

Des Moines City Council Minutes
April 19, 1990

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Court Date re. Ballots Northwest Des Moines Annexation

City Attorney announced that a court date has been set for May 16, 1990 at 8:45 a.m. Anyone may attend the hearing.

ADJOURNMENT

Meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Denis Staab
City Clerk

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

April 26, 1990

The regular meeting of the Des Moines City Council was called to order at 7:30 p.m. by Mayor Jovanovich in the Council Chambers, 21630 11th Avenue South.

PLEDGE OF ALLEGIANCE to the flag was led by Councilmember Scott.

ROLL CALL - Present: Mayor Frank Jovanovich, Mayor Pro Tem Bob Wray, Councilmembers Richard Kennedy, Carmen Scott, Scott Thomasson, Audrey Bowers and Don Wasson. Also present were Assistant City Manager Bob Olander, City Attorney Jim Gorham, City Engineer Dale Schroeder, Planning Director Eric Shields, Senior Services Supervisor Karen Marshall and City Clerk Denis Staab.

COMMENTS FROM THE PUBLIC

Earline Byers, 21219 4th Place South - Mrs. Byers informed Council she has contacted King County regarding the small triangle area just north of the flag triangle at Des Moines Memorial Drive and requested that it be weeded and planted. She feels this will compliment the well kept flag pole triangle that the City maintains.

Bob Ricketts, P. O. Box 98844, President of Water District #54 Board of Commissioners - Mr. Ricketts thanked the Council for its motion at a recent meeting to take no action to assume jurisdiction over any Special Purpose Districts within the City.

Mr. Ricketts also thanked the Council and the Chamber of Commerce for the installation of the benches in the downtown area. He stated as a walker he has enjoyed being able to stop, sit down and rest awhile.

Ruby Lea DeBlasio, Chamber of Commerce President - Mrs. DeBlasio informed Council that the downtown area bench program has been completed. This program was funded with the City contributing 50% (installation and landscaping) and 50% bench purchase by private citizens. However, the Chamber is still receiving requests for benches. She requested the City research updated costs of bench installation and consider placing benches along South 216th and Highway 99 if the cost is not too prohibitive. She also reminded everyone that the Chamber will take donations for trash containers which are badly needed around town.

BOARD AND COMMITTEE REPORTS

Association of Washington Cities - Councilmember Kennedy announced he has been appointed as the District 7 representative on the AWC Resolutions Committee for 1990. He noted the Committee develops policy guidelines for AWC for determining what types of laws need to be lobbied to the 1990 Legislature. He stated the first meeting will be May 11th and requested any input from Councilmembers on ways they would like to see State laws modified.

Marina Committee - Councilmember Wasson noted that the Committee has met twice recently to deal with possible new construction for Marina office/shop or modifications to the existing facility. The Committee has narrowed this to two possibilities which they will be exploring further before a final report and recommendation to Council as a whole.

Puget Sound Council of Governments - Mayor Pro Tem Wray noted that at an upcoming joint meeting of the Councils of Normandy Park, Des Moines and Sea Tac, at the Port of Seattle, that P.S.C.O.G. hopes to make a presentation to all three cities on the Vision 20/20 Program.

MAYOR'S REPORT

King County New Regional Jail Facility - Mayor Jovanovich informed Council he recently attended a meeting regarding the need for a new county wide jail facility. He stressed the need for such a facility, feeling it is necessary to handle overcrowding that now exists.

ADMINISTRATION REPORTS

Written Report furnished in Council packets was as follows:

Earth Day

The Parks Department in conjunction with Cub Scout Pack 955, Brownie Troop 83 and Community Synagogue Group of South King County, which totaled 120 individuals, combined forces to repair much of the flood damage caused by the recent floods at Des Moines Beach Park. The group has succeeded in cleaning the tide lands area of debris and garbage, planted 600 plants along Des Moines Creek, and also planted flowers at the Marina entrance on South 227th Street. The Parks Division Supervisor, Jon Jainga, indicated he was very pleased with all the community support and help and it saved his crews a substantial amount of work in the process. Many thanks to the Zenith Holland Nursery for donating 15 flats of flowers to be planted around the City and to all of the volunteers for their help on Earth Day with the City of Des Moines.

Spring Clean

The City of Des Moines conducted its annual spring clean in conjunction with King County this year. The Parks Division Supervisor who coordinated the City's efforts, indicates that there were two pickup sites, one at Bartell Drug and one at South 227th Street and Dock Street. He indicates that residents were excellent in bringing substantial amounts of trash and garbage which was then hauled by City crews to the King County transfer station. Jon estimates that a total of 5 dump truck loads of garbage were removed from the City as a result of this effort. This effort involved the use of City crews who also distributed 3,000 garbage bags to residents of the City for future use.

Greenhouse

The greenhouse is working great! The Parks Division has planted 6,676 flowers which are already germinating in the green house. This compares with 2,000 annuals that were planted last year. Jon Jainga estimates that an additional 10,000 seeds will be planted for preparation to be planted in mid to late summer of this year, bringing the total number of annuals generated by the greenhouse to approximately 16,000.

North Hill Annexation

The City Attorney has completed depositions on this matter and is now in the process of drafting his final motions and briefs. He reports that we now have a hearing date of May 16th and we should be notified shortly thereafter of the Judge's final decision.

Marina Entrance Buoy

The Harbormaster, after reviewing the efficiency of the green entry buoy off the fishing pier, has determined that its use was minimal at best and provided more of a navigational hazard rather than a navigational aid. As a result the entrance buoy at the west of the fishing pier has been permanently removed and the Harbormaster has advised the US Coast Guard of this change. The change has been published in a local notice to mariners and has been announced in the Marina newsletter.

Senior Spaghetti Dinner

Recently the Senior Center put on a Spaghetti dinner in March which raised approximately \$535. These additional funds will be placed in the operating budget to help supplement last year's budget allocations.

Surface Water Management Program

Department of Ecology in conjunction with the City of Des Moines has prepared a draft agreement for the Water Quality Grant which the City received earlier this year. The scope of work has now been negotiated with DOE and has now been incorporated into the contract. DOE indicates that their final comments have been included in the contract and its in the mail to us and we should be receiving it shortly for our signature. Once DOE receives it with our signature, we can then begin work on the Surface Water Management Program that Council approved earlier this year.

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Pay Phone - Assistant City Manager Olander announced that a new pay phone has been installed in the courtyard outside the Police Station.

A.W.C. Conference - Assistant City Manager Olander reminded Council that they have received the information on the conference to be held in Wenatchee in June. He requested that Councilmembers contact Administration early if they are planning to attend so reservations can be confirmed.

Consent Calendar - City Attorney Gorham noted several technical wordage changes to Item #3 on the Consent Calendar, "Proposed Ordinance No. 846".

Mayor Jovanovich noted that on the April 19th minutes, page 2, under Special Purpose District Study, the vote on the motion should reflect a 6 to 0 vote as he declined from the vote.

CONSENT CALENDAR was read by City Clerk Staab as follows:

1. Minutes - Approval of the minutes of April 9, 10, 12, 18 and 19, 1990.
2. Warrants
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 42.24.090, 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 included in the above list and further described as follows:
 Payroll Warrants #6681 through #6760 in the amount of \$61,860.91
 Claim Warrants #23551 through #23636 in the amount of \$77,391.54
 Marina Warrants #13781 through #13793 in the amount of \$4,002.23
3. Proposed Ordinance No. 846 - Title: An Ordinance of the City of Des Moines, Washington related to street construction standards, adopting a document entitled "City of Des Moines Street Development Standards, 1990 Edition", amending DMMC 12.24.010 and DMMC 17.16.070 to reference such street development standards, and repealing DMMC 17.16.080, 090, and 100.
 TWO MOTIONS: First motion is to suspend Rule #26(b). Second motion is to approve Ord. 846.
4. Proposed Resolution No. 608 - Title: A Resolution of the City Council of Des Moines, fixing a time for a Public Hearing to consider a Petition for a vacation of a portion of a street in the City of Des Moines.
 MOTION is to approve Resolution No. 608 setting a public hearing for June 14, 1990.
5. Proposed Resolution No. 609 - Title: A Resolution of the City Council of the City of Des Moines, Washington urging the Highline School District to extend the Drug Abuse Resistance Education program (D.A.R.E.) to all levels of public education.
 MOTION is to approve Resolution No. 609.

MOTION was made by Councilmember Wasson, seconded by Councilmember Bowers and passed unanimously, to approve the Consent Calendar as read.

OLD BUSINESS

Woodmont Annexation Committee Report - Mark Proulx, Chairman of the Woodmont Annexation Committee. He noted that the area under consideration is bounded by South 252nd on the north, South 272nd on the south, Puget Sound on the west and I-5 on the east. He informed Council there has been some opposition from property owners along the shoreline and the Committee has requested information as to the feasibility of leaving this small area out of the annexation boundaries. Mr. Proulx briefed Council on the Committee's progress noting that they have completed their data gathering and are now in process of establishing a preference by resolution on various components including community land use council, special services, police services, animal control, taxes, etc. He noted the Committee meets the 1st and 4th Tuesday of each month. In conclusion he noted that the Committee plans on submitting a final report near the end of September.

Assistant City Manager Olander informed Council that the Committee is neutral and they are extremely careful not to make any presumptions. He noted that information has been requested and given to the Committee by the City and King County.

PUBLIC HEARING

Street Vacation - 27th Avenue South Between South 240th & South 242nd - L & N Properties - File #411-90

Mayor Jovanovich introduced the subject.

City Attorney Gorham read the Rules of Order for conducting a public hearing.

City Engineer Schroeder located the subject vacation and reviewed the Street Vacation Check List. He informed Council that water and sewer districts have requested retention of easements. He noted he supports the requested vacation for the following reasons:

- Adverse steep topography to the east and west, if street were constructed retaining walls would need to be built and it could not serve adjacent properties on both sides
- 27th Avenue South has limited access as it dead-ends 2 blocks to the south and can go no further north because of Highline College

Mr. Schroeder also reviewed the proposed development plan as furnished to Council noting the vacation will allow for greater separation of the proposed multiple development from the single family to the west. In conclusion, he recommended Council express approval of the vacation but withhold final approval until the SEPA review process is complete.

Assistant City Manager Olander advised Council that the subject property is already zoned RM 2400. He requested Council withhold final approval until the Planning Department has completed the SEPA review, however staff does need an indication from Council on whether they will approve.

City Engineer noted that since this vacation does not fall in the laws of 1889-90, Council has the option of assessing the ownerships up to 1/2 the value of the vacated right-of-way which they acquire.

PROPOSERS:

Marty Nelson, Project Developer - Mr. Nelson informed Council that the section of road serves no purpose to existing or new development. He stated that the topography makes installing the road infeasible due to steep grade, or if road was installed it would place his property in a deep hole. He showed Council a drawing noting that the vacation will provide for greater setbacks from the single family and better screening to adjoining property. He noted that adjoining property owners have signed and agreed to the vacation.

Terry Lien, Project Developer - Mr. Lien emphasized to Council that they have involved adjacent single family property owners in developing the development plan. If vacation is approved, multiple structures can be setback 70 feet from the single family; without vacation setback will only be 20 feet.

OPPOSERS: None.

Misstatements of Facts

Upon questioning from Mayor Jovanovich, staff noted there were no misstatements of facts they were aware of.

Upon questioning from Council, Mr. Lien noted that if the vacation is approved, adjacent property owners have agreed to sell their portion to the development.

City Attorney Gorham noted this can be accomplished with a quit claim deed and City Engineer Schroeder felt a lot line adjustment would accomplish the transfer of property.

Mayor Jovanovich declared the public hearing closed.

MOTION was made by Councilmember Kennedy, seconded by Mayor Pro Tem Wray, to authorize Administration to draft a vacation ordinance to be presented to Council at a later date to vacate that portion of 27th Avenue South as described in File #411-90 with the following provisions:

1. That they include easement provisions as described in said file,
2. That the applicants pay for an appraisal of the right-of-way to be vacated, and
3. That the applicants be required to pay the statutory maximum rate for the value of the right-of-way that they acquire.

Discussion:

Councilmember Thomasson expressed some concern about the gain in density the applicant will receive if the vacation is granted, however he is not in opposition to the vacation. He also expressed concern about the lot line adjustment as part of the vacated street will belong to property that is in Kent's city limits.

Councilmember Scott requested that the appraisal be based upon the intended use of the vacated street (ie. multiple zoned property).

VOTE ON MOTION: Motion passed unanimously by roll call vote.

OLD BUSINESS

Proposed Resolution No. 610 - Marine View Drive Configuration

MOTION was made by Councilmember Kennedy, seconded by Mayor Pro Tem Wray, to approve Resolution No. 610.

Councilmember Scott questioned whether the left turn lane was wide enough to provide a good turning radius for vehicles towing boats and turning off Marine View Drive at 223rd or 227th. City Engineer noted that there is flexibility and felt confident there will be adequate turning lanes.

Councilmember Kennedy reminded Council that detailed design plans will come back to Council later.

MOTION was made by Councilmember Wasson that the same configuration standards be applied to 7th Avenue South as are on Marine View Drive. Motion died for lack of a second.

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

Proposed Ordinance No. 847 - Procedures for Preparing Environmental Documents - 2nd Reading

MOTION was made by Councilmember Kennedy, seconded by Councilmember Thomasson, to approve Ordinance No. 847. Motion passed unanimously by voice vote.

NEW BUSINESS

Proposed Resolution No. 611 - Respite Care Program

Senior Services Supervisor Karen Marshall briefed Council on the program to date, noting that it is currently administered by the City although funding is provided through a grant from King County, client fees, service club donations and a Highline Community Hospital Foundation grant. She noted that although the program has been successful, the decentralization of the project elements has created some difficulties. Therefore, Administration is requesting permission to transfer administrative responsibility for the program directly to the Highline Community Hospital Foundation. She noted the following advantages:

1. Decrease the amount of managerial time required by the Senior Services Supervisor.
2. Provide consistent personnel standards for the part-time personnel.
3. Centralize all funding with the hospital foundation.
4. Provide longer term financial security for the program.

MOTION was made by Councilmember Kennedy, seconded by Councilmember Thomasson and passed unanimously by voice vote, to approve Resolution No. 611.

Senior Citizen Programs and Services

Senior Services Supervisor Marshall reviewed the following:

- Nutrition Program
- Meals on Wheels
- Transportation
- Petfood Program
- Health Care Services
- Classes
- Workshops and Speakers
- Various Types of Assistance
- Job Bank

9:25 Mayor Jovanovich declared a 10 minute recess.

OLD BUSINESS

Proposed Resolution - Re. SR 509

MOTION was made by Councilmember Wasson, seconded by Councilmember Wray, to approve the proposed Resolution declaring the City Council's intent to support completion of State Route 509 from South 188th Street to State Route 516, along the right-of-way presently owned by the State Department of Transportation. And, the City calls upon the Washington State Department of Transportation to work cooperatively with the City of Des Moines to expedite

planning, permitting, and construction of a limited access freeway along the State Route 509 right-of-way, now owned by the State Department of Transportation, between South 188th Street and State Route 516. In addition, the Council requests the State to limit the number of lanes exiting onto SR 516 to one lane each direction and that the State would use their discretion on where any connections to I-5 might be.

Councilmember Scott stated she feels this is premature and that the action that is being requested is based on some misunderstanding of the issues. She felt that since the State is conducting an EIS to determine the most viable routes the City should not commit itself, but wait. She noted that SR 509 is a long term regional issue and this Council needs to sit down together and thoroughly address the ramifications before committing itself to any one plan.

Mayor Pro Tem Wray expressed disagreement with Councilmember Scott stating that you cannot please everyone. He felt it is time for the Council to take a stand.

Councilmember Thomasson expressed agreement with Councilmember Scott. He would rather Council as a whole draft language that could be supported by all of Council.

MOTION was made by Councilmember Kennedy, seconded by Councilmember Thomasson, to remand the resolution to the Public Safety Committee to discuss and bring back recommendation to the Council as a whole

Councilmember Wasson stated in his opinion the resolution is ready to be acted upon and does not want any more stalling. He felt that the State will do nothing until they know what Des Moines wants.

Councilmember Bowers stated that earlier studies by the State were conducted when Des Moines was on record as being opposed to the freeway. She urged all members to be open minded and encourage the State to review all options. However, she feels that termination of SR 509 anywhere north of Kent-Des Moines Road would be bad.

After further discussion, VOTE ON MOTION TO REFER TO PUBLIC SAFETY COMMITTEE passed by the following roll call vote: YES: Councilmembers Kennedy, Scott, Thomasson and Bowers. NO: Councilmember Wasson, Mayor Pro Tem Wray and Mayor Jovanovich.

MOTION was made by Councilmember Scott, seconded by Councilmember Bowers, that we take the committee recommendations to a special meeting of the Council as a whole. (Ed. Note: Motion and second were withdrawn after the following motion was made.)

MOTION was made by Councilmember Kennedy, seconded by Councilmember Scott, that the Council set a special meeting for Wednesday, May 9, 1990, at 7:30 p.m. to discuss SR 509 routing options within the City.

MOTION TO AMEND the main motion was made by Councilmember Wasson, seconded by Mayor Pro Tem Wray, to add the words "to take final action". Motion passed 5 to 2, Councilmembers Kennedy and Scott voting NO.

VOTE ON MAIN MOTION: Motion passed unanimously.

ADJOURNMENT

Meeting was adjourned at 10:32 p.m.

Respectfully submitted,

Denis Staab
City Clerk