PRELIMINARY
REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES April 1, 2004

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

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

ROLL CALL - Present: Mayor Pro Tem Scott Thomasson, Councilmembers Richard Benjamin, Gary Petersen (arrived at 7:35 p.m.), Dan Sherman, Maggie Steenrod and Susan White. Absent: Mayor Bob Sheckler (illness). Also present were City Manager Tony Piasecki, Assistant City Manager Corbitt Loch, City Attorney Linda Marousek, Parks and Recreation Director Patrice Thorell, Community Development Director Judith Kilgore, and Deputy City Clerk Angela Chaufty.

MOTION was made by Councilmember Benjamin, seconded by Councilmember Sherman, and passed unanimously to excuse Mayor Sheckler from attendance.

At 7:35 p.m., Councilmember Petersen arrived.

Draft Resolution No. 04-032 ***[Assigned Res. No. 969]*** – Fireworks Over Des Moines

Park and Recreation Director Thorell introduced the subject. The proposed resolution would establish the City's level of involvement for the event. The City would primarily provide logistic coordination, traffic control and promotional services. Actual City costs would be tracked and reported to Council after the event was completed. Park and Recreation Director Thorell informed Council of King County Fire District No. 26 and Des Moines Legacy Foundation's support of "Fireworks Over Des Moines". In response to Councilmember Petersen's questioning regarding liability for private donors, Park and Recreation Director Thorell explained that Washington Cities Insurance Authority had confirmed that donating funds was different from providing services. The donation of funds to the event would not create liability.

MOTION was made by Councilmember White and seconded by Councilmember Steenrod to approve Draft Resolution No. 04-032 for "Fireworks Over Des Moines".

Mayor Pro Tem Thomasson read the title into the record.

Councilmember Sherman said that he would not support the proposed resolution until Council banned the use of private fireworks in the City.

In response to Councilmember Steenrod's questioning, Park and Recreation Director Thorell explained that Section 1.d of the proposed resolution named Cliff Hanna and Powell Homes as additional insured as they were hiring the pyrotechnists, the Des Moines Legacy Foundation as they would serve as the conduit for donations, and the City of Des Moines as their property was being used.

Mayor Pro Tem Thomasson noted that an individual could donate to the event through the Legacy Foundation to avoid any liability exposure.

City Manager Piasecki said that any major sponsors who expected their participation in the event to be acknowledged could be added to the list of additional insured.

Councilmember Benjamin voiced support for the event. He recommended that the City donate $10,000 to the event in order to insure a quality display.

Councilmember Steenrod recommended that the word "permits" be added to Section 1.h to provide better direction to interested vendors.

Councilmember Benjamin suggested that additional signage be posted at the Marina regarding the prohibition of fireworks in the area.

MOTION was made by Mayor Pro Tem Thomasson, seconded by Councilmember Steenrod and passed unanimously to amend Section 2 of the proposed resolution by deleting "City parks and public rights-of-way".

MOTION was made by Councilmember Benjamin and seconded by Councilmember Petersen to direct staff to donate $10,000 from the fund balance to the fireworks display. The transaction would be processed through the budget amendment process.

Mayor Pro Tem Thomasson said he would not support the amendment as he already struggled with the City's anticipated cost of $5,000.

VOTE ON MOTION: Motion failed, 2 – 4, with Councilmember Benjamin and Petersen voting in favor of the motion.

VOTE ON MAIN MOTION: Motion passed, 4 – 2, with Mayor Pro Tem Thomasson and Councilmember Sherman opposed.

Draft Resolution No. 03-309 ***[Assigned Res. No. 970]*** – Years 2004 – 2009 Capital Improvement Plan

Finance Director Henderson introduced the subject. She confirmed that Council's direction had been incorporated into the proposed document. Finance Director Henderson briefly noted the revisions to the Municipal Capital Improvement Fund, Arterial Street Fund, Surface Water Management Capital Fund, and Marina Depreciation and Improvement Fund.

Councilmember White announced that she had met with historic preservation committee members and archeologists regarding the Des Moines Beach Park. She recommended that Council include money in the CIP for a park consultant.

Finance Director Henderson said that a budget amendment could be considered if a specific amount was proposed.

As Gary Towe would be conducting a study on the park, Mayor Pro Tem Thomasson suggested that the issue be dealt with at that time.

Upon questioning from Councilmember Benjamin, Park and Recreation Director Thorell explained that the cabin repair line item would provide flooring replacement for the Sun Home Lodge.

Councilmember Benjamin said that the flooding problem at the Beach Park should be fixed prior to the floor being replaced or else the City would need to repair the floor again.

Park and Recreation Director Thorell explained that the Sun Home Lodge was not in imminent danger from flooding. Repairs to the restrooms at the Beach Park had already been eliminated from the proposed CIP.

MOTION was made by Councilmember White, seconded by Councilmember Benjamin, and passed unanimously to adopt Draft Resolution No. 03-309 approving the City of Des Moines 2004 – 2009 Capital Improvement Plan.

Mayor Pro Tem Thomasson read the title into the record.

In response to Councilmember Benjamin's questioning, Park and Recreation Director Thorell described future development plans for Midway Park.

Community Development Director Kilgore informed Council that the City's engineering staff had requested that the Pacific Ridge sidewalk project, funded through Community Development Block Grant (CDBG) funds, be delayed until after the Pacific Highway South improvements were complete. Therefore, approximately $133,000 of CDBG funds would need to be reallocated. Later in the month, she would recommend that Council allocate $17,000 of the available CDBG funds to the Wesley Crosswalk Signal and $113,000 to the Midway Park Improvement Project.

Councilmember Benjamin indicated that he had some questions regarding the Marine View Drive Bridge Project.

Although no Engineering staff members were present at the meeting, City Manager Piasecki encouraged Councilmember Benjamin to ask his questions as he and other staff present could most likely answer them.

Councilmember Benjamin stated that he preferred to ask his questions to the Engineering staff.

Councilmember Steenrod noted that the South 216th Street/ 24th Avenue South traffic signal project was to be funded through traffic impact fees.

City Manager Piasecki confirmed that traffic impact fees would not be collected until July 2005.

Finance Director Henderson explained that money from the fund balance would currently fund the project. The fund would later be reimbursed through traffic impact fees.

Councilmember Steenrod asked Council to discuss the need for additional bus stop shelters. She asked that the construction of additional bus stops be inserted into the CIP.

Councilmember Sherman estimated the cost of a bus shelter to be $15,000.

In response to Mayor Pro Tem Thomasson's questioning, Community Development Director Kilgore explained that the curb, gutter, and sidewalk project for the Activity Center would be eligible for CDBG funds but it would be considered a new project. She said that she would research to determine whether bus shelters met the objectives of the CDBG program. As these two projects were not identified as 2004 CDBG projects, they would not be eligible for the disbursement of the CDBG funds currently allocated to the Pacific Ridge sidewalk project.

Councilmember Steenrod volunteered to help identify key bus routes used by low income individuals and seniors.

Councilmembers Sherman and Benjamin voiced support for the inclusion of bus shelters in the CIP amendments. Councilmember Sherman suggested that staff contact METRO regarding the usage at stops to determine key stops.

Councilmember Steenrod said that she wanted twelve covered bus stops.

City Manager Piasecki said that the item would be presented to Council as a proposed amendment to the CIP on April 22, 2004.

VOTE ON MOTION: Motion passed unanimously.

General Employees Compensation Agreement

Assistant City Manager Loch informed Council that a one year agreement with the General Employees was proposed. The existing compensation agreements for the Police Guild and Teamsters employees would expire on December 31, 2004. This year, Administration planned to establish a committee consisting of employees and management representatives to identify ways to reduce health care costs. The group's work would be incorporated into the employment agreements for 2005 and beyond. Assistant City Manager Loch noted that DMMC 2.12.100 required no less treatment for non-represented employees than for represented employees. He briefly reviewed the terms of the proposed agreement.

In response to Councilmember Sherman's questioning, City Manager Piasecki approximated the total cost of compensation increase for the proposed agreement to be 3.1%. He said that the actual figure would be provided to Council.

Councilmember Sherman suggested that the City consider taking a position regarding limiting required health care services. He said that he would like to see a cafeteria plan established to give the employees a choice and insure fair treatment for all regardless of family size.

MOTION was made by Councilmember Sherman and seconded by Councilmember White to approve the compensation agreement for General Employees for 2004 and to authorize the City Manager to sign the agreement substantially in the form provided.

Councilmember Steenrod said that if medical benefits required 32 hours per week of work then that standard should be the requirement for all benefits. She questioned why the employees did not have a cafeteria plan and why a one-year contract was being proposed. In regard to the proposed wage increase, Councilmember Steenrod said that she wanted to insure that the wages were fair. She stated that employee salaries might not be correctly benchmarked against industry standards. Councilmember Steenrod said that she wanted to see actual figures.

Assistant City Manager Loch informed Council that DMMC 2.12.010(1) limits negotiations with non-represented employees. The proposed wage increase was determined by applying the

DMMC provision to the provisions of the Des Moines Police Guild agreement. He confirmed that the 2004 budget had included a 2.23% wage increase for non-represented employees. Assistant City Manager Loch said that Administration could discuss cafeteria plans with the employees. He suggested that Council discuss increasing the benefit requirement to 32 hours during the next negotiation session.

In response to Councilmember Benjamin's questioning, City Manager Piasecki confirmed that the Personnel Manual would need to be revised after adoption of the agreement. He explained that the last sentence in the first paragraph under "The parties do agree as follows" should read "All personnel rules and regulations as may be promulgated according to DMMC 2.12.100 shall govern unless expressly contrary to this Agreement."

Councilmember Petersen recommended that Section 4 of the agreement be removed as it would not provide equitable treatment for all.

Assistant City Manager Loch explained that the incentive program was a result of an administrative effort to reduce costs. The practice, offered in 2003, had been incorporated into the proposed agreement. Once a new system for health care insurance was established, he anticipated the program being dissolved.

Councilmember Sherman said that the proposed agreement created inequity in compensation through benefits and he hoped that future contracts would provide greater equity. Councilmember Sherman said that he would support the motion as he believed it moved the City in the direction of greater equity.

Councilmember Steenrod agreed with Councilmember Petersen's comments. She said that most companies only provide health benefits for the employee only. Cafeteria plans were also often available.

Mayor Pro Tem Thomasson noted that, historically, cities have provided full coverage for families. He said that the comparison for the employees was other cities rather than private industries.

City Manager Piasecki noted that the other two employee contracts would expire this year. He explained the effect of binding arbitration on the Police contract.

VOTE ON MOTION: Motion failed, 3 – 3, with Councilmembers Benjamin, Petersen, and Steenrod opposed.

At 9:07 p.m., Mayor Pro Tem Thomasson declared a ten minute recess.

Community Development Departmental Briefing

Community Development Director Kilgore displayed a map and briefly described the following community development projects:

- Olympic Elementary School reconstruction
- North Hill Elementary School reconstruction
- PBC 45-50 lot single-family subdivision
- Ohrt 30,000 square foot light industrial/office building

- Furney's remodel and expansion
- Hollywood Video renovation
- Mount Rainier High School reconstruction
- Highline Community College construction
- Grace 27 lot single-family subdivision
- Litowitz 23 lot single-family subdivision
- Cedarbrook 30 Unit townhome development
- Kroupa 4 lot single-family subdivision
- Des Moines Marina remodel
- Stegin mixed use development
- Taco Time remodel and expansion
- Samoan Fellowship Church construction
- Kingdom Hall construction
- Canopy World redevelopment
- Rainier Truck redevelopment
- Comcast extension
- Washington Mutual Bank construction
- Oh Casino and restaurant construction
- Masonic Home renovation
- Judson Park renovation.

Community Development Director Kilgore informed Council that the scope of work for the Comprehensive Plan update had been completed. A State grant to fund the rewrite of the Shoreline Management Plan would soon be presented to Council for acceptance. Three responses to the City's request for proposal for an economic development implementation strategy had been received. In addition, the City had contracted with Pete Ferrin to conduct a grocery store market study. Completion of the draft report of the New Economy Strategy Triangle (NEST) was anticipated this summer. In response to Councilmember Benjamin's questioning, Community Development Director Kilgore said that Pacific Ridge development was a long-term project. The City could wait for the market to find the area or they could form private/public partnerships to bring development. In response to Councilmember Steenrod's question regarding staffing needs, Community Development Director Kilgore said that her department needed a Planning Technician to perform inspections and customer service.

Given the number of development projects, Councilmember Steenrod said that it was critical for a request for adequate personnel to be submitted to Council.

City Manager Piasecki confirmed that the Engineering division would also review its staffing needs.

Community Development Director Kilgore confirmed that transportation impacts would be reviewed as part of the development process.

City Manager Piasecki noted that population projections were regularly shared with schools, utilities and the fire department.

Community Development Director Kilgore recommended that Council adopt an economic development strategy to attract retail businesses to the City after the Pacific Highway South improvements were completed.

Councilmember Steenrod said that she had received complaints regarding the restrictiveness of the City's zoning code. She recommended that Council look at the Code and attempt to balance residential and retail development.

Councilmember White said that a plan needed to be implemented. She suggested that the Chief of Police provide Council with ideas to reduce blight in the Pacific Highway South area. She also recommended that a representative from the Historic Preservation Society address Council at the April 22, 2004 Council meeting.

Councilmember Benjamin stated that the City was losing businesses to its neighbors due to its Code requirements. He said that the City needed to adjust its Code to attract businesses.

In response to Mayor Pro Tem Thomasson's request, Community Development Director Kilgore said that she would provide Council with Highline Community College's parking calculations.

NEXT MEETING DATE

Mayor Pro Tem Thomasson announced that the next regular meeting would be April 8, 2004.

ADJOURNMENT

At 10:08 p.m., MOTION was made by Councilmember Sherman, seconded by Councilmember Steenrod and passed unanimously to adjourn.

Respectfully submitted,

Angela M. Chaufty
Deputy City Clerk

ACTION ITEMS FROM APRIL 1, 2004 MEETING

- Propose revised CDBG allocations to Council.
- Research whether bus shelters meet the objectives of the CDBG program.
- Submit funding for bus shelters as CIP amendments.
- Provide Council with total cost of compensation increase for the proposed non-represented employee agreement.
- Submit to Council a request for additional development/engineering staff.
- Provide Council with Highline Community College's parking calculations.