

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

March 22, 2001

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, Suite B.

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

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Bob Sheckler, Councilmembers Terry Brazil, Dave Kaplan, Dan Sherman, Gary Towe, and Don Wasson. Also present were City Manager Bob Olander, City Attorney Gary McLean, Public Works Director Tim Heydon, Assistant City Engineer Loren Reinhold and City Clerk Denis Staab.

PRESIDING OFFICER'S REPORT

Moment of Silence

In light of recent events - earthquake, death of Des Moines Police Officer Underwood and a major homicide, Mayor Thomasson called on everyone to join him in a standing moment of silence. Mayor Thomasson thanked staff and community alike for the support shown during the tragic events.

Councilmember Sherman credited Acting City Manager Tony Piasecki for his leadership during the difficult events, thanked the King County Sheriff's Department's spokesperson for relaying prompt information to the community, and concluded by thanking the community for its caring support. He felt everyone came through at a difficult time.

Councilmember Kaplan noted these have been difficult weeks and reminded everyone of the dedicated public servants that the police officers are and is thankful for what they do to protect the community and keep it safe. He concluded by thanking Acting City Manager Piasecki for the professional way he handled the rough weeks while City Manager Olander was out of town.

City Manager Olander advised that Chief of Police Obermiller was thankful for the expressions of support from outside agencies during both recent criminal events. City Manager Olander stated that the Chief has informed him that the level of outpouring of community support was higher than most communities experience. City Manager Olander acknowledged and thanked the community, other cities and their police departments, King County, State agencies and the caring Des Moines City staff for all their support.

Councilmember Towe stated that he grew up in this community and commented that all too often citizens are so involved in their daily routines that we tend to forget or take for granted the risk and, unfortunately in this case their lives, that our law enforcement officials give to keep the community safe. He thanked City staff and other jurisdictions for the help during this time of such stress.

City Manager Olander announced that there will be a Appreciation Reception for the Des Moines community to acknowledge the love and support shown to the City and the Police Department during the tragic loss of Master Police officer Steven J. Underwood who was killed in the line of

duty on March 7, 2001. The event will be hosted by the Des Moines Kiwanis and Rotary Club at Noon to 3 p.m., March 24th at the Des Moines Field House.

BOARD & COMMITTEE REPORTS

National League of Cities Conference

Councilmember Kaplan advised that he attended the recent conference held in Washington, D.C. He noted that he attended several sessions, some of which included airport noise, federal funding for local crime assistance and low income housing, and Community Development Block Grant funding. He noted this was a opportunity to explore Federal Government assistance that might be available to help local cities.

Mayor Pro Tem Sheckler stated that he found the Conference to be interesting and particularly exciting in being able to bring forth important issues that the Airport Communities Coalition is facing in the fight against the third runway. He advised that he had the opportunity to bring some of the issues to the attention of the Department of Interior Fish and Wildlife, Environmental Protection Agency and the Army Corps of Engineers on the Federal level that, before now, were not known to them. He noted that the Federal offices will be in contact with their local offices to make sure serious issues are being properly addressed.

Councilmember Towe advised that in his opinion, the overall content was not as good as in past years and that briefings were lacking in real substance.

Councilmember Brazil agreed with Councilmember Towe, feeling that some of this may have been caused by the new Administration not fully up to par and the tug of war between Democrats and Republicans on budget issues. However, he advised that the "2001 Action Agenda for Local Communities" was established. He noted that he has copies available for anyone who might be interested.

Public Safety and Transportation Committee

Councilmember Sherman advised that the Committee met earlier with Public Works staff and the City's consultant regarding the 6 Year Transportation Plan and the potential of traffic and congestion with or without the completion of SR 509. They are studying which projects might need to be modified or new projects that might need to be added.

South County Area Transportation Board

Councilmember Sherman advised that there is State funding budgeted for maintenance only, none for new roads. He noted this may have impacts on Des Moines for future projects. Other issues were: projects to be recommended to the State for funding, looking at better efficiency and other cost saving measures, look at projects on a more regional level, explore new sources of funds, increase in motor vehicle use tax and a potential surcharge for gross weight on trucks.

COMMENTS FROM THE PUBLIC

Jeanne Moeller, 22211 Cliff Avenue

Ms. Moeller distributed a map of the Chamber's proposed configuration for the 2001 Waterland Festival. She requested that Council keep the configuration as it was in 2000. She pointed out that having the carnival rides right next to the condominiums would create intolerable exhaust fumes and noise. She requested Council form a committee comprised of equal amounts of community members, the Chamber of Commerce and chaired by a City Councilmember to review the Festival layout. She presented a petition to keep the festival configuration the same as the year 2000.

Earline Byers, 22315 6th Avenue South

Ms. Byers felt that the new configuration of the Waterland Festival was prompted by the City's proposed Marina Master Plan. She advised that there is no immediate reason to change the Festival's configuration. She also requested Council appoint a Committee to study alternative future festival configurations and presented a petition to the City Clerk.

City Manager Olander noted that the approval of the Waterland Festival had been removed from Council's agenda and the Chamber of Commerce was not ready to submit a final plan for review. He requested the Chamber to meet and resolve these issues with the impacted neighbors of the Marina.

Arlene Knight, 22222 Dock Street S

Ms. Knight voiced agreement with the previous speakers.

Nettie Weaver, 22211 Cliff Avenue S

Ms. Weaver was also agreement with previous speakers and further commented that the proposed Chamber configuration would create safety concerns for ingress/egress of emergency vehicles and residents, and noise from the sound stage.

Mike Fisch, 22211 Cliff Ave S

Mr. Fisch agreed with previous speakers and felt the new configuration would be a step backwards.

Pete Babington, 12129 S 200th, Highline Community College Building Department

Mr. Babington, Director of Facilities for Highline Community College Building Department, informed Council that he is in attendance to dispel the notion that the City of Des Moines Building Department caused the College to lose \$1.3 million by red tagging a building project, as recently mistakenly noted by the College's President at an earlier Council meeting. To the contrary Mr. Babington commended the City's Building Department staff for taking appropriate action. He noted that the action taken by the City's staff saved a potentially dangerous, even life threatening project to proceed. Mr. Babington concluded by noting that in all his experience in working with various agencies Des Moines staff are highly qualified, reasonable, sensitive and extremely competent and the Council and community should be proud.

Marie Rosenberg, 22222 Dock Ave. S

Ms. Rosenberg acknowledged Harbormaster Dusenbury for his efforts on keeping Marina neighbors informed on the draft Marina Master Plan. She thanked Council for their continuing efforts on fighting the third runway at SeaTac Airport.

Everett Woods, 23315 6th Avenue S

Mr. Woods informed Council that he enjoys the Waterland Festival. He encourage Council to focus efforts on cleaning up Des Moines Creek. He felt that by doing this the City would attract more visitors than any Waterland Festival possibly could.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the minutes of February 22, 2001.
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 # 75123 through #75499 in the total amount of \$560,326.89

Payroll fund transfers in the total amount of \$624,226.99

3. Motion is to approve the amended Interlocal Agreement between the City of Des Moines and King County for the King County Waste Reduction and Recycling Grant and the King County City Optional Program grants, and to authorize the City Manager to sign the agreement substantially in the form as submitted.
4. Motion is to confirm Mayor Thomasson's appointment to an unexpired term on the Senior Services Advisory Committee of Natalie Wilcox.
5. Motion is to award the contract for engineering services and database for the Pavement Management System to Nichols Consulting Engineers in the amount of \$23,610.00, plus a 10% contingency, and further to authorize the City Manager to sign said contract substantially in the form as submitted.
6. Draft Ordinance No. 01-058 [ASSIGNED ORDINANCE NO. 1280] - Title: An Ordinance of the City of Des Moines, Washington extending the current moratorium for the acceptance of applications for and issuance of zoning, land use, building and development permits, business licenses, or any other City approvals related in any way to adult entertainment or retail businesses and/or uses in the City of Des Moines, and declaring an emergency.

TWO MOTIONS: First motion is to suspend Council Rule 26(b). Second motion is to approve Draft Ordinance No. 01-058.

MOTION was made by Councilmember Towe, seconded by Councilmember Kaplan, to approve the Consent Calendar as read. Motion passed unanimously.

NEW BUSINESS

Draft Resolution No. 01-055 [ASSIGNED RESOLUTION NO. 902] Interlocal Agreement for Des Moines Creek Basin Project

Public Works Director Heydon reminded Council that the Des Moines Creek Basin Plan was endorsed by the Council on November 13, 1997, and the pre-design of several projects from the Plan: the regional storm water detention facility, bypass pipeline, and flow augmentation facility

projects, are complete. We are now ready to begin the design of these projects. The draft resolution will adopt the Interlocal Agreement between the City of Des Moines, King County, the City of SeaTac, the Port of Seattle, and the Washington State Department of Transportation for the purpose of preparing the final design for, and permitting of, projects to implement the Des Moines Creek Basin Plan.

Public Works Director Heydon noted that Council will review the final design and Des Moines will co-lead with the City of SeaTac for the SEPA process. He advised that there will be an Open House, Public Workshop sponsored by the Basin Plan Committee on April 3rd, 5 to 8 p.m. at the North Highline Fire District Station 18.

Mayor Thomasson questioned whether Section 8, page 7, could open the door for a conveyor belt operation.

City Attorney McLean stated that this could not be interpreted to include a conveyor belt operation.

Upon questioning by Council, Public Works Director Heydon stated that material items would be owned by the jurisdictions they were located in, but maintenance issues would be handled on a group basis. He indicated he would need to review the issue of who would pay for any necessary total replacement.

MOTION was made by Mayor Pro Ten Sheckler, seconded by Councilmember Towe to approve Draft Resolution No. 01-055,

Upon questioning by Council, Public Works Director Heydon advised that Washington State Department of Transportation has already budgeted funds for their share of the Marine View Drive Bridge portion of the project, and letters of commitment of support are on file from other members of the Interlocal.

VOTE ON MOTION: Motion passed 6 to 1 with Councilmember Wasson voting NO.

NEXT MEETING DATE

Mayor Thomasson announced that the next meeting will be a Study Session on April 5, 2001.

ADJOURNMENT

The meeting adjourned at 9:28 p.m.

Respectfully submitted,

Denis Staab
City Clerk