

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

August 1, 2002

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

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

ROLL CALL - Present: Mayor Don Wasson, Mayor Pro Tem Richard Benjamin, Councilmembers Gary Petersen, Bob Sheckler (left meeting at 10:17 p.m.), Maggie Steenrod and Scott Thomasson. Absent: Councilmember Susan White. Also in attendance were City Manager Tony Piasecki, Assistant City Manager Corbitt Loch, City Attorney Linda Marousek, Park and Recreation Director Patrice Thorell and City Clerk Denis Staab.

MOTION was made by Mayor Pro Tem Benjamin, seconded by Councilmember Thomasson and passed unanimously, to excuse Councilmember White.

COMMENTS FROM THE PUBLIC

Mt. Rainier Pool Issue - The following individuals addressed the Council requesting the City do whatever it can to keep the King County Forward Thrust Mt. Rainier Pool Open:

1. Barbara Ann Snow, 22609 6th Ave. S. #101
2. Rick Wertman, 1405 N. 38th Street, Renton
3. Bill Whisler, 418 SW 185th Place, Normandy Park
4. Mel Harrylock, 1104 SW Riviera Place, Normandy Park
5. Taylor Evans-Race, 3538 S. 198th, SeaTac
6. Janette Swecker, 19222 3rd Ave. S.
7. Barbara Dollahite, 23410 S. 18th Street
8. Lacey Dollahite, 23410 S. 18th Street
9. Faith Callahan, 816 S. 216th
10. Joy Ziemann, 23069 17th Ave. S.
11. Meggin Hunt, 27056 10th Ave. S.
12. John Burdick, 816 S. 216th Street
13. Dr. Bob Thompson, 18135 Brittany Dr. SW, Normandy Park
14. Judy Pauwels, 24037 Marine View Drive S.
15. Ashley Thompson, 20103 12th Place South, SeaTac
16. Rachael Sonia, 20604 Occidental Ave. S.
17. Allexa Laycock, 20604 Occidental Ave S.
18. Schell Ross, 23444 26th Ave. S.
19. Kayla Petitt, 18809 6th Ave. SW, Normandy Park
20. Andrew Merrell, 208 SW 192nd Street, Normandy Park
21. John Merrell, 19445 Marine View Drive SW, Normandy Park
22. Julie Mitchell, 20024 3rd Place SW, Normandy Park
23. Sally Thrall, 1827 S. 223rd Street
24. Patti Brumfield, 22923 23 Pl. S.
25. Carl Moberley, 1217 S. 211th Place
26. JoAnn Peter, 22920 21st Ave. S.

These individuals represented present and past students of Pacific Middle School, Mt. Rainier High School, Senior Citizens, health care workers, parents, members of Mt. Rainier High School Swim Team and aquatics team. The following reasons for keeping the pool open were voiced:

- Provides great year round exercise for young & old
- Provides safe exercise for individuals who are handicapped or recovering from health problems
- Important to teach very young children to swim, safety issues
- Teaches youth respect, dedication, resolve & perseverance through team sports, creating great athletes and students
- Students lettering in swimming have opportunities for college scholarships
- Provides a safe fun environment for youth recreation
- Provides a place and activity that the whole family can participate in
- No other public pools located within the Des Moines area
- Offers great socializing/mixing of all age groups

Suggestions to pursue to help keep the pool open offered were:

- Raise user fees
- Cut pool hours of operation
- Use volunteer help where possible such as, reception & minor maintenance
- Create a coalition with Highline School District, King County, Des Moines Legacy Foundation, neighboring cities
- Request funds from Port of Seattle for jet aircraft noise impacts to facility

8:47 p.m. Mayor Wasson called for a 10 minute break.

BOARD & COMMITTEE REPORTS

Mt. Rainier Pool

Councilmember Sheckler noted that he was impressed with the number of speakers and the tremendous turn out of citizens interested in finding a way to keep the pool open and felt there is a great opportunity to work together on this issue. Therefore he offered the following:

MOTION was made by Councilmember Sheckler, seconded by Councilmember Steenrod, to form an ad-hoc Committee to study the issue of maintaining the Mt. Rainier Pool.

Mayor Pro Tem Benjamin advised that while he heard there is a lot of support, resources must be combined with other jurisdictions in this effort. He reminded everyone that Des Moines is facing close to a \$2 million budget short-fall and is in no position financially to undertake the sole financial responsibility of maintaining and operating the pool. He stated that he would also like to see the pool remain open and would encourage participation on such a committee by representatives of King County and the State.

Councilmember Thomasson voiced the opinion that the pool is definitely an asset to the community and personally understands the value the pool contributes to our youth. However, noted this is not something that Des Moines can afford to do alone.

Councilmember Steenrod requested citizens interested in serving on such a committee leave their name and phone number with the City Clerk.

VOTE ON MOTION: Motion passed unanimously.

Finance and Economic Development Committee

Councilmember Steenrod reported that the Committee will be meeting every Monday for the next month. They are currently reviewing potential expense reductions to bring recommendations back to the Council as a whole for deliberation and decisions.

Municipal Facilities Committee

Marina - Councilmember Steenrod advised that the Committee is currently reviewing fire safety measures and the Marina Master Plan bonding issues.

Senior Center - Councilmember Steenrod announced that there will be a special Council meeting on Monday, August 5th to review options for establishing an interim Senior Center facility.

Waterland Festival

Councilmember Steenrod offered her congratulations to the Chamber of Commerce for a successful event.

Public Safety & Transportation Committee

Mayor Pro Tem Benjamin advised that the Committee met earlier this evening to review a draft ordinance regarding graffiti and discussed getting other communities involved in these efforts.

Waterland Festival

Mayor Pro Tem Benjamin congratulated the Chamber on the Waterland Festival and acknowledged the many volunteers that helped make the event successful. He advised that he personally witnessed a lost child being reunited with parents by our Police Department and felt the secure fencing around the event helped in the quick recovery of the lost child.

PRESIDING OFFICER'S REPORT

Proposed Resolution

Mayor Wasson distributed a proposed resolution to Councilmembers for review and potential future action, supporting a proposed reduction of the number of King County Councilmembers from 13 to 9.

ADMINISTRATION REPORTS

Wescot Appeal to Hearing Examiner Regarding Conveyor Belt Permits

City Attorney Marousek announced that the Des Moines Hearing Examiner upheld the City's decision to deem Wescot's applications for the Conveyor Belt as incomplete and therefore not acceptable.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to authorize the City Manager to approve all vouchers for payment of the following claims during the period of July 26, 2002 through August 21, 2002:
 - a. All vouchers for payment of payroll checks, including Marina payroll, and

- b. All vouchers for payment of claims and Marina checks, provided that all vouchers and checks approved by the City Manager in accordance with this motion shall be presented at the August 22, 2002 Council Meeting.
2. Two motions:
- A. Motion is to award the construction contract for the Massey Creek Stream Restoration Project at 16th Avenue South to Bayside Construction, Inc. in the amount of \$41,561.60 and to authorize the City Manager to sign said contract substantially in the form as submitted. And authorize the City Manager, or his designee, to approve change orders up to an amount of 10% of the contract amount.
- B. Motion is to approve the amendment to the SWM Capital Improvement Plan to delete \$30,000 from the Soundview Drive Culvert/Overflow Project and to transfer these funds to the Contracted Services line item of the SWM Maintenance budget to pay for the Stream Restoration project.
3. Motion is to approve the Consultant Agreement for Landscape Architect and Civil Engineering Services in the amount of \$30,000 and to authorize the City Manager to sign the contract substantially in the form as submitted. And, to authorize the City Manager to approve change orders in amounts not to exceed 10% in total.

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

AGENDA REVISION

Mayor Wasson announced that due to the large number of citizens interested in the Mt. Rainier Pool issue, he will take New Business first.

NEW BUSINESS

King County Parks - Mt. Rainier Swimming Pool

Parks and Recreation Director Thorell briefly reviewed the history of King County Forward Thrust Pool. She noted that Council last refused the offer from the County to take ownership of the pool in 1983. She advised that the voter approved Forward Thrust bonds were issued during the 1970's and will not be completely retired until the year 2014. Through the agreement with Highline School District, the pool would become the property of the School District when the bonds are retired.

Parks and Recreation Director Thorell introduced Karen Reed from King County and together they reviewed various statistics highlighting the following:

- Registration by cities for classes
- Estimated 2003 (excluding capital costs, administration & staffing, insurance):
 - Operating costs = \$424,601
 - Revenue (50% fee increase & drop-off) = \$205,951.20
- Cost to Mothball = \$78,400.45

Ms. Reed informed Council that should the City take ownership of the pool, the mothball figure of \$78,400.45 would be the city's for the year of 2003. Upon questioning by Council, she noted the pool is proposed to be mothballed beginning January 2003. She advised that the County is interested in pursuing other avenues, such as partnerships and will look at reasonable options if the pool ownership is not outright transferred.

City Manager Piasecki advised Council that officials of the Cities of Des Moines and Normandy Park, Highline School District, Highline Community College and King County have met to discuss options. Due to financial constraints effecting each of the local entities it does not look feasible that Mt. Rainier Pool could remain open without financial participation by numerous sources.

Parks and Recreation Director Thorell informed Council that Highline School District is willing to discuss additional funding from their sources in order to avoid transportation costs in busing students to the Evergreen pool.

Mayor Wasson commented that raising user fees can be counter productive as often usage will drop off.

Councilmember Thomasson felt that if a reasonable avenue of funding could be devised, especially through a partnership, he would be in favor, but would not support the City taking over the whole burden.

Councilmember Steenrod expressed concern over increased insurance costs, particularly if volunteer staffing is used.

Councilmember Sheckler cautioned that Des Moines is one of the hardest hit cities in the state financially. He advised that the bottom line is this is not something the City can take on alone.

Councilmember Steenrod suggested exploring whether additional facilities could be added on for other types of fitness equipment, to make the facility a complete fitness center.

City Manager Piasecki advised that he will contact potential members of the new ad-hoc committee to include King County and surrounding cities.

Mayor Wasson requested additional video tapes be made of the public comments for distribution to the County Council.

10:18 p.m. Councilmember Sheckler left the meeting.

Parks and Recreation Director Thorell informed Council that through Suburban Cities, a sub-regional approach is being looked at. This would involve fewer pools, with a more multi-purpose use and a forward look to complete aquatic centers.

Councilmember Thomasson suggested that perhaps a private swim club or other private organization may be interested in purchase and operation of the pool, and this idea should not be overlooked in exploring ways of saving the pool.

PUBLIC HEARING

Draft Ordinance No. 02-107 Secure Community Transition Facilities (SCTF) - 1st Reading

City Manager Piasecki suggested that since it is getting late in the evening, that the Public Hearing be opened, and left open to the August 22nd Council meeting. He noted this would give time for citizens to comment in writing, or provide oral comments at that meeting. He further

suggested that staff's formal presentation, and the presentation by the Department of Social and Health Services, can be made at that time.

10:26 p.m. **MOTION** was made by Councilmember Thomasson, seconded by Councilmember Petersen and passed unanimously (4-0 Mayor Pro Tem Benjamin was not in the room at the time), to extend the meeting to 10:40 p.m.

Assistant City Manager Loch introduced Alan Ziegler from the Department of Social and Health Services.

Mr. Ziegler presented Council with a packet of materials that he will review in detail at the August 22nd Council meeting. He briefly described the contents of the material.

Assistant City Manager Loch requested Council retain the information distributed by Mr. Ziegler along with their Agenda Item packet from this meeting for the August 22nd meeting.

Mayor Wasson declared the Public Hearing open.

City Attorney Marousek explained the rules for conducting the public hearing.

PUBLIC COMMENTS

Andy Ortega, 125 SW Campus Drive, Federal Way

Ms. Ortega informed Council that she is the Academic Dean at Christian Faith Center located at 21024 24th Avenue South. She noted about 600 students attend daily sessions at the Center and play soccer on Saturday. She further noted that there are Church services on Wednesday and Saturday evenings, as well as Sunday. She advised that there are 2 other schools within walking distance from the Center school and therefore she is very opposed to placing these students in eminent danger and requested Council consider an alternate location.

Della Barthel, 20631 26th Avenue South

Ms. Barthel noted that she find out about this meeting because she works at the Church, however she lives within 2 blocks of the proposed location. She advised that as a resident and property owner she did not receive a notice of this hearing. She informed Council that on Sundays she works in the children's ministry and there are approximately 1,300 to 1,500 children in attendance throughout the week. She questioned whether citizens within 300' of the proposed location will receive proper notification of the continued public hearing.

City Manager Piasecki noted that the public comment period will remain open until the August 22nd Council meeting. This will allow time for written comments to be submitted and additional speakers will be permitted at that meeting. He advised that staff will present a formal presentation at that time.

MOTION was made by Mayor Pro Tem Benjamin, seconded by Councilmember Steenrod, to continue the Public Hearing to the August 22nd meeting.

Upon questioning by Councilmember Thomasson regarding notification of property owners, Assistant City Manager Loch advised that this is a textual code change, area wide, and the City is not required by law to provide notice to individual property owners. However, he noted that staff would rather provide more notice than less. Due to a clerical error, the notice to the

property owners went out late. He further advised that a new notice will be mailed for the August 22nd meeting.

Upon questioning by Councilmember Steenrod, Assistant City Manager Loch confirmed that we are discussing civil commitment for sexual offenders, and noted that no specific location has been proposed at this time. The purpose of the hearing will be to determine where they will be allowed and what process will be used to allow them. He advised that the area proposed for Council to consider is the PR-C2 zone, the area that is north of South 216th and east of 24th Avenue South.

VOTE ON MOTION: Motion passed unanimously.

At 10:40 p.m. **MOTION** was made by Mayor Wasson, seconded by Mayor Pro Tem Benjamin, to extend the meeting another 3 minutes. Motion passed unanimously.

Mayor Wasson advised that the Council may determine that a completely different area of the City may be more appropriate for this type of facility. He felt this could be unfair as other residents will not have received notice that the City is considering such a code change.

Councilmember Thomasson pointed out that this is a State mandated program and most likely is not an option for Council to say that there is no suitable location. Assistant City Manager Loch advised that a few cities are taking this approach.

Mayor Wasson requested that more publicity be prepared as he feels this is an item that all citizens would be interested in. City Manager Piasecki noted that staff will prepare a press release for the local paper.

NEXT MEETING DATE

Mayor Wasson announced that the next meeting will be a Special Meeting on Monday, August 5, 2002 at 7:30 p.m. to discuss and take action on a temporary Senior Center Facility.

ADJOURNMENT

At 10:43 p.m., as time had expired, the meeting was adjourned.

Respectfully submitted,

Denis Staab
City Clerk