REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES September 26, 2002

The regular meeting of the Des Moines City Council was called to order at 7:34 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 Steenrod.

ROLL CALL - Present: Mayor Don Wasson, Mayor Pro Tem Richard Benjamin, Councilmembers Gary Petersen, Bob Sheckler, Maggie Steenrod, Scott Thomasson and Susan White. Also present were City Manager Tony Piasecki, Assistant City Manager Corbitt Loch, City Attorney Linda Marousek, Public Works Director Tim Heydon, Assistant City Engineer Maiya Andrews, and Deputy City Clerk Angela Chaufty.

COMMENTS FROM THE PUBLIC

Joe Feuerstein, 702 South 281st Street

Mr. Feuerstein commended staff for their courteous, professional, and competent manner. Based upon his business and government experience in the City of Burien, Mr. Feuerstein said that the proposed revisions to Resolution 753 had been over wordsmithed and would create a situation of over control of government. Mr. Feuerstein encouraged Council to give staff the freedom to do a good job.

BOARD & COMMITTEE REPORTS

South County Area Transportation Board

Councilmember White informed Council that the South County Area Transportation Board was developing recommendations to meet the transportation needs of the area.

PRESIDING OFFICER’S REPORT

Appointments to City Manager Evaluation Committee

Mayor Wasson announced that Councilmembers Thomasson and Sheckler and Mayor Pro Tem Benjamin had been appointed to the City Manager Evaluation Committee. Councilmember Thomasson was appointed chairman of the committee.

ADMINISTRATION REPORTS

City Manager Vacation

City Manager Piasecki announced that he would be on vacation September 27, 2002 through October 1, 2002.

CONSENT CALENDAR was read by Deputy City Clerk Chaufty.

1. Motion is to approve the minutes of September 5 and 12, 2002.

~~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 42.24.090, 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 and payroll transfers included in the above list and further described as follows:~~

~~Claim checks #82497 through #82664 & electronic fund transfers in the total amount of $849,942.93~~

~~Payroll fund transfers in the total amount of $320,931.01~~

3. Draft Ordinance No. 02-213 ***[Assigned Ord. No. 1307]*** - Title: An Ordinance of the City of Des Moines, Washington, relating to the acquisition by eminent domain of certain property in the City of Des Moines, and amending Section 1(e) of Ordinance No. 1303.

MOTION is to approve Draft Ordinance No. 02-213.

4. Draft Ordinance No. 02-216 ***[Assigned Ord. No. 1308]*** - Title: An Ordinance of the City of Des Moines, Washington, relating to the acquisition by eminent domain of certain property in the City of Des Moines; describing the public convenience, use and necessity of such property; providing for the condemnation, appropriation and taking of such land, including the mode of payment of cost of acquisition; and directing the city attorney to prosecute such action in King County Superior Court.

MOTION is to approve Draft Ordinance No. 02-216.

5. Draft Ordinance No. 02-217 ***[Assigned Ord. No. 1309]*** - Title: An Ordinance of the City of Des Moines, Washington, relating to the acquisition by eminent domain of Temporary Construction Easements for access to and usage of certain portions of property in the City of Des Moines necessary for construction of the Pacific Highway South Improvement Project; describing the public convenience, use and necessity of such temporary construction easements; providing for the condemnation, appropriation and use of the property on a temporary basis; providing the mode of payment of cost of acquisition of the easements; and directing the city attorney to prosecute such action in King County Superior Court.

MOTION is to approve Draft Ordinance No. 02-217.

6. Motion is to reduce the 2003 CDBG Wesley Home crosswalk signal project from $75,000 to $59,774.

Deputy City Clerk Chaufty announced that consent calendar items Nos. 3, 4, and 5 included a motion to suspend Council Rule 26(b).

Councilmember Steenrod removed consent calendar item No. 2.

Councilmembers Steenrod and Petersen recused themselves from voting on consent calendar item Nos. 3, 4, and 5.

Councilmember Petersen noted a correction to two parcel numbers listed in Ordinance No. 1303.

MOTION was made by Councilmember White, seconded by Councilmember Thomasson, and passed unanimously to approve the consent calendar as amended.

REMOVED CONSENT ITEM

Vouchers

MOTION was made by Councilmember Thomasson and seconded by Councilmember Sheckler to adopt consent calendar item No. 2 as previously read by the clerk.

Councilmember Steenrod said that she had e-mailed the City Manager and Finance Director with specific questions regarding the vouchers but had received no response. Councilmember Steenrod said that she would waive her objection but asked that her questions be answered during the next Finance and Economic Development Committee meeting.

City Manager Piasecki said that he had not received the e-mail and asked for a list of Councilmember Steenrod's questions. He confirmed that he would respond to Councilmember Steenrod's questions.

VOTE ON MOTION: Motion passed unanimously.

OLD BUSINESS

Undergrounding Utilities 16th Avenue South Project - Continued Discussion

Assistant City Engineer Andrews displayed a map of the 16th Avenue South project. She estimated the cost for undergrounding the project's utilities to be between $450,000 and $760,000. Assistant City Engineer Andrews informed Council that staff had applied for a Transportation Improvement Board (TIB) grant and a Public Works Trust Fund Loan for the construction phase of the project. She noted that the loan had been denied. As a result, construction would probably be delayed until 2004. Assistant City Engineer Andrews advised Council to continue the design phase of the project as the City was currently under contract with a consultant and costs could increase if the contract was delayed. She also noted that completion of the design process would allow the City to score better on grant and loan applications. Assistant City Engineer Andrews said that the City would be told whether their TIB grant application had been approved in November or December 2002.

Public Works Director Heydon addressed Council regarding potential funding sources for the undergrounding of the utilities. He displayed the Arterial Street Fund as listed in the 2002 Capital Improvement Plan. Public Works Director Heydon said that passage of Initiative 776 could cause the local vehicle licensing funds to disappear while passage of Referendum 51 could add approximately $77,000 per year to the Arterial Street Fund. He then briefly described the following Capital Improvement Plan projects:

- Arterial Maintenance Program
- Neighborhood Traffic Control Program
- 10th Avenue Culvert
- South 216th Street/24th Avenue South Signal

Public Works Director Heydon said that $80,000 might be available from the City Hall Remodel project listed in the Municipal Capital Improvement Plan.

City Manager Piasecki informed Council that the Des Moines Open Space Land Acquisition line item was a placeholder project if grant money became available. He explained that the money was not available for undergrounding of the utilities.

Public Works Director Heydon said that staff had applied for a TIB grant and a School Safety Zone grant to fund the project.

City Manager Piasecki said that excess real estate excise tax money might be available but was dependent upon market conditions.

Public Works Director Heydon informed Council that the Public Safety and Transportation Committee had discussed implementing Traffic Impact Fees but had not yet formed a recommendation. He questioned whether Council wished to proceed with the undergrounding of utilities on the 16th Avenue South Improvement Project.

MOTION was made by Councilmember Thomasson and seconded by Councilmember Sheckler to authorize staff to proceed with the design of utility undergrounding for the 16th Avenue South Improvement Project and that project construction be delayed until after the Council has reviewed the Comprehensive Transportation Plan and has made a decision regarding the imposition of Traffic Impact Fees.

Councilmember Thomasson said that the motion would allow the design of the project to move forward and keep funding alternatives available to Council. He said that the Public Safety and Transportation Committee was considering Traffic Impact Fees.

Upon questioning from Mayor Pro Tem Benjamin, Assistant City Engineer Andrews estimated the project's total design cost to be $350,000. She said that approximately 40% of the design work was complete. Assistant City Engineer Andrews said that there would be costs to redesign the plan if it were later changed.

Public Works Director Heydon said that a consultant had analyzed projects related to growth in Des Moines and had estimated that traffic impact fees could provide revenue in excess of $1,850,000 per year. He noted that Traffic Impact Fees were paid by developers and were restricted to growth and transportation projects. In response to Councilmember Steenrod's questioning, Public Works Director Heydon explained that the utilities on 16th Avenue South outside of the current project area were scheduled to be undergrounded in a later phase. The work was included in the Transportation Improvement Plan.

Mayor Pro Tem Benjamin said that traffic impact fees seemed fair but he questioned whether development or Traffic Impact Fees should come first.

Councilmember Thomasson said that if development occurred prior to the imposition of Traffic Impact Fees, there would be no money collected from them.

Assistant City Engineer Andrews described the proposed design of the South 260th Street intersection.

Councilmember Steenrod recommended that Council consider increasing the priority of the remaining 16th Avenue South improvement projects if the project proceeded.

VOTE ON MOTION: Motion passed unanimously.

NEW BUSINESS

Draft Resolution No. 02-146 Amend Council Rules Requiring Minutes at Committee meetings - 1st Review

City Attorney Marousek introduced the subject. She explained that Council had asked staff to propose language that would amend Council's Rules of Procedure to require that minutes be kept at each of the Council's standing and special Committee meetings. City Attorney Marousek noted that revisions to Council's Rules of Procedure require two readings.

MOTION was made by Councilmember Thomasson and seconded by Councilmember White to place Draft Resolution No. 02-146, which amends Council Rule 23 regarding procedures governing City Council committee meetings, on a subsequent regular Council meeting agenda for adoption.

Councilmember Steenrod recommended that the resolution include language that details the contents of the minutes. She suggested the following information be included:

- Date and time of meeting;
- List of people present;
- List of people who did not attend but should have;
- Brief recapitulation of business discussed;
- List of action items assigned and the name of the person responsible for them;
- Date and time of next meeting; and
- Name of the author of the minutes.

City Attorney Marousek said that she would research whether Roberts Rules of Order covered minute content requirements.

City Manager Piasecki stated that he would consider Council's comments as direction to include language detailing the contents of the minutes.

VOTE ON MOTION: Motion passed unanimously.

City Manager Piasecki said that the draft resolution would be placed on the October 10, 2002 agenda.

Towing Services Contract

Mayor Wasson removed the issue from the agenda and said that it would be placed on a future agenda.

NEXT MEETING DATE - Study Session October 3, 2002

ADJOURNMENT

At 8:35 p.m., **motion** was made by Mayor Pro Tem Benjamin and seconded by Councilmember Petersen to adjourn the meeting.

VOTE ON MOTION: Motion passed, 4 – 3, with Councilmembers Sheckler, Thomasson, and White opposed.

Respectfully submitted,

Angela M. Chaufty, Deputy City Clerk