

PRELIMINARY
REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

September 5, 1996

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

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Terry Brazil, Councilmembers Bruce Roberts, Bob Sheckler, Dan Sherman, and Gary Towe. Absent: Councilmember Don Wasson. Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, City Attorney Gary McLean, Park and Recreation Director Patrice Thorell and City Clerk Denis Staab.

MOTION was made by Councilmember Roberts, seconded and passed unanimously, to excuse Councilmember Wasson.

Skateboard Park Grand Opening

Mayor Thomasson noted that Council attended the dedication ceremonies at the new skateboard park earlier this evening. He stated there was a good turn out and he thanked the Park and Recreation Department for all their hard work.

Upon questioning from Council, City Manager Olander advised that there is not much of a liability issue for the City for the new skateboard park. City Attorney McLean informed Council that Washington State has an "immunity" law regarding recreational property as long as property signage is in place noting that there is user responsibility. He stated that this would not be true in the case of latent defects.

Library Board

George Minnich, Secretary to the Des Moines Library Board, thanked Councilmember Sheckler for volunteering as a liaison to the Board.

CONSENT ITEM

MOTION was made by Councilmember Sheckler, seconded by Councilmember Sherman and passed unanimously, that a public hearing be scheduled for September 26, 1996, for consideration of 1996 Comprehensive Plan amendments and the adoption of City zoning for the Woodmont/Redondo annexation area. Motion passed unanimously.

DISCUSSION ITEMS

Human Services Roundtable - Video Presentation

Councilmember Towe introduced a video to be shown to Council which was produced to make member jurisdictions aware of changes in various programs due to funding cuts. He reminded Council that the City is now in the process of developing City policies which will help in budget preparation regarding human service needs.

Prior to viewing the video tape, Senior Services Supervisor Sue Padden introduced Wendy Morgan who has been hired to develop the City's Human Services Plan update.

At the conclusion of the video, Councilmember Towe advised Councilmembers that Ms. Morgan will distribute a questionnaire that each Councilmember should review prior to a personal interview by her.

Regional Housing Forum

City Manager Olander reminded Council that back in June a draft resolution was presented to Council asking that the City join with other cities in south King County to draft an interlocal agreement that would create an entity responsible for and empowered to address housing and other social service issues related to housing in this area of King County. He advised that the only City he knows of that has passed the draft resolution is SeaTac and that Tukwila is considering the issue. He requested direction from Council

Upon questioning from Council, City Manager Olander stated that the cost would be approximately \$10,000 (this amount would vary based on how many cities joined) to pay for staffing.

Councilmember Roberts commented that he felt it may be too premature to endorse this idea when we are in the process of evaluating and developing our own human services plan.

Councilmember Sherman stated that he needs more information as to what programs are available to citizens now before embarking on a new endeavor.

Councilmember Towe advised that he agrees with Councilmember Roberts comments and feels the City should not commit any funds at this point. However, he knows there is a need for this type of program and would like to have City staff work with the organization. He further noted that the City's Comprehensive Plan called for the City to work on regional affordable housing and he does not want to take a step backwards by ignoring this possible opportunity to do something constructive.

Mayor Thomasson also noted that by involving City funds in this program there would be a budget impact on other human services programs such as the food bank.

After further discussion, Council's consensus was to have staff attend a couple of meetings to gather a better perspective of the program, monitoring on a low level, until Council has an opportunity in the fall to look at its budget priorities and new human services plan.

Draft Park and Recreation Master Plan

Park and Recreation Director Thorell reviewed the changes made by Council at the August 1, 1996 meeting.

Upon questioning by Councilmember Roberts regarding the lack of signage at the South 239th beach access, City Manager gave a brief history of the legal negotiations regarding this access.

City Manager Olander reminded Council that the Master Plan is a long range guide and that eventually projects would be folded into the Capital Improvement Plan. Once projects are in the CIP then funding sources will be identified and at that point projects will begin to appear in the budget process.

Park and Recreation Director Thorell assured Council that staff is working closely with Highline Community College and Highline School District to fully develop all potential recreational facilities.

9:00 p.m. Mayor Thomasson declared a 10 minute break.

Park and Recreation Director Thorell continued with review of the following projects with comments by Council as noted.

DES MOINES CREEK TRAIL - Phase I

This would be the development of the trail north of Des Moines Sewer District property.

DES MOINES FIELD HOUSE PARK

Sand Volley Ball Court, Redevelopment or Refurbishing of Tennis Courts

Mayor Thomasson strongly urged that parking, curbs and sidewalks, especially along 11th Avenue South and South 219th, be incorporated into improvement costs at the Field House.

Council's consensus was to refurbish the tennis courts.

MIDWAY PARK (Interlocal with Puget Power)

Acquire 3.5 acres, construction of soccer field and realignment of Puget Power road.

Mayor Thomasson requested that parking be incorporated into development costs.

MT. RAINIER/PACIFIC/MIDWAY - HIGHLINE SCHOOL DISTRICT JOINT PROJECT

Play equipment, soccer field renovation and lighting baseball field renovation, trail, new parking area, fitness station, new turf soccer field

OVERLOOK PARK I

Viewpoint, stair tower, stairs, plaza, picnic table, landscaping

SONJU PROPERTY

Trail head, picnic shelter, boardwalk, interpretive signs, meadow, bike rack

SPORTS PARK

Softball/baseball fields, 2 soccer fields, maintenance building, sports court, playground, concession stand, restrooms, roller/hockey court, parking

ZENITH PARK

Basketball court, parking and field improvements

WATER TOWER PARK

Play equipment, picnic tables, benches, lawn, pathways, irrigation

REDONDO HILL CLIMB - Mini Park

Garden, pathway, benches

City Manager Olander advised Council that the next step will be to update the policies with language that is compatible with the Comprehensive Plan. Then the Plan will come back to Council for final review and adoption by resolution.

Councilmember Sherman noted that he is impressed with the City's recreational programs and he voiced appreciation for the citizen's support of the utility tax to help fund such programs.

Draft Resolution No. 96-155 **[ASSIGNED RESOLUTION NO. 916]** King County Fields and Streams Bond Issue

Mayor Pro Tem Brazil informed Council that the King County Fields and Streams bond issue is a result of an extensive study over the last year and a half to fund parks, recreation, salmon preservation and open space. He stated that this is a fair and equitable distribution of funds between cities and the County. He encouraged all citizens to review the issue and cast their vote.

Councilmember Sherman noted that he personally supports the bond issue, but is hesitant as to whether the Council as a whole should take a public stance on a ballot issue. He noted that he would be concerned that citizens may question why Council didn't take sides on other ballot issues, or that Council may be requested in the future to take a stance on issues. He noted he would rather inform citizens on the issues and let them make their own decision.

Councilmember Sheckler noted that this issue has a real positive impact on Des Moines citizens and feels Council should take a stance.

MOTION was made by Mayor Pro Tem Brazil, seconded by Councilmember Towe, to approve Draft Resolution No. 96-155.

Councilmember Roberts stated that he supports the bond issue personally, but cannot support a corporate stand by Council.

Councilmember Towe advised that he personally supports the issue and is willing to take a corporate stand. He noted that he is not implying that this bond issue is more important than other issues such as schools, etc. but a lot of study has been done and there will be a tremendous benefit to the citizens of Des Moines.

VOTE ON MOTION: Motion passed 4 to 2 with Councilmembers Roberts and Sherman voting NO.

Interlocal Agreement With Federal Way Regarding Potential Annexation Area & Redondo Highlands Potential Annexation

City Manager Olander informed Council that the draft interlocal with Federal Way was agreed upon after many meetings. With the use of a view foil he displayed the boundaries of the potential interlocal annexation area and the Redondo Highlands annexation area. He pointed out that the Federal Way City Council felt very strongly that the triangle area between 16th Avenue South and Pacific Highway South, south of S. 272nd, and east of 16th Avenue South should be kept in their City. The Federal Way Council had concerns and problems regarding commercial zoning and signage and consider this area as the primary entrance to Federal Way and strongly desire zoning control. He also noted that the Applewood plat, just north of S. 248th Street, was also excluded from Des Moines planning area, since the only ingress and egress from this plat

would be through the City of Federal Way. In conclusion, he recommended approval of the interlocal.

Mayor Thomasson spoke against the interlocal, stating that this type of agreement is being forced upon us by King County. He stated that he would rather let the citizens of the whole area decide for themselves which City they wish to be a part of. He noted that Section 7 allows for the agreement to be terminated by either party so he felt there really is not much validity to the whole interlocal.

Councilmember Sherman stated that it is important to establish a good relationship with neighboring jurisdictions and this interlocal is one way of accomplishing this. He felt that Section 7 allows for flexibility.

Nancy Nelson, co-owner of Glen's Auto Repair, located in the subject "triangle area". Ms. Nelson informed Council that a petition to annex to Des Moines is currently being circulated in the triangle area. She noted that within this area are 12 business property owners and 2 of those owners have abstained from taking any position and they are McDonald's and Washington State Bank. She advised that 7 of the 10 remaining businesses have signed the petition and the other 3 are undecided as of this time. Any one of the remaining 3 will put the petition over the 60% mark of assessed valuation.

10:30 p.m. MOTION was made by Councilmember Sherman, seconded by Councilmember Sheckler, to extend the meeting for 15 minutes. Motion passed 5 to 2 with Mayor Pro Tem Brazil and Councilmember Roberts voting NO.

Mayor Pro Tem Brazil expressed agreement with Mayor Thomasson that he would like to see Highway 99 as the logical boundary of any potential annexation area. He noted that especially in light of Ms. Nelson's information that the business property owners are seemingly in favor of annexation to Des Moines, the City should not enter into this interlocal with Federal Way.

Councilmember Sherman stated that he agrees the citizens should have the right to choose which City they are annexed to, however he expressed concern politically on how this might influence the City's relationship with Federal Way.

City Manager Olander requested Council not take action to refuse the interlocal tonight. He advised that Federal Way City Council negotiated and compromised on this proposed interlocal in good faith. He suggested that perhaps two of Des Moines' Councilmembers could talk to a couple of the Federal Way Councilmembers who served on the Committee to negotiate this interlocal, to have a better appreciation of Federal Way's concerns. He noted this would also give the property owners in this area more time to resolve the issue one way or another.

Councilmember Towe stated he is strongly influenced by the fact that there is discussion among the owners of property in the triangle area as to which City they wish to be a part of and that is more important to him than either Des Moines' or Federal Way's wishes. The people should have the right to choose.

Council's consensus was to table the interlocal agreement with Federal Way regarding potential annexation areas.

Redondo Highlands Potential Annexation (East of 16th Avenue South)

Discussion ensued whether to combine the triangle area with the Redondo Highlands area. It was noted that Federal Way could object to the triangle area which would trigger the Boundary Review Board.

10:45 p.m. **MOTION** was made by Mayor Thomasson, seconded by Councilmember Sheckler and passed unanimously, to continue the meeting another 10 minutes.

MOTION was made by Mayor Thomasson to direct Administration to prepare two separate 10 percent petitions, one west of 16th Avenue South and the other east of 16th Avenue South.

City Manager Olander stated that his preference would be to move forward with the petition for the area west of South 16th and delay the other one until the City can at least have some courtesy talks with the City of Federal Way to let them know there appears to be strong citizen interest in becoming part of Des Moines.

Motion died for lack of a second.

MOTION was made by Mayor Thomasson, seconded by Councilmember Sherman, to direct Administration to prepare a petition for annexation for the area west of 16th Avenue (as shown on map in Council's packets).

Mayor Pro Tem Brazil stated that he could support doing both areas at once. He noted that he will be happy to go speak with Federal Way Council, but he wants to be sure something is done in the near future since it is obvious citizens in the triangle area want to move forward with their petition efforts.

Mayor Thomasson requested that the request for annexation of the area east of 16th Avenue South be scheduled back before Council in the next month. He stated this should give ample time to talk to Federal Way Council.

VOTE ON MOTION: Motion passed unanimously.

City Manager Performance Appraisal

City Manager Olander noted that Council has never set down in advance the criteria to be used to evaluate the City Manager. He informed Council that it would be beneficial to everyone to develop standards and a review process ahead of time. He recommended to Council that they contract with Nancy Truitt Pierce for that purpose.

MOTION was made by Mayor Thomasson, seconded by Councilmember Sheckler, to retain Nancy Truitt Pierce to develop performance appraisal criteria for the City Manager. Motion passed unanimously.

NEXT MEETING DATE

Mayor Thomasson noted the next regular meeting is scheduled for September 12, 1996.

ADJOURNMENT

Meeting was adjourned at 10:55 p.m.

Respectfully submitted,

Denis Staab
City Clerk