

REGULAR MEETING OF THE DES MOINES CITY COUNCIL

MINUTES

October 23, 1997

The regular meeting 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.

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 Bruce Roberts, 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, Community Development Director Judith Kilgore, Planning Manager Corbitt Loch, Civil Engineer Jim Seitz, and Deputy City Clerk Angela Chaufy.

COMMENTS FROM THE PUBLIC

Barbara Canfield, 24032 25th Ave S

Ms. Canfield informed Council that some of the visitors to her home had been ticketed by the police due to the "No Parking" signs located on her street. She asked council to consider supplying visitor parking passes to the neighborhood residents.

BOARD & COMMITTEE REPORTS

Human Services Committee

Councilmember Towe reported that the Human Services Committee had completed review of the funding requests and had developed a recommendation for Council's review. He noted that participation in community events, such as the Community Summit, was identified as a stipulation of funding.

Airport Communities Coalition

Mayor Pro Tem Brazil noted that trucks are moving dirt on Port of Seattle property but the activity is not related to any third runway development. He stated that four lawsuits opposing the construction of the Third Runway are currently pending. He reiterated that the third runway project is not a done deal.

South King County Area Transportation Board

Councilmember Sherman reported that the South King County Area Transportation Board had met to review the Regional Transit Authority (RTA) program. He noted that two Open Houses regarding the program are scheduled for 4:00 p.m. to 8:00 p.m. on October 30, 1997 at Kent Junior High and November 5, 1997 at Hampton Inn. Information regarding the events can be obtained by contacting the RTA office at (206)684-6776. Councilmember Sherman also mentioned that applications are being accepted for the RTA Sound Transit Citizen Oversight Panel. Interested applicants need to submit an application by November 5, 1997.

PRESIDING OFFICER'S REPORT

Puget Sound Basin Area Needs Assessment

Mayor Thomasson reported that he had been invited to attend a meeting regarding a regional needs assessment for the Puget Sound Basin area. Four river basin projects have been studied so far. Funding proposals for this issue will come before the Regional Water Quality Committee. Mayor Thomasson stated that, if the revenue source involved Des Moines, Council would need to insure that the City receives its share.

Mayor Pro Tem Brazil noted that the improvement plan and the fees to finance that plan have been discussed at Suburban Cities Association meetings. At this time, there are no projects planned for the Des Moines area.

ADMINISTRATION REPORTS

Lakehaven Sewer and Water District

City Manager Olander informed Council that the City of Federal Way had decided to assume jurisdiction over Lakehaven Sewer and Water District. He noted that staff had met with Federal Way to express concerns on behalf of the Woodmont/Redondo residents currently served by the utility. They discussed rate protection, transfer of assets, and upgrades to the system. He questioned whether Council wished to review the matter in committee.

Mayor Thomasson stated that he would discuss the matter with Council and get back to the City Manager with an answer.

CONSENT CALENDAR was read by Deputy City Clerk Chaufy.

1. Motion is to approve the minutes of October 9, 1997.
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 #58329 through #58541 in the total amount of \$628,686.68

Payroll fund transfers in the total amount of \$190,270.48

3. Motion is to schedule consideration of the appeal of C. Erik Foss from the decision of the hearing examiner for the City Council meeting of November 20, 1997.
4. Motion is to direct the City Manager to proceed with the sale of General Obligation bonds to finance capital improvements at the marina and the City Service Center Remodel Project with repayment of the Marina's portion of the debt to be repaid by Marina revenue sources.
5. Motion is that the City Manager be authorized to sign the Interlocal Agreement for 1997-99 commute trip reduction technical assistance funds.

MOTION was made by Councilmember Roberts and seconded by Councilmember Sheckler to approve the consent calendar as read.

Councilmember Towe expressed dissent for the record on consent calendar item #4 and voted affirmatively for the entire consent calendar as read. He stated that he recognized the need and appreciated the design but questioned the priority of the project.

Upon questioning, City Manager Olander confirmed that the bond sale with the actual bond rates would come before Council for final approval at a later meeting.

VOTE ON MOTION: Motion passed unanimously.

PUBLIC HEARING

Draft Ordinance No. 97-200 [Assigned Ord. No. 1199] Hazardous Materials in the B-P (Business Park) Zone - 1st Reading

Community Development Director Kilgore introduced Interim Building Official Larry Pickard.

Planning Manager Loch reviewed the background of the proposed ordinance. He noted that Council had requested preparation of the proposed ordinance after review of the Des Moines Creek Technology Center project. He stated that the Uniform Business Code established the hazardous materials standards. He felt that the building and fire code would ensure appropriate safety precautions for the area.

City Attorney McLean waived the reading of the rules for conducting a hearing as there were no speakers present.

Mayor Thomasson called for speakers. None responded.

Mayor Thomasson closed the public hearing testimony portion of the hearing.

Planning Manager Loch confirmed that the Port of Seattle had not submitted any comment regarding the proposed ordinance.

In regard to unclassified use requests, City Attorney McLean clarified that the Council would need to adopt adequate findings to satisfy each issue addressed in the Environmental Impact Statement or Draft Environmental Impact Statement.

MOTION was made by Councilmember Towe, seconded by Councilmember Sheckler, and passed unanimously to suspend Rule 26(b) to enact Draft Ordinance No. 97-200 on the first reading.

MOTION was made by Councilmember Towe, seconded by Councilmember Sheckler, and passed unanimously to enact Draft Ordinance No. 97-200.

OLD BUSINESS

Draft Ordinance No. 97-155 [Assigned Ord. No. 1200] Telecommunications - 2nd Reading

City Manager Olander stated that the City Attorney had incorporated Council's requested revisions into the draft ordinance.

City Attorney McLean noted that towers under sixty feet in any zone were subject to design review. He briefly reviewed the revisions to the draft ordinance.

MOTION was made by Councilmember Roberts and seconded by Councilmember Sheckler to adopt Draft Ordinance No. 97-155.

Council expressed appreciation for the Planning Agency and staff's efforts in establishing a telecommunications ordinance.

VOTE ON MOTION: Motion passed unanimously.

City Attorney McLean commended Council, staff, and Legal Secretary Vicki Sheckler for their efforts.

NEW BUSINESS

Briefing: Zoning Map Revisions

Community Development Director Kilgore informed Council that the existing zoning map was adopted in 1964. She displayed the proposed zoning map and highlighted the following difficulties encountered:

- Areas in which the legal description was inconsistent with the graphics provided;
- Areas in which there was no record of any zoning for the property; and
- Areas in which the zoning was inconsistent with the Comprehensive Plan.

Ms. Kilgore recommended referring the proposed map to a council committee to review and resolve the outstanding technical issues. She suggested that the committee begin review in early January. Upon questioning, Community Development Director Kilgore confirmed that current property owners of problem areas had not been contacted for information or documentation.

City Attorney McLean determined that adoption of a new zoning map qualified as an area wide issue. Therefore, it was not a quasi-judicial matter.

After brief discussion, Council concurred that an ad hoc committee should be formed to discuss the technical issues of the proposed map. The actual rezone matters would be handled by full Council.

Mayor Thomasson determined that he and Councilmembers Wasson, Towe, and Sheckler were interested in serving on an ad hoc committee to review the proposed zoning map.

MOTION was made by Councilmember Roberts, seconded by Mayor Pro Tem Brazil, and passed unanimously to form an ad hoc committee to review the proposed zoning map.

Draft Resolution No. 97-251 (A) or (B) [Assigned Res. No. 835] Setting a Public Hearing for a Street Vacation

Civil Engineer Seitz noted that the Public Works Department had received a council request to vacate a portion of 11th Avenue South and a portion of South 251st Street. While displaying a map of the site, he noted that South 251st Street was currently classified as a collector arterial and that the street's current width of 60 feet was the minimum standard for collector arterials. Therefore, Mr. Seitz noted that staff opposed the granting of any right of way on South 251st

Street but did support the granting of a street vacation to the portion of 11th Avenue South. Civil Engineer Seitz noted that no citizen petition had been received.

MOTION was made by Councilmember Sheckler and seconded by Mayor Pro Tem Brazil to adopt Draft Resolution No. 97-251A.

Mayor Thomasson read the title of the proposed resolution.

Mayor Thomasson reviewed the vacation request procedures. As the procedures allow for administration to oppose a request without a hearing, Mayor Thomasson stated that he could not support the inclusion of the portion on South 251st Street in the street vacation hearing.

Councilmember Wasson stated that he preferred to receive resident input regarding South 251st Street before eliminating the section.

Upon questioning, City Manager Olander clarified the procedure for processing vacation requests and informed Council of the background of the issue. He noted that the application fee would be waived if the vacation request is initiated by Council.

Councilmember Wasson confirmed that if a public hearing was held for the street vacation of portions of South 251st Street and 11th Avenue South, Council still had the authority to eliminate the South 251st Street portion from the street vacation.

VOTE ON MOTION: Motion passed, 4 - 3, with Mayor Thomasson and Councilmembers Roberts and Wasson opposed.

NEXT MEETING DATE - Study Session October 30, 1997

ADJOURNMENT

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Angela M. Chaufty
Deputy City Clerk