

REGULAR MEETING OF THE DES MOINES CITY COUNCIL

MINUTES

March 12, 1998

The regular meeting of the Des Moines City Council was called to order by Mayor Thomasson at 7:35 p.m. in the Council Chambers, 21630 11th Avenue South.

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

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Terry Brazil, Councilmembers Dave Kaplan, Dan Sherman, Bob Sheckler, and Don Wasson. Absent: Councilmember Gary Towe. Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, City Attorney Gary McLean, Public Works Director Tim Heydon, Planning Manager Corbitt Loch and Deputy City Clerk Angela Chaufty.

MOTION was made by Councilmember Sherman, seconded by Councilmember Kaplan and passed unanimously to excuse Councilmember Towe from attendance.

COMMENTS FROM THE PUBLIC

Mary Lou Kraves, 22315 6th Avenue South, #B202

Ms. Kraves informed Council that the banners hanging at Cliff Avenue and South 223rd Street block her view. While Ms. Kraves voiced support for the events being advertised, she felt that the number of banners being hung seemed to increase each year. She asked Council to consider other options such as hanging the banners at South 223rd Street and 6th Avenue South.

Jack Kniskern, 22602 13th Avenue South

Mr. Kniskern informed Council that the South King County Housing Forum has now established a program. He distributed information regarding the forum. He also noted that the Seattle King County Housing Development Association has contributed approximately 9,000 housing units to the area. He stated that he would like to address Council regarding the housing issues at a later meeting. In closing, he suggested Council read the book "METRO Politics" regarding the reorganization of metropolitan politics.

Bob Matthews, Des Moines

As a broker of the local Caldwell Banker Real Estate, Mr. Matthews addressed Council regarding the potential effect of Draft Ordinance No. 98-075 on the real estate business. He stated that "Open House" real estate signs were used for one day events to direct people to a specific location. He noted that the signs were maintained and removed by the real estate agents. He felt that the proposed ordinance would be detrimental to the real estate business.

Gail Reeves

As Executive Director of the Chamber of Commerce, Ms. Reeves asked Council for permission to conduct a Marine Swap Meet and On The Water Boat Show in conjunction with Boat Safety Fair at the Des Moines Marina. She noted that the event would be cosponsored by the Des Moines Marina and Classic Yachts.

Sam Pace, 3905 154th Avenue SE, Bellevue

On behalf of the Association of Realtors, Mr. Pace asked Council to conduct a public hearing after March 26, 1998 regarding Draft Ordinance No. 98-075. He felt that the proposed ordinance would place the legal burden on the City and would eliminate a classification of free speech. If passed, he felt that the City would have failed to adopt the least restrictive alternative. He wished to present more details during a public hearing.

BOARD & COMMITTEE REPORTS

Meeting with King County Councilmember Chris Vance

Mayor Pro Tem Brazil reported that he had met with King County Councilmember Chris Vance and representatives from other southend cities to discuss King County's interaction with the cities. Potential funding of services earmarked to be given to the various cities was discussed.

Public Safety and Transportation Committee

Councilmember Sherman noted that the committee had met with METRO representatives to discuss bus route alternatives. Council would be briefed on the issue at a later meeting. He questioned whether Council wanted to make a formal recommendation to King County Council regarding this issue.

Mayor Pro Tem Brazil noted that Senior Services Manager Sue Padden had mentioned the need for east/west bus service in the Des Moines' area to King County Councilmember Vance. Mayor Pro Tem Brazil reported that Councilmember Vance was seeking recommendations.

PRESIDING OFFICER'S REPORT

Regional Needs Assessment Meeting

Mayor Thomasson reported that he had attended the Regional Needs Assessment meeting regarding Puget Sound drainage water quality and planning issues. He announced that Joe Brennan had been elected chairman of the committee and that Federal Way had indicated a willingness to participate in the group.

CONSENT CALENDAR was read by Deputy City Clerk Chaufy.

1. Motion is to approve the minutes of February 19 and 26, 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 #60121 through #60424 in the total amount of \$675,228.86

Payroll fund transfers in the total amount of \$207,327.06

3. Motion is to authorize the City Manager to sign substantially in the form as attached 1) the interlocal agreement with King County for City Optional Program funds; and 2) the contract for services for a collection event for hard-to-recycle household items.
4. Motion is to purchase Lots 6 through 11 of Block 38, the Town of Des Moines, from the Puget Sound Energy Property in the amount of \$34,500 plus closing costs, and further to authorize the City Manager to sign the purchase and sale agreement substantially in the form as submitted.

5. Motion is to award the bid of the Kubota L4200DT Tractor and specified attachments to Jennings Equipment Inc. in the amount up to \$26,000, which includes sales tax, and trade-in allowance and authorize the City Manager to sign said sales agreement substantially in the form as submitted.

6. Draft Resolution No. 98-074 [Assigned Res. No. 841] - Title: A Resolution of the City Council of the City of Des Moines, Washington, authorizing the Greater Des Moines Chamber of Commerce to conduct a Marine Swap Meet and On-The-Water Boat Show in conjunction with the Des Moines-sponsored Boat Safety Fair at the Des Moines Marina.

MOTION is to approve Draft Resolution No. 98-074.

MOTION was made by Councilmember Kaplan and seconded by Councilmember Sherman to approve the consent calendar as read.

In regard to Item No. 3, City Manager Olander noted that the proposed interlocal agreement would authorize one collection event for hard-to-recycle household items.

VOTE ON MOTION: Motion passed unanimously.

NEW BUSINESS

Draft Ordinance No. 98-075 Amending DMMC 12.16.010 Regarding Signs in Rights-of-Way - 1st Reading

Mayor Thomasson introduced the subject.

City Attorney McLean noted that Draft Ordinance No. 98-075 was drafted in response to Council's direction. He briefly described applicable case law. He noted that King County Superior Court had expressed some concern with the current sign ordinance as some signs were treated differently than other types of signs. He stated that the proposed ordinance would not allow the placement of any signs in the rights-of-way.

Public Works Director Heydon stated that the primary purposes of rights-of-way were to provide for vehicular travel and parking, to provide for pedestrian travel and points of congregating, and to provide utility corridors. He listed the following concerns associated with obstructions in the rights-of-way:

- Pedestrian interference;
- Storm drainage interference;
- Visual clutter interfering with safety, traffic flow or directional signs as hazards to public safety;
- Sight line interference;
- Parking interference; and
- Safety hazards for City work crews.

Public Works Director Heydon noted that staff was trained in sign placement issues. He also noted that a sign committee met regularly to review signage requests. He stated that the "Manual of Uniform Traffic Control Devices" was used to evaluate signage placement. Mr. Heydon highlighted several photographs taken during the 1997 political process illustrating signage

placement safety concerns. Given the safety concerns and staff's level of training, Mr. Heydon recommended that no signs be allowed in the rights-of-way unless they are approved by the Public Works Director.

Mayor Pro Tem Brazil commented that the current sign ordinance prohibits the placement of signs that block views.

Councilmember Kaplan requested that staff research different alternatives to the problem that would be equitable but meet the need. He mentioned sign placement time limitations, specific treatment of non-affixed signs and distance specified from traffic control signals.

Mayor Thomasson suggested that campaigners who wave signs on street corners on election day should also be listed as a hazardous use of signs.

City Attorney McLean cautioned that conduct rather than content should be addressed.

Public Works Director Heydon confirmed that the sign ordinance is enforced year round.

After discussing conducting a public hearing, Council concurred that anyone wishing to address Council regarding this issue should do so in written form.

MOTION was made by Councilmember Sheckler and seconded by Councilmember Wasson to pass Draft Ordinance No. 98-075 on to a second reading on April 23, 1998.

City Attorney McLean read the title of the draft ordinance into the record.

VOTE ON MOTION: Motion passed unanimously.

At 9:07 p.m., Mayor Thomasson declared an eight minute recess.

Northeast Neighborhood Element and Zoning

City Manager Olander introduced the topic.

Planning Manager Loch stated that he was seeking guidance from Council regarding the geographic boundary of area, draft vision statement, framework concepts, and proposed schedule. He displayed a map of the proposed area.

After discussion, council concurred to exclude the area south of Kent-Des Moines Road zoned Common Wall/Single Family from the study. They also concurred to include the area north of South 216th Street from 24th Avenue South to Pacific Highway South in the study.

Planning Manager Loch presented the following draft vision statement for the project:

The northeast area of Des Moines is an area where dwelling types other than single family residences are located above, and within the same building as, prosperous businesses. Retail, service, and office establishments will offer those goods and services desired by the Des Moines community. New development may be at a higher density than is presently allowed, and would provide safe and inviting buildings equally suited to the

pedestrian and the motorist. New construction will incorporate design features and building materials that provide a lasting, positive image for the community.

Councilmember Sherman recommended that the vision statement reflect more of a regional purpose and also include the formation of safe neighborhoods.

Council concurred.

Planning Manager Loch highlighted the following selected framework concepts:

- Planning Agency should serve as the forum for initial community input and for the review of draft policies and regulations;
- Land use policies in the new Comprehensive Plan Element;
- Land use regulations in revised H-C zone;
- Encourage mixed use (residences with businesses);
- Discourage/prohibit hotels and parking garages;
- Allow increased building height; and
- Voluntary design guidelines.

City Manager Olander confirmed that the proposed schedule was acceptable.

Councilmember Sheckler asked for staff to provide statistics on the crime rates of the Northeast Neighborhood area.

NEXT MEETING DATE

- Executive Session March 19, 1998
- Regular Meeting March 26, 1998.

ADJOURNMENT

The meeting adjourned at 10:25 p.m.

Respectfully submitted,

Angela M. Chaufy
Deputy City Clerk