Maintenance.

In conclusion, Mr. Towe noted that the many recommendations contained in the update require that a variety of strategies be put in place in order to execute the Plan. He advised the strategies include:

1. Aggressively pursue external funding for building rehabilitation through grant applications, legislative education and influence, and in community based fund raising.
2. Conduct a vigorous public awareness campaign to call attention to the rich history of the site, as well as the deteriorating condition of the buildings.
3. Engage the Des Moines Chamber of Commerce in actively marketing and promoting the Beach Park, Marina and Downtown Des Moines as a tourist destination.
4. Engage Highline Community College, Trout Unlimited and other local organizations to incorporate regular education activities and events.
5. Establish and document an ongoing building and site maintenance plan, with tasks, responsibilities and frequencies.
6. Establish an internal building and grounds maintenance funding source.
7. Establish design standards and specifications with reflect the Draper and Covenant Camp era.
8. Establish a strong connection between the Beach Park & Marina.
9. Work with Regulatory agencies to pursue more comprehensive dredging of Des Moines Creek.

10. Proceed with implementation of Marina Master Plan, Des Moines Creek Basin Plan and Des Moines Creek Trail Extension.

Mayor Sheckler questioned Councilmembers as to whether the presentation made tonight is the direction that Council wants to go, if not, what changes need to be made.

9:05 p.m. Mayor Sheckler called for a 10 minute break. Councilmember Benjamin left the meeting.

Councilmember Sherman expressed interest in diverting Des Moines Creek as a way to save money and the Founders Lodge. He noted this would also save money for maintaining the Founders Lodge. He stated he would not mind removing the existing picnic shelter and restrooms and would like a gazebo and nice new restrooms.

Mr. Towe noted that the scope of elevating the buildings will be reduced if the creek is diverted, but there still may be some elevating that will need to be done to get them above the 100 year flood plain.

Parks and Recreation Director Thorell informed Council that the main reason for considering diverting the creek was to make the facilities available for year round use. The intent is to create a new channel, then close off the creek from going under the building, which makes it simpler and less expensive to elevate the building. She advised this is a potential solution to issues such as continuous flood, huge maintenance costs for clean-up, lack of use and accessibility to the site during the storm season and to help protect the existing buildings. She informed Council that she will be meeting with the Dept. of Fisheries next week to explore this option.

Mayor Pro Tem Thomasson expressed approval of a gazebo. He advised that the Department of Fisheries likes the heavy vegetation along the creek. He felt that pedestrian traffic could be better served with signage to prevent them from using the vehicle lanes.

Parks and Recreation Director Thorell advised that part of the plan is to make the Park more pedestrian friendly and that perhaps a 30 foot wide roadway is not needed. Some of the roadway could be redesigned to accommodate more pedestrians.

Mayor Pro Tem Thomasson felt that part of the character of the dining hall is that the creek runs under the buildings, and is not sure he would support diverting. He suggested perhaps an overflow area be provided to help protect the buildings. He also hopes that the Des Moines Creek Basin improvements will improve the flooding problems. He concluded by stating that the creek needs more dredging, along with some diversion, or overflow facilities. He felt more study may need to take place to ensure this plan, and the Marina Master Plan, work together.

Councilmember Steenrod stated that she prefers to see the creek dredged, rather than relocated.

City Manager Piasecki advised that the creek was dredged twice this past year, but because of the up-stream problems, it almost immediately fills back in. He agreed with Mayor Pro Tem Thomasson that the City needs to figure out a way to trap some of the siltation before it gets to the park structures. He advised that when the Des Moines Creek Basin Plan is completed it should change the creek flow and slow it down, and deal with some of the high water action by having a by-pass pipe, using the old outfall from the Waste Water Treatment Plant, as a way to catch that.

Mayor Sheckler felt that the consensus is to leave the creek alone, running under the structures, as a unique aspect of the Park.

Councilmember Steenrod felt more information is needed as to what method would be used for diverting the creek, a canal, dirt, rocks, or what would it look like. She noted costs must be weighed against the benefits. She would like to see more wood bridges and pedestrian paths created to enjoy the creek.

Councilmember Sherman suggested looking into getting into the AAA Tour Book. He felt that with the historically significant Beach Park restored, combined with the Marina and a good restaurant, Des Moines could very well see some economic benefit from tourists.

Councilmember Steenrod suggested the City approach the Port of Seattle for financial assistance in fixing some of the problems they helped create in regards to the creek, especially since the Port is in a mode for making the area more attractive as a regional visiting point.

Mayor Pro Tem Thomasson commented that when the Park was first developed the City had a definitive Master Plan. He felt the current update is not a definite plan, but rather a book of ideas and alternatives. He questioned what the update is in terms of decisions that need to be made and how do we get through that process.

Mr. Towe stated that if Council takes out the creek diversion, then this update is the “map”.

City Manager Piasecki felt the only thing missing from this update is more of a definitive time line of the various projects, and what are the priorities. He noted that in his mind the auditorium is one of the first items as it will be a revenue generator for other projects in the Park.

Parks and Recreation Director Thorell pointed out that there is some priority already established when you view the CIP. This starts with the auditorium in 2005, and the dining hall in 2006 and 2007.

Councilmember Steenrod suggested Council look at concessions for year around use and a place for people to spend their money.

City Manager Piasecki pointed out that this may be handled in the Marina Master Plan, where there is a place for concessions just north of the Harbormaster’s office.

Parks and Recreation Director Thorell advised that she will bring back another update incorporating Council’s direction.

NEW BUSINESS

16th Avenue South Project Utility Undergrounding - Puget Sound Energy Design Agreement and Supplemental Agreement with KPG for Undergrounding Design

Mayor Sheckler introduced the topic, noting this has been previously discussed by Council.

MOTION was made by Mayor Sheckler, seconded by Mayor Pro Tem Thomasson, to enter into the submitted agreement with Puget Sound Energy for the design of undergrounding the

distribution system on the 16th Avenue South Project, and to authorize the City Manager to sign said agreement substantially in the form as submitted; and to enter into the Supplement Agreement with KPG for the design of the 16th Avenue South Project and to authorize the City Manager to sign the agreement substantially in the form as submitted; and to direct staff to apply for a Public Works Trust Fund Loan in the amount of \$3.5 million for the construction of the 16th Avenue South Project.

Councilmember Sherman noted that in the past he was in favor of the undergrounding for this project, however at a cost \$3.5 million he is not as the City cannot afford it.

Councilmember Steenrod voiced agreement with Councilmember Sherman.

Mayor Pro Tem Thomasson felt that the cost as stated may be overblown. However, this is a major arterial improvement and he would rather see it not done, than done poorly. He would be opposed to the project without the undergrounding.

Councilmember Sherman advised that without the undergrounding the project is still going to cost \$5.4 million. He pointed out that the \$3.5 million is in addition, and that property owners are going to have to pay for their individual hook-up charges. He advised he would rather have the project go forward without the undergrounding.

Councilmember Petersen noted that he cannot support the City applying for a loan to pay for the undergrounding.

Councilmember Steenrod advised that this is a critical project for the safety of children in the area, and should be completed even without the undergrounding.

VOTE ON MOTION: Motion failed by 2 to 3 vote, with Councilmembers Petersen, Sherman and Steenrod opposed.

Assistant City Engineer Andrews informed Council that there already is an engineering plan in place and staff has received Council's direction to proceed with the project without undergrounding.

Salt Water State Park

Mayor Pro Tem Thomasson questioned the rumors of the City assuming ownership of Saltwater Park from Washington State.

City Manager Piasecki informed Council that he will give Council copies of a memo that the Park and Recreation Director has received on the current status of the Park.

NEXT MEETING DATE - Study Session February 3, 2005

Mayor Sheckler announced that Council will hold a retreat on Saturday, January 29th at the Senior Activity Center at 9 a.m. to 4 p.m.

Excused Absence

MOTION was made by Councilmember Steenrod, seconded by Mayor Sheckler and passed unanimously, to excuse Councilmember Benjamin from the portion of the meeting that he missed.

ADJOURNMENT

At 10:12 p.m. **MOTION** was made by Councilmember Petersen, seconded by Councilmember Steenrod and passed unanimously, to adjourn.

Respectfully submitted,

Denis Staab
City Clerk