

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

October 4, 2001

The regular study session of the Des Moines City Council was called to order at 7:41 p.m. by Mayor Thomasson in the Council Chambers, 21630 11th Avenue South, Suite B.

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Bob Sheckler, Councilmembers Dave Kaplan, Dan Sherman, Gary Towe and Don Wasson (arrived at 8:10 p.m.). Absent: Councilmember Terry Brazil attending meeting on behalf of the City the Association of Washington Cities (ED NOTE: Will receive Council pay as attendee). Also present were City Manager Bob Olander, Senior Planner Robert Ruth, Public Works Director Tim Heydon, Finance Director Scott McCarty, Budget Accountant Peggy Watson, and City Clerk Denis Staab.

MOTION was made by Mayor Pro Tem Sheckler, seconded by Councilmember Towe and passed unanimously, that Councilmember Brazil be compensated for his attendance at a meeting of AWC on behalf of the City. [ED NOTE: Per DMMC 4.08.030]

MAYOR FOR A DAY

Nancy Wright was introduced as Des Moines' Mayor for the Day. Ms. Wright was the high bidder for this privilege at a recent benefit held by Highline Community Hospital. Mayor Thomasson presented her with a certificate and a City pen and pin.

Ms. Wright noted that she was overwhelmed with her experiences as honorary Mayor today. She advised that it was a very eye opening experience as she toured City facilities, visited construction sites and participated in a building inspection. She especially thanked Assistant City Manager Piasecki for arranging such a full schedule of how day to day operations are conducted by City staff.

DISCUSSION ITEMS

Des Moines Legacy Foundation Community Center Capital Campaign Fund Raising Plan

Clark Snure, Capital Campaign Chairman, briefed Council on the Legacy Foundation's Fundraising Plan for the proposed City Community Center. He emphasized that the recent tragic national events makes it a difficult time for fund raising as the Foundation does not want to detract or compete for funding during this stressful time. He also cited the declining state and local economy and therefore, advised that the timeline for raising funds may need to be adjusted. He noted that the goal is to raise \$500,000.00 and outlined the following sources of funding:

- Corporate Partnerships \$100,000
- Foundation Grants \$140,000
- Community Partnerships \$200,000
- Special Events/Benefits \$ 60,000

Mr. Snure detailed plans for raising funds by selling commemorative tiles and benches. He suggested special donor donations may dedicate rooms, lobby areas, kitchen, banquet hall for donations ranging from the low end of \$500 to Naming the Community Center for \$1M. Mr. Snure assured Council that this would only be with Council's approval as the Legacy Foundation is aware that they would not have the authority to grant such an honor.

In conclusion, Mr. Snure advised that the Foundation is requesting approval for this outline plan for proceeding with fund raising. He noted they are looking at a contingency plan if the bond issue does not pass and assured Council that all funds raised would be held in a trust account. He also noted that the Foundation is not happy delaying the kick-off of the fund raising plan, but feel it is appropriate to do so at this time.

Mayor Pro Tem Sheckler thanked Mr. Snure for such a prompt effort in briefing Council on the Foundations plans to help raise funds for the Community Center.

Council concurred with the funding efforts outline, but felt the actual naming of the Community Center rests with the City Council and since the major funding will coming from Des Moines citizens, it most likely should be known as the "Des Moines Community Center".

2001 Revenue Adjustments

Finance Director McCarty informed Council that based upon a review of year to date performance, staff estimates net budget adjustments of \$35,869, increasing the general operating revenues from \$12,779,909 to \$12,815,778. He noted that based on the revised budget, 52% of revenue has been received per the following schedule:

• Original Budget	\$12,779,909
• Adjustments	<u>35,869</u>
• Revised Budget	<u>\$12,815,778</u>

Actual Revenues at end of June 30th \$6,620,493 = 52% received

It was pointed out that the amount received as of June 30th includes \$160,000 in one-time gambling tax audits and if this amount is excluded, actual performance would be 50% of budget.

Finance Director McCarty noted that certain portions of sectors of sales tax are slowing down. While \$1.61M in revenue was budgeted in 2001, based on performance through June 30th, staff expects the actual amount received to be 1.64M. He pointed out the excess of \$30,000 is the result of increased construction sales tax. He noted this was due to the number of permits issued in late 2000, delayed construction of the projects to the year 2001. He noted the following explanation of estimated adjustments:

- Utility Taxes-Telephone: \$71,000 an increase from \$554,000
- Local Criminal Justice: \$50,000 an increase from \$550,000
- Utility Taxes-Natural Gas: \$47,000 an increase from \$224,000
- Utility Taxes-Cable TV: \$38,000 an increase from \$187,000
- Cable TV Franchise Fee: \$33,000 an increase from \$192,000
- Gambling Taxes: \$30,00 an increase from \$30,000
- Liquor Board Profits: \$15,794 an increase from \$149,206
- DUI-Cities: \$3,900 an increase from \$0
- Normandy Park Seniors: \$1,000 an increase from \$10,000
- Utility Taxes-Electricity: (\$50,000) a decrease from \$580,000
- Court Revenue: (\$203,825) a decrease from \$653,825

8:10 p.m. Councilmember Wasson arrived.

2002/2003 Operating Funds - Revenue Forecast

Finance Director McCarty and Budget Account Watson proceeded, with the use of a pie chart, to note that of 13 categories shown, 7 reflect an increase while 6 show no growth or a reduction. It was noted that increases in existing assessed value, the Redondo Riviera annexation, or new construction assessed valuation information will not be received from King County until October. For 2002 staff expects the following increase:

• Existing AV, 4% increase (Seattle CPA at June 2001)	\$ 90,000
• Redondo Riviera (\$20m AV)	30,000
• New Construction/State Utilities (\$20M AV)	<u>30,000</u>
TOTAL	<u>\$150,000</u>

With the use of graphs staff proceeded to review projected revenues from utility taxes, retail sales, local government assistance, building permits and fees, interfund charges for services, state shared revenues, court, park and recreation, local criminal justice tax, and franchise fees. In conclusion, Finance Director McCarty noted that the slowing economy has directly impacted the City's interest income. He state that since January 2001, interest rates have decreased 350 basis points and based on a projected investable balance of \$11.0M at 3%, the City projects interest earnings of \$337,000 which is a decrease of 43% from 2001.

Continued Discussion - Preliminary Plat - Cedar Brook PUD Town Homes, 30 Units

Senior Planner Ruth proceeded to provide staff's responses to the following questions raised by Council at the September 13th Public Hearing as follows:

1. *Is there enough guest parking?* The current plan showed 6 on site guest parking stalls. Administration believes that there would be a shortage. Staff recommends that the existing on-site guest parking area be increased by adding another on-site guest parking area with five parking stalls, bringing the total to 11 stalls which is believed to be adequate.

2. *How would this project appear from 20th Avenue South and the alley?* In Council's packet is a plan which shows elevations for the project if it were constructed similar to the footprint layout on pg. C1.2 on the plans give to Council at the Sept. 13th meeting. These plans are illustrative and are not binding for this project. A final design plan will be presented to council before site improvements are constructed and a final plat is submitted.

3. *What responsibilities would the Homes Owner's Association have?* A home owner's association would be required to regularly meet and determine how all common areas are to be maintained, operated, and dues established to financially carry out these tasks. This would include landscape, irrigation, sidewalks, stairs, railings and retaining structures, drainage system improvements including maintaining access to said facilities within Tract A (if privatized), repairs to road surface, parking areas, road base, supporting retaining walls, drainage conveyance and any utilities within Tract B (if privatized), and any utility extensions located through any common area.

4. *Is this project within the Massey Creek drainage basin?* Yes.

5. *Is there enough water and water pressure to serve new development in this area without impacting water service to existing homes in the nearby area?* According to the Highline Water District there is ample water to serve this project and not impact other nearby water service. The District reports that there is plenty of capacity and about 135 pound of pressure at the closest line to the subject site.

6. *The PUD is allowing for certain exceptions but they are not clearly identifiable. What is the Council being asked to approve?* The public hearing was the 1st step in the process and Council now needs to approve by motion, the applicant's preliminary PUD and subdivision request giving direction on the number, location and configuration of the proposed lots, tracts, and streets to be approved "as proposed" unless Council modifies with specific conditions. The

building footprints and elevations provided thus far are not part of the approval of a preliminary PUD and subdivision. The second review step is Council concurrence of project building and site improvement details. These plans will be brought back to Council for approval before any improvements are constructed or the final plat is reviewed. The third and final step is Council review of the final PUD and subdivision which ensures that all project improvements have been completed as proposed and required. It was noted by Mr. Ruth this particular process is complicated to a degree by three sets of regulations - Planned Unit Development Regulations, Subdivision Regulations and RA3600 zone Regulations.

7. *What impacts will the extension of the sewer to serve this project have on the wetlands? Are there alternatives?* The proposed sewer connection will involve trenching to a depth of 12 feet and will impact 150 lineal feet of wetland and 530 feet of wetland buffer. Disturbance will involve vegetation removal of a 3-4 foot wide trench section and temporary overcovering of plant material with unearthed soils. The only alternative is to connect to a different sewer manhole located 440 feet off-site to the north. This would involve a sizeable extension to the site, unnecessary cuts and patching of 20th Ave. S. and possible encroachment into the wetland buffer. A grinder pump type system is not a viable alternative, because the Midway Sewer District does not allow them unless there are extreme circumstances that prevent a property from hooking into a gravity system.

Public Works Director Heydon continued with the questions and staff response at this point:

8. *What is the argument for accepting the alley as a public street? Should it be a private street?* This PUD involves as many as 30 ownerships. With the number of interested parties, it is often very difficult to find consensus on funding basic maintenance. City street standards do not allow private streets for more than four lots. The proposed alley is a critical vehicular access link between the individual lots and the rest of the City street system. It is important to each of these owners that the alley be in acceptable condition. In addition, making sure that the alley is open for sewer maintenance vehicles and other utilities is important. The public alley proposed is similar to and consistent with existing alleys in Des Moines. The design and the related retaining walls will need to be engineered and constructed in a manner and using material acceptable to Public Works.

9. *What is the argument for accepting the drainage system as a public system? Should it be a private system?* Similar to question 8, the proposed system is removed and operates independent from the rest of the overall public drainage system. If the alley is privatized, surface water introduced to the drainage system would be from the homes within the development or a road which only serves this development and therefore should be privately maintained. If, however, the alley remains public, then the storm system should also remain public. For the reasons and logic already cited in question 8, Public Works recommends keeping the drainage system public.

10. *The street 20th Avenue South does not line up north and south of South 240th. Should it be corrected? How?* Currently, the street improvements for 20th Ave. S. north of 240th Street is offset 23 feet from the street improvements of 20th Ave. S., South of 240th Street. These street sections should line up when 20th Ave. S. is constructed through the underdeveloped property just north of South 243rd Street. At that time, 20th Ave. S. will become a significant north/south route between South 251st and Kent-Des Moines Road. Given the present low volume of traffic coming into this intersection from the south, the magnitude of the investment to correct this does not seem justified at this time. However, the Public Works Director is recommending that a triangular piece of right-of-way be deeded to the City so that the intersection can be lined-up in the future when it is justified.

11. *The sewer extension is proposed to be located within a 10 foot easement. The city standard is 20 feet. Is the smaller easement width part of what Council is being asked to consider under a PUD?* The easement width shown is an error and not part of the PUD. The correct width of the easement is 20 feet and will be shown on the final plat.

Upon questioning by Council, Senior Planner Ruth advised that the wetland mitigation will be prepared by a qualified expert in that field. He further noted that he does not feel there will be any permanent impacts to the wetland area.

MOTION was made by Mayor Pro Tem Sheckler, seconded by Councilmember Towe to approve the initial number, use and configuration of roads, lots and tracts for “Cedar Brook” as represented in the September 13, 2001 Administration Report and recommended by Administration.

Upon questioning by Council as to what assurance the developer has that Council will not change its mind at a later date, Senior Planner Ruth noted that this motion gives a certain level of assurance that what Council has seen is the direction he needs to proceed in.

MOTION was made by Mayor Thomasson, seconded by Councilmember Sherman, to amend the approval to note that the alley and proposed drainage system be maintained as private.

Councilmember Towe questioned Public Works Director Heydon on his concerns if the alley and drainage system were to be private. Mr. Heydon responded that he would be concerned that they will not be properly maintained, but did acknowledge that the City would furnish strict guidelines to the Homeowners Association to follow.

Upon questioning by Council, Public Works Director Heydon, acknowledged that the alley could be posted private, except for utility maintenance vehicles, and that all emergency services such as fire, as well as postal and garbage service would be accessed from 20th Avenue South.

VOTE ON MOTION: Motion passed 5 to 1 with Councilmember Wasson voting NO.

Mayor Thomasson expressed concern with suggested improvements on South 240th. He felt that the improvements should include a center turn lane on 20th Avenue South, especially in light of what will be a private driveway.

Public Works Director Heydon responded that plans call for 23’ of pavement on the north side of 20th Avenue South, which would allow for a 5’ bike lane, 12’ drive lane and a half of a turn lane. He advised that he would research the issue on whether additional footage may be required.

In response to questioning by Council, Senior Planner Ruth advised that the elevations and foot prints that Council has seen so far, are not binding. These issues will be binding when Council approves the final design.

Upon questioning by Council, Senior Planner Ruth noted that the allowed building height will be 30 feet from average finished grade, from mid-point of the surrounding structure.

VOTE ON MAIN MOTION: Motion approved unanimously.

NEXT MEETING DATE

Mayor Thomasson announced the next regular meeting will be on October 11, 2001.

ADJOURNMENT

The meeting was adjourned at 9:29 p.m.

Respectfully submitted,

Denis Staab
City Clerk