

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

February 15, 1996

The regular meeting of the Des Moines City Council was called to order at 7:30 p.m. by Mayor Thomasson in the Council Chambers, 21630 11th Avenue South.

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 Gary McLean, Public Works Director Tim Heydon, Parks & Recreation Director Patrice Thorell, Harbormaster Joe Dusenbury, Planning Manager Corbitt Loch, Senior Planner Robert Ruth, and Deputy City Clerk Angela Chaufy.

PLEDGE OF ALLEGIANCE to the flag was led by Mayor Thomasson.

COMMENTS FROM THE PUBLIC

Mike Regeimbal, 1029 South 272nd, Redondo

On behalf of the Chamber of Commerce, Mr. Regeimbal asked for Council's support of draft Res. No. 96-004. He noted that the Chamber hoped to be involved in the following events throughout the year:

Mentor Program	Friends Forum
Walk-Abouts	Youth Socials
Economic Block Formations	Christmas in Des Moines
Annual Community Forum	Golf Tournaments
Nibble of Des Moines	Saturday Markets

Ed Pina, 24219 7th Avenue South

Mr. Pina addressed Council regarding the licensing of animals. He felt that cats and dogs should have equal licensing requirements as both animals are likely to roam.

BOARD & COMMITTEE REPORTS

Planning Agency

Councilmember Roberts announced that he had introduced himself at the Planning Agency meeting.

PRESIDING OFFICER'S REPORT

Committee Appointments

Mayor Thomasson announced the following committee appointments:

Municipal Facilities:	Terry Brazil, Chair Don Wasson Bob Sheckler
Public Safety &	Dan Sherman, Chair

Transportation:	Don Wasson Scott Thomasson
Environment:	Bruce Roberts, Chair Bob Sheckler Scott Thomasson
Human Services Advisory Committee:	Gary Towe
South Access Executive Committee:	Dan Sherman
SCATBd Representative:	Dan Sherman
Senior Advisory Committee Representative:	Terry Brazil
SR509/So. Access Executive Committee:	Dan Sherman

Appointments to the Senior Services Advisory Committee

Mayor Thomasson recommended the appointment of Keith A. Noess, Timothy M. Mangum, John A. Rann, Georgetta M. Nupen, Stephen Swank, and Judith A. Mannard to the Senior Advisory Committee.

MOTION was made by Councilmember Wasson, seconded by Councilmember Sherman, and passed unanimously to appoint Keith Noess, Timothy Mangum, John Rann, Georgetta Nupen, Stephen Swank, and Judith Mannard to the Senior Advisory Committee with Mayor Pro Tem Brazil appointed as Council representative.

Resolution No. 804 - City Manager Appreciation

Mayor Thomasson read the proposed resolution recognizing the contributions of City Manager Greg Prothman during his years of service to the City of Des Moines.

MOTION was made by Councilmember Roberts, seconded by Councilmember Sherman, and passed unanimously to approve Res. No. 804.

ADMINISTRATION REPORTS

Flooding Follow-Up

Public Works Director Heydon distributed photographs of the recent flooding at Des Moines Beach Park. He noted that an Emergency Communication Center had been organized to provide good customer service and efficient crew use. Public Works, Parks, and Marina employees participated in flood maintenance and clean up. He displayed a map of the four primary problem areas in Des Moines and informed Council of the scheduled or proposed solutions to those flooding areas.

Park and Recreation Director Thorell displayed a short video of the Des Moines Beach Park flooding. She noted that 240 hours of staff time was spent cleaning up the park and removing 50 yards of silt and debris from the area.

King County Surface Water Design Manual 1996 Edition

Public Works Director Heyden noted that King County is still discussing the draft Surface Water Design Manual. After the County has approved the Plan, it will be presented to Council for their review and possible adoption. He recommended that the issue be remanded to the Environment Committee.

MOTION was made by Councilmember Sherman, seconded by Councilmember Towe, and passed unanimously to remand the proposed Des Moines Storm Water Standards to the Environment Committee.

King County Future Funding Initiative

As a Suburban Cities representative to the Future Funding Initiative Steering Committee, Mayor Pro Tem Brazil informed Council that the group was studying the feasibility of placing an Open Space Bond on the September election ballot.

Bonnie Burke provided an overview of the Trust for Public Land Survey and Key Person interviews. She noted the following identified popular potential bond measure components:

- | | |
|---|--------------------------------|
| 1. Salmon spawning areas | 5. Wildlife preservation areas |
| 2. Youth recreation facilities | 6. Forest/Timber areas |
| 3. Large natural areas | 7. Farm areas |
| 4. Existing parks and fields improvements | 8. New parks acquisition |

She further reported the following results of a telephone survey regarding the impact of property taxes on voting intentions:

Property Tax Level/Year for Average Property Owner	Support	Oppose
\$35/Year	57%	36%
\$20/Year	64%	29%
\$12.50/Year	70%	23%

Park and Recreation Director Thorell described the possible projects that could be supported by the potential bond.

Mayor Pro Tem Brazil noted that amount and allocation methods of the bond had not yet been identified. He recommended that the issue be remanded to the Municipal Facilities Committee for study.

MOTION was made by Mayor Pro Tem Brazil, seconded by Councilmember Sheckler, and passed unanimously to remand the issue to the Municipal Facilities Committee.

Harbormaster Dusenbury noted that the Chamber of Commerce Waterland Committee met to discuss the festival. The committee planned to retain the family oriented focus of the festival. He further noted that the committee recommended complete closure of the launch Friday through Sunday during the Festival.

Fire & Emergency Medical Protection Agreement Revision

City Manager Prothman noted the addition of the following language for Item #6 of the Fire & Emergency Medical Protection Agreement (Consent Calendar Item 5):

“ . . . The City agrees that in the event boat taxes or registration fees for the purpose of fire or basic life support services are available to the City that the City will collect and transfer the revenues received to the District.”

CONSENT CALENDAR was read by Deputy Clerk Chaufty.

1. Motion is to approve the minutes of January 25 and February 1, 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 #44061 through #44209 in the total amount of \$337,612.99

Payroll fund transfers in the total amount of \$179,303.56

3. Motion is that a public hearing be scheduled for March 21, 1996 to allow public comment regarding the textual code amendments associated with regulatory reform, and land uses allowed in single family residential zones subject to an unclassified use permit.
4. Motion is to set a public hearing for March 21, 1996 to consider a plat alteration, File No. PP 95-063.
5. Motion is to approve the interlocal agreement with King County Fire Protection District No. 26 for fire and emergency medical protection and to authorize the City manager to sign such agreement.
6. Draft Resolution No. 96-005 [Assigned Res. No. 805] - Title: A Resolution of the City Council of the City of Des Moines, Washington, identifying properties along the proposed Saltwater State Park to Des Moines Creek Park trail as properties that have a high priority for acquisition within the city's Capital Improvement Program and Parks, Recreation and Open Space Element of the Greater Des Moines Comprehensive Plan and authorizing the City Manager to apply for funds to acquire McSorely Creek Open Space properties.

MOTION is to approve Draft Resolution No. 96-005.

7. ~~Draft Resolution No. 96-004~~ - Title: ~~A Resolution of the City Council of the City of Des Moines, Washington, authorizing the Greater Des Moines Chamber of Commerce to conduct its 1996 Waterland Festival and listing conditions under which such permission is granted.~~

~~MOTION is to approve Draft Resolution No. 96-004.~~

MOTION was made by Councilmember Towe and seconded by Councilmember Roberts to approve the consent calendar as read.

Councilmember Sherman removed Item 7 from the Consent Calendar.

VOTE ON MOTION: Motion passed unanimously.

NEW BUSINESS

Draft Resolution No. 96-004 [Assigned Res. No. 806] - 1996 Waterland Festival

MOTION was made by Councilmember Roberts and seconded by Councilmember Sheckler to approve Draft Res. No. 96-004.

Councilmember Sherman suggested that the Chamber reimburse the City for security costs.

MOTION was made by Councilmember Sherman and seconded by Mayor Thomasson to amend Sec. 1, 6g of draft Res. No. 96-004 to cover projected police services.

VOTE ON MOTION: Motion failed, 6-1, with Councilmember Sherman voting "Yes".

VOTE ON MAIN MOTION: Motion passed unanimously.

PUBLIC HEARING

Draft Ordinance No. 95-167 - Street Vacation and Rezone from RS 7200 to BP (Business Park), and Draft Resolution No. 95-166 - Approving Request to Vacate Plats and Approving a Master Plan Providing for Development of a 54 Acre Site for Business Park Use - Applicant: Port of Seattle, File No. MP 94-050

Mayor Thomasson introduced the subject and declared the public hearing open.

City Attorney McLean read the rules for conducting a public hearing. He noted that the hearing was a quasi judicial proceeding and therefore, subject to the Appearance of Fairness Doctrine. He inquired of Council if anyone was affected by this Doctrine.

Councilmember Wasson confirmed that all Council had received the letter from Barbara Stuhling (Exhibit #1).

No other response was voiced.

Planning Manager Loch noted the following issues before Council:

- Proposed vacation of streets
- Proposed vacation of plats
- Proposed rezone from RS-7200 to BP
- Proposed approval of master plan
- SEPA Appeal

After describing the past public participation in this issue, Mr. Loch informed Council that the Planning Agency had recommended approval.

At 8:43 p.m., Mayor Thomasson declared a ten minute break.

Senior Planner Ruth referenced the agenda material (Exhibit #2) as he displayed a map of the proposed rezone area and Master Plan area. He noted the affect of the four possible SR509 extension options on the area. He informed Council that the Administrative SEPA review had determined that the proposed project would increase surface water, increase pollution, provide a permitted use risk (hazardous materials), and provide additional jobs in the City. He noted that Administration had developed the mitigation items after unsuccessfully negotiating with the Port of Seattle. Regarding the potential street and plat vacations, Mr. Ruth highlighted the proposed land compensation plan and utility service needs. He then reviewed the master plan and park designs.

Public Works Director Heydon described the transportation issues involved with the proposed project.

Senior Planner Ruth noted that the Port of Seattle and the City of SeaTac had filed appeals. In conclusion, Mr. Ruth summarized the policy issues before Council.

PUBLIC COMMENT

Jeri Poor, Port of Seattle, Aviation Planning Department

On behalf of the Port of Seattle, Ms. Poor explained the background of the Des Moines Creek Technology Campus Project and gave an overview of its scope. She noted that the City's rezone pre-conditions had been met. In the Port's opinion, the appeal is viewed as a technical measure and they wish to continue working with administration. She requested further clarification on proposed Conditions of Approval item numbers 22 - 28 and stated that items 42 - 44 were new issues. She noted that the project would provide new family wage jobs, diversify the tax base, create a positive revenue stream, and secure major open space for the City of Des Moines.

Steve Arai, Arai Jackson, 601 E. John Street, Seattle

As an architect employed by the Port of Seattle to design the Des Moines Creek Technology Campus Project, Mr. Arai described the master plan and the surface water, site access, utilities, and parking issues involved. He voiced support for Administration's proposal to require development of parking stalls on demand. He noted the following major design considerations:

- Protection of Des Moines Creek
- Development from interior streets
- Limited site accessibility
- Efficient utility system
- Compatibility with neighboring sites
- Reflective of the Comprehensive Plan goals

Steve Butler, City of SeaTac, Planning Department

On behalf of the City of SeaTac, Mr. Butler noted that the City of SeaTac had filed two appeals concerning this project. The first appeal regarding the Final EIS was filed May 26, 1995, and the second appeal regarding the final adoption of environmental mitigation measures was filed February 13, 1996. He noted that the City of SeaTac is generally supportive of the Des Moines Creek Technology Campus Project in concept but they also want to insure that the needs of their

city are addressed. He stated that SeaTac transportation issues had not been adequately mitigated and then clarified his city's Business Park zoning.

Due to the late hour, **MOTION** was made by Councilmember Roberts, seconded by Councilmember Sheckler, and passed unanimously to continue the hearing to February 29, 1996.

Mayor Thomasson announced that the City of SeaTac would proceed with their comments, followed by any additional speakers' comments at that time.

City Manager Prothman asked Council to submit their questions regarding this project to the City Manager or City Attorney for staff's research.

NEXT MEETING DATE - Special Dinner Work Retreat February 22, 1996

ADJOURNMENT

The meeting adjourned at 10:33 p.m.

Respectfully submitted,

Angela M. Chaufty
Deputy City Clerk