

REGULAR MEETING OF THE DES MOINES CITY COUNCIL

MINUTES

February 26, 1998

The regular meeting of the Des Moines City Council was called to order by Mayor Thomasson at 7:40 p.m. in the Council Chambers, 21630 11th Avenue South.

Pledge of Allegiance to the Flag was led by Councilmember Towe.

ROLL CALL - Present: Mayor Scott Thomasson, Councilmembers Dave Kaplan, Dan Sherman, Bob Sheckler, Gary Towe and Don Wasson. Absent: Mayor Pro Tem Terry Brazil (vacation). Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, City Attorney Gary McLean, Public Works Director Tim Heydon, Civil Engineer Jim Seitz, and Deputy City Clerk Angela Chaufy.

MOTION was made by Councilmember Towe, seconded by Councilmember Sherman and passed unanimously to excuse Mayor Pro Tem Brazil from attendance.

COMMENTS FROM THE PUBLIC

Richard Larson, 920 South 226th Street

Mr. Larson informed Council that he cannot run on the pavement due to foot problems. He acknowledged that his jogging created a path at the Field House Park during the winter but stated that the path disappeared during the summer. He questioned what renovations were being done to the park area that would render it closed and unavailable to the public. He asked that some lights at the park be replaced.

BOARD & COMMITTEE REPORTS

Senior Citizen Advisory Committee

Councilmember Sheckler presented Councilmember Wasson with 42 signatures of Senior Center participants who are in support of keeping the cat, Tinker, at the Senior Center.

City Manager Olander announced that three councilmembers had requested that an ordinance be prepared which would amend the Code and allow Tinker to remain at the Senior Center premises. This ordinance would be brought before council at a later meeting.

Environment Committee

Councilmember Sheckler stated that the committee had reviewed texturing alternatives for under the Des Moines Creek Bridge.

SR509 Routing Open House

Councilmember Sherman announced that he had attended the SR509 Open House held at Tyee High School. He said that the design committee was soliciting comments from the public.

ADMINISTRATION REPORT

Oath: Judge Raines

City Attorney McLean introduced King County Superior Court Judge Richard Jones and King County District Court Judge Monica Benton.

Judges Jones and Benton administered the oath of office to City of Des Moines Municipal Court Judge Albert Raines.

Briefing: Update on Woodmont Library Building

City Manager Olander introduced Bill Ptacek, Director of King County Library System .

Mr. Ptacek informed Council of the status of the library's property located north of South 272nd Street on Pacific Highway South. Due to the current construction market and financial environment, the King County Library Board had voted unanimously to immediately begin design of the new library facility. He thanked the City of Des Moines for their support.

PRESIDING OFFICER'S REPORT

Agenda Revisions

Mayor Thomasson announced that Draft Ordinance No. 98-053 would be taken as the first item of business.

MOTION was made by Councilmember Sheckler and seconded by Councilmember Wasson to table the continuation of the public hearing for the street vacation until full council was present.

Councilmember Sherman abstained from voting as he has eliminated himself from the hearing process.

Mayor Thomasson confirmed that Councilmember Towe had listened to the tape of the previous proceedings of the public hearing and was eligible to participate.

VOTE ON MOTION: Motion passed, 4 - 1, with Mayor Thomasson opposed.

Mayor Thomasson announced that the hearing would be continued to the March 26, 1998 meeting.

ADMINISTRATION REPORT, CONTINUED

Midway Merchant's Association Petition

In regard to the petition for the installation of cameras on Pacific Highway South, City Manager Olander recommended that Council direct staff to work with the city of Kent on the project.

MOTION was made by Councilmember Wasson and seconded by Councilmember Towe to direct staff to work with the city of Kent on the project.

VOTE ON MOTION: Motion passed, 5 - 1, with Councilmember Sherman opposed.

CONSENT CALENDAR was read by Deputy City Clerk Chaufy.

1. Motion is to approve the minutes of February 5 and 12, 1998.

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 #59917 through #60120 in the total amount of \$608,560.53

Payroll fund transfers in the total amount of \$196,128.92

3. Motion is to set a public hearing on April 9, 1998 to consider Administration File No. PP 97-077, a request for approval of a preliminary plat allowing 18 single family residential lots; Applicant: Kirk Shoopman.

4. ~~Draft Ordinance No. 98-022~~ Title: ~~An Ordinance of the City of Des Moines, Washington, amending DMMC 11.12.040, DMMC 11.12.090, DMMC 11.12.100, and DMMC 11.12.105, in order to update the Code consistent with King County Interlocal Agreement No. 10367, for billing, collection, and disbursement of City of Des Moines surface water management service charge fees.~~

~~TWO MOTIONS: First motion is to suspend Council Rule 26(b). Second motion is to approve Draft Ordinance No. 98-022.~~

5. Draft Ordinance No. 97-215 [Assigned Ord. No. 1207] - Title: An Ordinance of the City of Des Moines, Washington designating by legal description Redondo Waterfront Park, Woodmont Park and Wooton Park.

TWO MOTIONS: First motion is to suspend Council Rule 26(b). Second motion is to approve Draft Ordinance No. 97-215.

6. Draft Ordinance No. 98-055 [Assigned Ord. No. 1208] - Title: An Ordinance of the City of Des Moines, Washington relating to the fire code and amending DMMC 14.16.040 to allow certain appeals to the City's Hearing Examiner.

TWO MOTIONS: First motion is to suspend Council Rule 26(b). Second motion is to approve Draft Ordinance No. 98-055, and to approve the Code Enforcement Agreement between the City of Des Moines and King County Fire District No. 26, and authorize the City Manager to sign such Agreement substantially in the form as attached.

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

In regard to the minutes of February 12, 1998, Councilmember Kaplan corrected the title and comments of the Federal Way Finance Director as presented on Page 8 of the minutes.

Mayor Thomasson removed Item No. 4.

In regard to Item No. 6, City Manager Olander confirmed that the City Manager will set the fees.

VOTE ON MOTION: Motion passed unanimously.

OLD BUSINESS

Draft Ordinance No. 98-022 - Surface Water Management Billing Through King County

Upon questioning, Finance Director Hathaway stated that a surface water management account is delinquent when the property taxes are delinquent. He believed that the 8% late fee was consistent with county fees. Mr. Hathaway stated that the county is responsible for collection.

Mayor Thomasson asked that the ordinance be reworked to reference and clarify the county process regarding delinquency. He noted that this is the first reading of the draft ordinance.

Mr. Hathaway confirmed that in situations where the surface water management fee was formerly paid by a Homeowners Association, the condominium owners may have experienced a rate increase. He noted that some condominiums are billed as a unit while others are billed as individual accounts.

Mayor Thomasson and Councilmember Sherman stressed that Council's intent was not to change any rates.

Council concurred to direct staff to study the rate issue.

City Manager Olander confirmed that surface water management fees were not tax deductible as they are a utility rather than a tax.

Councilmember Sherman noted that the delinquency section should cover the first half of the payment as well as the second half of the payment.

MOTION was made by Mayor Thomasson and seconded by Councilmember Sheckler to pass Draft Ordinance 98-022 on to a second reading.

VOTE ON MOTION: Motion passed, 5 - 1, with Councilmember Wasson opposed.

NEW BUSINESS

Draft Ordinance No. 98-053 [Assigned Ord. No. 1209] Bond Sale - 1st Reading

Finance Director Hathaway introduced the topic. He noted that the bond rating for the city had been identified as "A2" for voted bonds and "A3" for non voted bonds. Finance Director Hathaway introduced Alan Granberg, Underwriter for Seattle Northwest Securities Corporation.

Mr. Granberg informed Council of the bond sale results. He noted that he hoped to have the funds available by March 9, 1998. Mr. Granberg explained the amortization schedule and reviewed the history of Des Moines' general obligation bond interest rates, comparable investor yields, and bond pricing. Mr. Granberg noted that the city's aggressive bond payback efforts, its replenishment of the general fund balance, and its increased assessed valuation have helped to improve the city's bond rating.

MOTION was made by Councilmember Towe and seconded by Councilmember Sherman to suspend Council Rule 26(b). **Motion** passed, 4 - 2, with Councilmembers Kaplan and Wasson opposed.

MOTION was made by Councilmember Towe and seconded by Councilmember Sheckler to enact Draft Ordinance No. 98-053.

Councilmember Sherman stated that he would support the ordinance because of the good bond rate and because four councilmembers were in favor of the project. He stated that a vote against the ordinance would only delay the process and possibly jeopardize the favorable bond rates. He was still opposed to the land purchase however.

Councilmember Wasson stated that he could not support the ordinance as the voters had said “no” to the land purchase.

VOTE ON MOTION: Motion passed, 4 - 2, with Councilmembers Wasson and Kaplan opposed.

OLD BUSINESS

Update - Community Involvement Pacific Highway South Project City Manager Olander introduced the topic.

Civil Engineer Seitz presented the project overview and status report. He noted that the information gathering process had included discussions with the public, Washington State Department of Transportation (WSDOT), local utilities and surrounding cities. He noted that a seven lane configuration had been supported by all cities. He stated that SeaTac had recently expressed support for a six lane configuration at South 200th Street. He questioned whether Council would like to direct a letter to the City of SeaTac asking for a return to the seven lane configuration. Mr. Seitz described the current funding status and project schedule. He projected the project to be complete in the spring of 2001. Civil Engineer Seitz introduced Roger Mason from CH2M Hill.

Mr. Mason reviewed the community meeting process. He noted that WSDOT’s baseline recommendation included a seven lane roadway and a raised center median with limited openings. Mr. Mason stated that staff recommended adding an additional two feet of land to the median and providing a six foot planter strip buffer between the roadway and sidewalk.

Mr. Seitz confirmed that the figures presented reflected staff’s recommendation. He noted that an open house featuring the preferred alternative for the project would be held in March. The final design approval would occur in May. Civil Engineer Seitz noted that staff is still meeting with business owners to discuss solutions to possible concerns and to identify projects that might mitigate impacts of diverted traffic onto other arterials.

Public Works Director Heydon noted that although design questions remained staff was looking for conceptual alternative direction from Council.

At 9:00 p.m., Mayor Thomasson declared a ten minute recess.

Civil Engineer Seitz explained that the planter area buffers located between the roadway and the sidewalk would provide the following advantages:

- Increased pedestrian safety;
- Allow space to develop a community gateway design; and

- Reduce crime through building placement.

City Manager Olander noted that Council would begin review of the land use element for the area at the March 12, 1998 meeting.

Mayor Thomasson voiced support for staff's recommendation. He suggested showing the middle area as a turn lane rather than a median in appropriate areas. Due to various business entrances, Mayor Thomasson also recommended that HOV and local turning traffic be allowed in the first lanes.

Councilmember Towe asked to see an estimate of potential litigation issues that might increase the costs associated with the project.

In regard to the Regional Transit Authority project, Civil Engineer Seitz noted that Phase 1 of the project terminates at South 200th Street.

Councilmember Towe questioned whether a letter to the city of SeaTac, co-authored by the other cities, regarding the proposed six lane configuration might be helpful.

Public Works Director Heydon thought that a letter from Council would help.

Councilmember Sherman asked staff to carefully consider the property owner impacts.

Mayor Thomasson recommended that staff give consideration to salvaging the value of existing facilities when possible.

Council concurred to support staff's recommendation of the seven lane configuration, median, and planter strip buffer areas.

After discussion, Council concurred to send a letter to SeaTac regarding the development of a seven lane roadway.

Mayor Thomasson suggested that other cities and agencies be encouraged to send similar letters to SeaTac.

Civil Engineer Seitz noted that WSDOT used 2020 traffic projections in establishing the baseline recommendation.

Councilmember Wasson asked Council to consider the placement of additional signals at intersections during the design phase. He also questioned whether a widened right-of-way would be considered Des Moines' right-of-way or SeaTac' right-of-way.

City Manager Olander stated that the right-of-way issued would be resolved later.

Steve Worthy from Worthy and Associates and Dave Boyd from Makers then displayed slides of the following landscape and urban design issues:

- Land Use Development Issues (i.e. - setbacks, shared parking and access, design guidelines, business recruitment);
- Streetscape Elements (i.e. - lighting, shelters, street furniture);
- Gateway Designs (i.e. - theme and purpose, style options, property acquisition);
- Signage (i.e. - trees and signs, height and size limits, lighting glare control, color and material guides)
- Street Tree Options;
- Street Tree Bases; and
- Planted Medians.

Councilmember Wasson questioned if any liability would be placed on the city if paving blocks were installed in areas without a crosswalk.

NEXT MEETING DATE - March 12, 1998 Regular Meeting (Canceled - Study Session March 5, 1998 due to NLC Conference in Washington, D.C.)

ADJOURNMENT - The meeting adjourned at 10:25 p.m.

Respectfully submitted,

Angela M. Chaufy
Deputy City Clerk