

REGULAR MEETING OF THE DES MOINES CITY COUNCIL

MINUTES
1998

June 11,

The regular meeting of the Des Moines City Council was called to order at 7:34 p.m. by Mayor Thomasson in the 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 Dave Kaplan, Bob Sheckler, Dan Sherman, Gary Towe and Don Wasson. Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, City Attorney Gary McLean, Public Works Director Tim Heydon and City Clerk Denis Staab.

COMMENTS FROM THE PUBLIC

William Baumgart, 2038 South 230th

Mr. Baumgart requested Council institute an ordinance licensing and regulating cats in the City of Des Moines. He informed Council that he has trapped at least 6 cats in his yard this spring, 2 of which seemed diseased. He noted that he is tired of cats using his garden for their litter box, noting this is unpleasant as well as a potential health risk. He concluded by again requesting Council consider an ordinance regulating cats.

Jack Kniskern, 22602 13th Avenue South

Mr. Kniskern informed Council that he is submitting a letter to Council for consideration concerning several items. He noted the following subjects:

- Highway 99 Development
- An Opportunity Which Should Not Be Missed
- 1998 Des Moines Summit

In regards to the opportunity that should not be missed, Mr. Kniskern advised Council that there is some property for sale on 7th Avenue South. He stated that there is too little open space left in the City. He advised that his letter addresses several worthy visions for using this property for open space rather than more condos.

BOARD & COMMITTEE REPORTS

Human Services Advisory Committee

Councilmember Towe informed Council that the Committee is just beginning review of grant applications submitted for funding. He noted the requests total \$200,000 and the Committee has about \$103,000 to allocate.

Suburban Cities Association

Mayor Pro Tem Brazil reported attending the SCA General Membership meeting. He stated that the subject was a study that has been conducted regarding "failure to appear"

on misdemeanors. He noted that he was overwhelmed by the costs to local cities. He advised that he will be giving more information to Councilmembers on this topic and suggested Council take a hard look at this data, and perhaps have a presentation on the subject made at a regular Council meeting.

Highline Advisory Committee

Mayor Pro Tem Brazil noted that he has placed written material in Council's boxes on Chris Vance's reported position on various subjects of interest.

PRESIDING OFFICER'S REPORT

Central Puget Sound Watershed Forum

Mayor Thomasson informed Council that he attended a meeting earlier this week. He noted that Des Moines' positions for a "wish list" have been well represented, thanks to material submitted by staff. He advised that the Forum will be considering fund raising methods in upcoming meetings, as currently there are no funds available for instituting programs.

ADMINISTRATION REPORTS

Adult Care Family Homes

City Manager Olander referenced a memo from the City's Building Official regarding concerns brought to the City's attention over adult care facilities operating in the City without proper licensing. He advised Council that the Washington State Department of Social and Health Services has begun an aggressive inspection of adult care homes. He noted that at least 12 such homes have no license. He informed Council that there are some serious life and safety issues raised by King County Fire District No. 26 and the City's Building Department. Some homes are not cooperating and may be cited. He assured Council that no one would be "thrown out into the streets" as the Dept. of Social and Health Services does have a program to help relocate any individual who may need to be relocated because of health or hazardous concerns. He concluded by reminding Council that this has become a state-wide issue of concern.

City Attorney McLean further assured Council that the City's number one goal is safety to the resident's of these homes and he is working with staff to ensure that all fire and safety codes are being met.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the minutes of May 28, 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 #61892 through #62320 in the total amount of \$553,755.08
Payroll fund transfers in the total amount of \$218,328.84

3. Motion is to supplement the Standard Consultant Agreement for Des Moines Creek Trail Design to include Phase I, Part B Design, Structural Engineering, and Construction Management Services and Phase II Design updates with Worthy and Associates in the amount of \$19,720.00, plus a 10% contingency, and further to authorize the City Manager to sign said contract substantially in the form as attached.

4. Draft Ordinance No. 98-129 **ASSIGNED ORDINANCE NO. 1218** - Title: An Ordinance of the City of Des Moines, Washington relating to amending the C-C classification; adding new sections to chapter 18.26 DMMC and amending DMMC 18.26.10, 18.26.20, 18.26.30, 18.26.40, 18.26.50, 18.26.60, 18.26.070, 18.26.080, 18.26.090, and 18.26.100.

MOTION is to approve Draft Ordinance No. 98-129 on second reading.

~~5. Draft Ordinance No. 98-154 - Title: An Ordinance of the City of Des Moines, Washington relating to street development standards, amending the City of Des Moines Street Development Standards, 1996 Edition.~~

~~TWO MOTIONS: First motion is to suspend Council Rule 26(b). Second motion is to approve Draft Ordinance No. 98-154.~~

[ED NOTE: This item was removed at the request of Councilmember Wasson.]

MOTION was made by Mayor Pro Tem Brazil, seconded by Councilmember Sheckler, to approve the Consent Calendar as read.

Councilmember Wasson requested that Item #5 be removed.

VOTE ON MOTION: Motion passed unanimously.

OLD BUSINESS

Draft Ordinance No. 98-154 **ASSIGNED ORDINANCE NO. 1219** - Amending Street Development Standards, Traffic Calming Devices - 1st Reading

Councilmember Wasson questioned Item C., first paragraph, regarding “standards” with no qualifications.

Public Works Director Heydon remarked that standards refers to Item B., industry tried and approved traffic calming devices. He advised that the topography of sites will dictate which device is the most appropriate for the situation.

City Manager Olander noted that it is important that the traffic calming devices be uniform and easily recognizable from community to community.

Consensus was to add the following language to the first sentence to read: Through the strict adherence to “*the above*” standards, . . .

MOTION was made by Councilmember Sherman, seconded by Councilmember Towe and passed unanimously, to suspend Council Rule 26(b) to take final action on first reading.

MOTION was made by Councilmember Sherman, seconded by Councilmember Kaplan, to approve Draft Resolution No. 98-154, with the suggested language change to Traffic Calming Devices to be added to the Street Development Standards. Motion passed unanimously.

PUBLIC HEARING

Draft Resolution No. 98-155 ***/ASSIGNED RESOLUTION NO. 848/-*** Six Year Transportation Improvement Plan 1999-2004

Public Works Director Heydon explained that each year the City of Des Moines must submit a Six-Year Transportation Plan to Washington State. The purpose of the plan is not only to provide a planning tool for the City, but also to provide a consistent method of coordinating interagency needs and funding requirements. The proposed Plan is based on the approved 1998 Capital Improvement Program, other projects suggested by Council, Block Grant requests, and the City's Comprehensive Transportation Plan. He further advised that the proposed Plan is based on the approved 1998 Capital Improvement Program, other projects suggested by Council, block grant requests, and the City's Comprehensive Transportation Plan. He noted that projects listed in the first year of the plan are projects with fairly solid funding and a good probability of completion. Projects listed in the later years tend to be projects which will require additional planning and funding evaluation in the future years. Mr. Heydon concluded his presentation by informing Council that the Plan has been reviewed by Council's Public Safety and Transportation Committee. The Committee members thoroughly reviewed the projects and suggested minor changes which have been incorporated.

Mayor Pro Tem Brazil commented on Item P-15, page 4, of the proposed improvements. He suggested, and Council concurred, that language should be included to note: ". . . funded by adjacent property owners or an LID . . ."

As there was no one in attendance who wished to address Council on the subject, Mayor Thomasson declared the Public Hearing CLOSED.

MOTION was made by Councilmember Sherman, seconded by Councilmember Wasson, to approve Draft Resolution No. 98-155.

Mayor Thomasson read the Resolution by title into the record.

VOTE ON MOTION: Motion passed unanimously.

NEW BUSINESS

Licensing and Regulating Cats in the City of Des Moines

MOTION was made by Councilmember Sheckler, seconded by Mayor Pro Tem Brazil, to direct staff to prepare a draft ordinance for Council consideration regarding regulating and licensing of cats.

Mayor Pro Tem Brazil commented that many residents have valuable show cats or cats as loving companions, and that licensing would be one way of assuring their return should they become lost.

After further brief discussion, Council's CONSENSUS, was to change the motion to direct staff to prepare a report of recommendations for Council's consideration, supply documentation of what other cities are doing, determine what, if any, additional staff or equipment requirements might be needed, and to bring this information to a study session for Council discussion and possible further direction.

FRIENDLY AMENDMENT: This was accepted as a friendly amendment by the maker and seconder of the motion.

VOTE ON MOTION: Motion passed unanimously.

NEXT MEETING DATES

Mayor Thomasson noted the upcoming meetings:

- Council Retreat - June 12, 13 and 14, 1998 at Silverdale, WA
- Regular Meeting - June 25, 1998

ADJOURNMENT

Meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Denis Staab
City Clerk