

REGULAR MEETING OF THE DES MOINES CITY COUNCIL

MINUTES

April 23, 1998

The regular meeting of the Des Moines City Council was called to order by Mayor Thomasson at 7:31 p.m. in the Council Chambers, 21630 11th Avenue South.

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

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

CORRESPONDENCE

Letter Supporting L.I.D. #1-98-10

City Manager Olander noted that a letter supporting the formation of L.I.D. #1-98-10 had been received from Jerry Bergman and distributed to Council. (Editor's Note: Letter marked Exhibit 1 during public hearing).

COMMENTS FROM THE PUBLIC

Mike Spence, 2033 6th Avenue, Suite #1040, Seattle

On behalf of the Seattle King County Association of Realtors, Mr. Spence strongly opposed Draft Ordinance No. 98-075. He discussed the role "Open House" signs play in the real estate market and cited "time on market" statistics illustrating their effect. Mr. Spence also felt that banning signs could result in fair housing discrimination. In conclusion, Mr. Spence suggested that Council allow placement of signs in the rights-of-way during one to two days per week during daylight hours.

Lou Halford, 802 45th Street NE, Auburn

Mr. Halford stated that real estate signs were needed for directional purposes. He commended the City on their current enforcement of the sign code.

BOARD & COMMITTEE REPORTS

Municipal Facilities Committee

Councilmember Towe noted that the Municipal Facilities Committee had met to discuss the Facility Repair and Replacement Fund. The Committee requested additional engineering analysis of existing facilities prior to determining a spending plan.

U.S. Army Corps of Engineers Public Hearing

Mayor Pro Tem Brazil informed Council that he had participated in the U.S. Army Corps of Engineers public hearing regarding the proposed relocation of the wetlands. He noted that all the airport communities were well represented and felt that the concerns of those opposing the relocation were well represented.

Suburban Cities Association

Mayor Pro Tem Brazil reported that the Suburban Cities Association would meet April 29, 1998 at Maplewood to discuss King County's Finance and Governance Plan. He urged Council to attend the meeting.

Councilmember Sherman announced that Mayor Pro Tem Brazil had been elected Secretary/Treasurer of the Association.

South County Area Transportation Board

Councilmember Sherman reported that the Board had voted to approve METRO's recommendation regarding bus routes and service. The Board also discussed the level of detail desired for the development of a transportation plan by the Board.

Ad Hoc Zoning Committee

Councilmember Wasson reported that the committee reviewed nine pieces of property for the purpose of making them consistent with the City's Comprehensive Plan. The next meeting of the Committee would be May 1, 1998.

PRESIDING OFFICER'S REPORT

Highline School District Talent Competition

Mayor Thomasson noted that he had served as a judge for the Highline School District Talent Competition. He commended the talents of the area's youth.

Job Shadow Program

Mayor Thomasson introduced Pacific Middle School student Carrie Sisen who was job shadowing the Mayor position during the meeting.

Agenda Revision

Mayor Thomasson announced that Draft Ordinance No. 98-075 would be the last item of business.

ADMINISTRATION REPORTS

Youth/Senior Scholarship - Rotary Club

Rotary Club President Brian Snure presented City of Des Moines Park and Recreation Director Thorell with \$4,000 designated for youth and senior scholarships. He invited Council to attend the Friends Forum Scholarship Lunch and Business Back To School programs on May 20, 1998. He noted that the Rotary Club had financed and constructed a new swing set at the Des Moines Beach Park. Mr. Snure announced that the Rotary Club was actively raising funds for the Des Moines Rotary Playland Project.

Highline School District - A Sound Environment for Education

City Manager Olander introduced Highline School District Board Members Ed Pina and Shay Schaul-Berke.

Dr. Schaul-Berke thanked the City for their partnership with the Highline School District schools and for the City taking the lead in opposing the expansion of the airport. She noted that the Sound Environment for Education program would seek to identify the noise pollution, air pollution, and code upgrade needs caused by SeaTac International Airport. The program was divided into two phases. Phase 1 would measure the level of impact caused by the airport and Phase 2 would provide architectural and engineering studies. She noted that Governor Locke had approved a \$165,000 grant to the school district to begin the study.

Mr. Pina informed Council that a community survey regarding airport impacts had been completed. Noise experts were currently measuring the schools' sound absorption levels and noise. He stated that the Sound Net Program would monitor how often a class was interrupted by noise. Mr. Pina discussed the concept of averaging and its relevance to the school study.

Dr. Schaul-Berke stated that the school board hoped that the results of the study would define real costs and raise an awareness of responsibility.

PUBLIC HEARING

Draft Ordinance No. 98-111/Assigned Ord. No. 1212] - LID #1-98-10 7th Avenue South

Civil Engineer Seitz highlighted the process for forming a Local Improvement District (L.I.D.). He informed Council of the history of the project and noted that road and drainage improvements scheduled by the City would occur regardless of the outcome of the proposed L.I.D. He displayed a map of the proposed L.I.D. Civil Engineer Seitz stated that the project would improve the aesthetics of the neighborhood and the reliability of electrical service. He explained the parcel assessment method used. In closing, Mr. Seitz recommended passage of the proposed ordinance.

City Attorney McLean read the rules for conducting a public hearing and administered an oath to all speakers. City Attorney McLean announced that the Appearance of Fairness rule applied to the hearing.

Councilmember Wasson noted that he had been contacted by Jerry Bergman in support of the project.

As Mr. Bergman's correspondence (Exhibit 1) had been distributed to all of Council, City Attorney McLean ruled that Councilmember Wasson was still eligible to participate in the hearing.

PROPONENTS

Mary Beth Benson, 702 South 236th Street

Ms. Benson spoke in support of the formation of a L.I.D. She felt that the project provided an opportunity for government and citizens to work together for the benefit of both parties.

Merle Dameron, 23650 7th Avenue South

Mr. Dameron voiced support for Ms. Benson's comments and encouraged Council to approve the proposed ordinance.

Steve Hamilton, 610 South 239th Street

Mr. Hamilton felt that the undergrounding of utilities would benefit the area by reducing visual clutter. He questioned the status of the poles belonging to the Seashore Club.

Gordon Apker, 625 South 240th Street

Mr. Apker noted that the aesthetic benefits of the L.I.D. did not affect him directly but that the improvement of reliable electrical service motivated his support for the proposed ordinance.

Bill Lovine, 23920 6th Avenue South

Mr. Lovine reiterated Mr. Hamilton's question regarding the status of privately owned power poles. He also questioned what would happen if the project had overruns or was under budget.

OPPONENTS – None

Public Works Director Heydon noted that staff is working with the owners of the private power poles to encourage them to remove their poles as well. He noted that if the project was underbudget, then the assessments would be reduced. If the project was overbudget, then Council would decide who was responsible for the extra costs.

Mayor Thomasson closed the public hearing.

MOTION was made by Councilmember Sheckler, seconded by Councilmember Towe, and passed unanimously to suspend Council Rule 26(b).

MOTION was made by Councilmember Sheckler and seconded by Mayor Pro Tem Brazil to approve Draft Ordinance No. 98-111.

Mayor Thomasson read the title of the proposed ordinance.

VOTE ON MOTION: Motion passed unanimously.

At 9:05 p.m., Mayor Thomasson declared a ten minute recess.

CONSENT CALENDAR was read by Deputy City Clerk Chaufy.

1. Motion is to approve the minutes of April 2 and 9, 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 #61231 through #61405 in the total amount of \$441,776.47

Payroll fund transfers in the total amount of \$204,686.12

3. Draft Resolution No. 98-110 [Assigned Res. No.843] - Title: A Resolution of the City Council of the City of Des Moines, Washington, authorizing application for funding assistance

for a Washington Wildlife and Recreation Program project to the Interagency Committee for Outdoor Recreation (IAC) as provided in Chapter 43.98A RCW.

MOTION is to approve Draft Resolution No. 98-110.

4. ~~Motion is to award the contract for Field House Roof Replacement to Mike's Roofing in the amount up to \$73,000.00 and \$6,278.00 sales tax, plus a 10% contingency, and to authorize the City Manager to sign said contract substantially in the form as attached.~~

5. Motion is to award the contract for professional engineering services for design of the Barnes Creek Detention Facility to Kramer, Chin and Mayo (KCM), Inc. in the amount of \$104,548 plus a 10% contingency, and further to authorize the City Manager to sign said contract substantially in the form as attached.

MOTION was made by Mayor Pro Tem Brazil and seconded by Councilmember Sheckler to approve the consent calendar as read.

Councilmember Wasson removed Item No. 4.

Upon questioning, Park and Recreation Director Thorell clarified that Item 3 asked for the maximum amount allowed by the grant. She noted that a waiver of retroactivity for land already purchased would fulfill the matching fund requirement.

VOTE ON MOTION: Motion passed unanimously.

NEW BUSINESS

Des Moines Field House Roof Replacement Project

Councilmember Wasson questioned whether the Field House had a sprinkler system. He noted that the building was a historical landmark and could not be replaced if a fire occurred.

Park and Recreation Director Thorell stated that the Field House was currently equipped with a smoke detector and alarm system that had been approved by Fire District No. 26.

Council concurred that the installation of a sprinkler system in the Field House was a priority.

City Manager Olander agreed to check whether the project was eligible for Community Block Grant Funds. If not, a sprinkler system would be placed in the Capital Improvement Plan.

MOTION was made by Councilmember Sherman, seconded by Councilmember Kaplan and passed unanimously to award the contract for Field House Roof Replacement to Mike's Roofing in the amount up to \$73,000 and \$6,278 sales tax, plus a 10% contingency, and to authorize the City Manager to sign said contract substantially in the form as attached.

North Hill Street Inventory Approval

Public Works Director Heydon introduced the subject. He noted that the street inventory would aid in improving traffic flow and safety in the area. Mr. Heydon displayed a map of the area and described its particular needs in regard to property to acquire and rights-of-way to vacate.

Mayor Pro Tem Brazil asked staff to research situations in which the adjoining property owner is not interested in acquiring the vacated land.

Councilmember Kaplan suggested that an east-west bike route be established on South 200th Street.

Mayor Thomasson recommended that the area east of Des Moines Memorial Drive be deleted from the street inventory map.

After discussion, **motion** was made by Councilmember Sherman and seconded by Councilmember Towe to approve the North Hill Rights-of-Way, Pedestrian & Bicycle Plan.

MOTION was made by Councilmember Sheckler, seconded by Councilmember Sherman, and passed unanimously to include South 200th/199th Street as a bicycle corridor.

Mayor Pro Tem Brazil suggested that a bicycle route could potentially be developed along 4th Avenue South or 8th Avenue South.

VOTE ON AMENDED MAIN MOTION: Motion passed unanimously.

MOTION was made by Councilmember Sherman and seconded by Councilmember Towe to direct staff to begin the rights-of-way vacation process on those rights of way in the North Hill area of the City as shown in the North Hill Rights-Of-Way, Pedestrian and Bicycle Plan.

Mayor Thomasson asked that comments from the water and sewer districts be included in the proposed vacation requests.

VOTE ON AMENDED MAIN MOTION: Motion passed unanimously.

OLD BUSINESS

Draft Ordinance No. 98-075 - Amending DMMC Regarding Signs in Rights-of-way - 2nd Reading

EXECUTIVE SESSION - Council recessed to executive session for approximately thirty minutes to discuss potential litigation. Council reconvened in open session and adjourned. No formal action was taken.

NEXT MEETING DATE - Study Session May 7, 1998

ADJOURNMENT

The meeting adjourned at 10:30 p.m.

Respectfully submitted,

Angela M. Chaufy
Deputy City Clerk