

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

April 24, 1997

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

PLEDGE OF ALLEGIANCE to the flag was led by Mayor Pro Tem Brazil.

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

COMMENTS FROM THE PUBLIC

Irene Hallett, 22545 10th Avenue South

Ms. Hallett explained that her family home was built over thirty years ago. Two years ago, she had applied for a variance as they wished to replace two bedroom windows that, according to code interpretation, were not up to current standards. She questioned whether the code interpretation was correct as she planned to replace, not reconstruct, the windows. After researching the matter, she felt that Puget Sound Power, Kent, Federal Way, SeaTac, and the International Conference of Building Officials (ICBO) held a different interpretation of the code. She asked Council to research the matter.

Mayor Thomasson asked staff to research the subject.

Phillip Johnson, 22555 10th Avenue South

As a Boeing employee who works with code compliance, Mr. Johnson had considered and reviewed Ms. Hallett's concerns. He felt that staff's interpretation of the Code was not consistent with the rest of the nation's interpretation. He asked Council to consider the concerns of Ms. Hallett.

Tina McDonough, 27405 304th Avenue SE, Ravensdale

Speaking on behalf of McDonough and Sons, Ms. McDonough explained that her company had participated in the bid process for the street sweeping contract. She felt that McDonough and Sons had placed the lowest, responsible bid and was qualified for the job. She referenced letters received from the City of Algona as well as other customer contacts citing the quality of their work. In closing, Ms. McDonough asked Council to consider their bid.

Don McDonough, McDonough and Sons

Mr. McDonough distributed company brochures to Council. He stated that McDonough and Sons looked forward to serving the City of Des Moines as street sweepers.

Al Furney, 24718 Marine View Drive South

On behalf of the Regional Commission on Airport Affairs (RCAA), Mr. Furney thanked Council for their support. He invited them to attend town meeting events being held May 7, 1997 at

Highline High School and May 14, 1997 at Pacific Middle School. He noted that a 50,000 brochure mailing would soon be sent to area residents.

City Manager Olander noted that Council would be briefed on the Sea-Tac Airport Impact Mitigation Study during the May 8, 1997 meeting.

BOARD & COMMITTEE REPORTS

Airport Community Coalition

Mayor Pro Tem Brazil announced that the budget for the Airport Communities Coalition had been adopted. He informed Council of the May 7 and 14, 1997 town meetings would review the Airport Impact Mitigation Study performed by Burien.

Upon questioning, City Manager Olander noted that SB-5434 had been ruled invalid by the Lieutenant Governor.

Code Requirements for Window Replacements

In regard to Ms. Hallett's concerns, Councilmember Wasson stated that Council might need to revisit the Code dealing with window replacements.

Signs on the Rights-of-Way

Councilmember Wasson noted that several Sports Park Bond Issue signs had been placed in the rights-of-way.

Councilmember Sheckler stated that he would ensure that all improperly placed signs were removed.

Environment Committee

Councilmember Roberts reported that the committee had met to discuss detention design plans for Barnes Creek and improvements to Des Moines Creek.

PRESIDING OFFICER'S REPORT

Pacific Middle School Cultural Fair

Mayor Thomasson announced that Pacific Middle School's eighth graders were conducting a cultural fair. He encouraged the public to attend the event and support the participants.

Mount Rainier Reflections Program Awards

Mayor Thomasson announced that he had participated in Mount Rainier Reflections Program Award Ceremony. He noted the accomplishments of several local youths.

Highline Community College Wrestling Team Award

Councilmember Roberts informed Council that the Highline Community College Wrestling Team had received All American Honors for their scholastic achievements.

ADMINISTRATION REPORTS

Presentation: Rotary Club/Scare Productions 1996 Haunted House Proceeds

On behalf of Rotary Club and SCARE Productions, Jo Callow presented Council with a check for \$23,621.24 for the City's portion of the Haunted House proceeds.

Phil Squires, Treasurer of SCARE Productions, thanked Council and Des Moines' residents for their support of the Haunted House. He presented a brief history of SCARE Productions, its growth, and the charitable organizations that benefit from its annual Haunted House event.

City Manager Olander thanked all individuals involved in the Haunted House effort. He noted that \$121,000 are now in the fund for future improvements to the facility.

Street, Bike Route, and Pedestrian Walkway Cleaning Contract Bids

Public Works Director Heydon acknowledged that McDonough & Sons was the low bidder for the Street, Bike Route, and Pedestrian Walkway Cleaning contract. He described the various types and quality levels of sweeping companies. He noted that the recommended bidder, Best Parking Lot Service had a proven record of success while McDonough & Sons did not have the experience desired. After attempting to weight cost with experience and quality of service, Mr. Heydon recommended award of the contract to Best Parking Lot Service. In closing, Public Works Director Heydon informed Council that staff currently disposes of the sweeping debris at a rate of \$35 per ton.

Mr. McDonough explained that he was not aware of the City's current disposal method for the debris. He noted that his sweeping debris disposal bid did not include hauling.

CONSENT CALENDAR was read by Deputy City Clerk Chaufy.

1. Motion is to approve the minutes of April 3 and 10, 1997.
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 #55766 through #55961 in the total amount of \$385,685.92

Payroll fund transfers in the total amount of \$191,664.01

3. Draft Resolution No. 97-041 [Assigned Res. No. 826] - Title: A Resolution of the City Council of the City of Des Moines, Washington, authorizing the cancellation of warrants of the City of Des Moines and directing the finance director to transfer all moneys from the warrant clearing fund and payroll warrant clearing fund back to the original fund.

MOTION is to approve Draft Resolution No. 97-041.

4. Motion is to authorize the City Manager to apply for supplemental Community Development Block Grant Flood Relief Funds for the 4th Place South Area Drainage Improvements.

5A. Motion is to authorize staff to advertise for bids for the South 240th Street/16th Avenue South Traffic Signal Project.

5B. Motion is to award the contract for professional engineering construction services for the South 240th Street/16th Avenue South Traffic Signal Project to Reid Middleton, Inc., in the amount of \$44,982 and further, to authorize the City Manager to sign said contract.

6. Draft Resolution No. 97-040 [Assigned Res. No. 827] - 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. 97-040.

7. Motion is to award the professional services contract for the Street, Bike Route and Pedestrian Walkway Cleaning to Best Parking Lot Cleaning, in the amount of \$99,583.22, and to further authorize the City Manager to sign said contract substantially in the form as attached.

8. Draft Resolution No. 97-008 [Assigned Res. No. 828] - Title: A Resolution of the City Council of the City of Des Moines, Washington, approving the preliminary subdivision and preliminary plat and findings of fact for Westwood-Des Moines as applied for by Centex Homes, Inc., being administration file number PP 96-002, and setting forth conditions to which such preliminary subdivision shall be subject.

MOTION is to approve Draft Resolution No. 97-008.

~~9. Motion is to authorize the City Manager to sign the agreement with Black & Veatch Special Projects Corp., for providing consulting/design services for the Marina's underground fuel tank project.~~

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

Councilmember Wasson removed Item #9.

VOTE ON AMENDED MOTION: Motion passed unanimously.

NEW BUSINESS

Professional Services Agreement with Black & Veatch

Councilmember Wasson expressed concern that the engineering costs of the project were 23% of the contract costs. He also voiced concern over language in the proposed contract which would limit the liability of the engineers.

Harbormaster Dusenbury explained that the scope of work included soil engineering borings, site contamination assessments, site closure plan, and final project design.

City Manager Olander requested that Council table the subject until the next regular council meeting to allow staff time to investigate the liability concerns.

Councilmember Wasson also requested that staff confirm that \$1,000,000 general liability insurance was sufficient.

MOTION was made by Councilmember Wasson, seconded by Mayor Pro Tem Brazil and passed unanimously to table the issue until the next regular Council meeting.

PUBLIC HEARING

Draft Ordinance No. 97-015 [Assigned Ord. No. 1185] - Readoption of Existing Development Regulations - File TX97-007

Planning Manager Loch introduced the subject. He noted that draft Ordinance No. 97-015 would readopt the City's existing land use regulations in order to satisfy State requirements. He noted

that no substantive changes to the City's existing land use regulations were proposed. He stated that the appeal period for the Determination of Nonsignificance had closed.

City Manager Olander read the rules for conducting a public hearing.

SPEAKERS - None.

Mayor Thomasson closed the public testimony portion of the hearing.

Upon questioning, Planning Manager Loch explained the 60-day state agency notification requirement. He noted that Council could take action prior to the expiration of the 60 day period but then could run the risk of being challenged later.

Mayor Thomasson read the title of the proposed ordinance into the record.

MOTION was made by Councilmember Roberts, seconded by Councilmember Sherman and passed unanimously to suspend Rule 26(b) in order to adopt draft Ordinance No. 97-015 on the first reading.

MOTION was made by Councilmember Roberts, seconded by Councilmember Sherman and passed unanimously to enact draft Ordinance No. 97-015.

NEXT MEETING DATE - Study Session May 1, 1997

ADJOURNMENT

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Angela M. Chaufty
Deputy City Clerk