

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

February 10, 2000

The regular meeting of the Des Moines City Council was called to order at 7:32 p.m. by Mayor Thomasson in the City Council Chambers, 21630 11th Avenue South.

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

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Bob Sheckler, Councilmembers Terry Brazil, Dave Kaplan, Dan Sherman, Gary Towe (arrived at 7:48 p.m.) and Don Wasson. Also present were Acting City Manager Tony Piasecki, City Attorney Gary McLean and City Clerk Denis Staab.

COMMENTS FROM THE PUBLIC

Mary Wilcken, 21405 15th Avenue South

Ms. Wilcken expressed shock over the increase in the Home Occupation Business License fee to \$60.00. She requested Council considered waiving the fee altogether for senior citizens, or consider looking at fees based on the business income or number of employees. She noted that she is retired and has no employees and requested Council waive or reduce the fee.

Mike Foote, 22307 Dock Street South

Mr. Foote expressed concern on the following items and requested a response from Council.

- \$2 Million loan that the City has taken out to fight the 3rd runway - Is this true.
- Auditor's Report stating that the former Finance Director had embezzled \$6,800 - Questioned if true, why was this not brought out, and why was he never prosecuted.

City Attorney McLean cautioned Mr. Foote to make it clear these matters are his personal opinion.

Bill Aickin, Marina Live-a-board

Mr. Aickin informed Council he has lived on board his boat for the last 3-4 years, and has had moorage at the Des Moines Marina since it was built, and has a keen interest in the welfare of the Marina facility. Mr. Aickin questioned whether it is Council's intention to change the policy regarding no transfer of Marina funds to the City's general fund, over those legitimate charges for reimbursement. He noted that Ordinance No. 265 limits the transfer of any Marina revenues to the general fund. He informed Council, that in his opinion, the marina needs every dollar it can raise to ensure that major improvements, both short term and long term, are completed to protect the condition of the facility. He cited that the electrical and plumbing are in need of immediate attention and the pier pilings must be replaced. He further noted that bulkhead wall deterioration is a major concern, with a huge financial impact, for the future.

Mayor Pro Tem Sheckler informed Mr. Aickin that the Council's Municipal Facilities Committee is scheduled to begin review of the Marina Comprehensive Master Plan. He noted that after careful study, the Committee will make recommendations to the Council as a whole for consideration and updating of the Plan.

BOARD & COMMITTEE REPORTS

Suburban Cities Association

Councilmember Brazil noted that the general membership meeting will be next week. He advised that there is still a tie between two medium sized cities for a Board position. They are Tukwila and Enumclaw and he requested any opinions from Councilmembers as to how he should vote.

7:48 p.m. Councilmember Towe arrived.

Association of Washington Cities

Councilmember Brazil noted that at the recent meetings regarding the Action Plan, the Shoreline Management Act Master Plan Update was brought up and he feels this is something that Des Moines should follow closely. He also noted that the I-695 funding issues were also a topic, with assurances that it would be taken care of, but no explanation was given as to where the funds might be coming from.

South King County Area Transportation Board

Councilmember Sherman reported attending a meeting on Tuesday. He noted main discussion centered around the fact that transportation funding has been significantly reduced, and what is King County going to recommend for funding to the State Legislature.

Planning Agency

Councilmember Kaplan informed Council that the Planning Agency held a open house regarding the Pacific Ridge Area. He advised that approximately 50 citizens of the Pacific Ridge area were in attendance and consultants were available with maps and renderings of the proposed development for the area. He noted that overall the attitude was generally positive, but various concerns were noted.

ADMINISTRATION REPORTS

Shoreline Management Act Master Plan Update

Acting City Manager Piasecki assured Council that Community Development staff are well aware of the Plan update and are tracking the item carefully.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the minutes of January 27, 2000.
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 # 70303 through #70485 in the total amount of \$419,899.76

Payroll fund transfers in the total amount of \$280,276.41

3. Motion is to confirm Mayor Thomasson's appointments as follows: 4 year terms on the Senior Services Advisory Committee: Hugh Travis, Keith Noess (2nd Term), and George Hadley (2nd Term); 2 year terms to the Human Services Advisory Board: Gene Snyder, Annie Pierce, Andrea Crisler, Susan Fulmer (2nd Term) and Stacy Montague (2nd Term); an unexpired term to the Library Board: Joan Kennedy.

MOTION was made by Councilmember Brazil, seconded by Councilmember Kaplan, to approve the Consent Calendar as read.

Minutes Correction: Councilmember Brazil requested minor clerical corrections to his report regarding the Suburban Cities Association.

VOTE ON MOTION: Motion passed unanimously.

NEW BUSINESS

Draft Ordinance No. 00-022 [ASSIGNED ORDINANCE NO. 1256] - Repealing Per Unit Rental Registration Fee - 1st Reading

City Attorney McLean advised Council that in a recent Supreme Court ruling challenging Mukilteo's rental registration fees, the court ruled they were illegal. He noted that although Des Moines' ordinance is based on different issues than Mukiteo's, it raises the question regarding the validity of rental registration fees assessed by Des Moines. He stated that Des Moines' fees were based on code enforcement work performed by City staff and does not fully fund these efforts. However, he noted that staff is recommending passage of the draft ordinance which would repeal the registration per unit fee, and refunds would be issued to those who have already paid for the 2000 license fee.

MOTION was made by Mayor Pro Tem Sheckler, seconded by Councilmember Brazil and passed unanimously, to suspend Council Rule 26(b) to take final action on Draft ordinance No. 00-022 on a first reading.

MOTION was made by Mayor Pro Tem Sheckler, seconded by Councilmember Sherman, to approve Draft ordinance No. 00-022.

Mayor Thomasson read the ordinance by title into the record.

VOTE ON MOTION: Motion passed unanimously.

It was noted that this will have approximately a \$90,000 impact on the City's 2000 Budget.

Economic Development Council

Acting City Manager Piasecki reminded Council that the year 2000 budget contains a line item appropriation of \$2,716.00 for yearly dues to the Economic Development Council. Due to last minute changes in the budget from I-695 impacts, this was never discussed in any detail by the City Council. He advised that staff is now requesting direction as to whether or not to join the EDC.

Councilmember Brazil spoke in support of the City joining the EDC. He stated that it is time to do something to promote the economic development opportunities in the City and to encourage desirable businesses to locate to the area. He noted that the EDC has really helped the Federal Way area in the past year. He advised that the EDC actively looks for good development areas for companies all across the United States.

MOTION was made by Councilmember Brazil, seconded by Mayor Pro Tem Sheckler, that the City of Des Moines join the King County Economic Development Council.

Councilmember Sherman advised that he is not in favor of joining at this time. He noted that the City already has interest from developers as the City is moving forward with the favorable zoning proposed in the Pacific Ridge Area.

Councilmember Towe stated that generally he is in favor of the City being actively involved with regional groups. He noted that membership could be valuable, but needs to know what they can actually do for our City. He encouraged more policy discussion regarding a plan to pursue with the EDC, and not just join to be joining.

VOTE ON MOTION: Motion **FAILED** by a four to three vote with Councilmembers Brazil and Towe and Mayor Pro Tem Sheckler voting YES.

Mayor Thomasson commented that once Council has determined and established a vision they may wish to reconsider joining the EDC.

NEXT MEETING DATE

Mayor Thomasson noted that the next regular meeting will be February 24, 2000.

Executive Session

At 8:18 p.m. it was announced that Council will adjourn into an executive session to discuss real estate and personnel matters for approximately 30 minutes. It was noted that an item may be brought back to open session.

At 8:40 p.m. Mayor Thomasson announced that the executive session may last another 10 minutes.

ADJOURNMENT

At 9:00 p.m. Mayor Thomasson announced that the executive session may last another 15 minutes and that no formal action will be taken. He adjourned the open session of the Council meeting.

Respectfully submitted,

Denis Staab
City Clerk