

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

November 18, 1999

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

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

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Terry Brazil, Councilmembers Dave Kaplan, 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, Finance Director Scott McCarty, Budget Accountant Peggy Watson, Public Works Director Tim Heydon, Harbormaster Joe Dusenbury and City Clerk Denis Staab.

COMMENTS FROM THE PUBLIC

Larry Watson, 804 S. 252nd

Mr. Watson expressed his thanks to Councilmembers for the plant they sent to him during his recent hospital stay.

Don Riecks, 21221 5th Avenue South

Mr. Riecks reminded Council that in September of 1998 the North Hill Community Club requested improvements to the street end right-of-way on 3rd Avenue South at 212th and 213th. He stated that at that time there was support and direction from Council to proceed with this project. He stated that last spring an inadequate gravel path was installed and he sent a letter expressing concern over the improvements. With the use of view foils Mr. Riecks showed the lack of pedestrian safety along the street and insisted Council take action to grade and pave the trail, and cooperate with the Community Club to complete installation of a bench and right-of-way improvements.

Don Clayton, 22426 4th Avenue South, Vice President Des Moines Midway Soccer Club

Mr. Clayton spoke in support of continued use of existing and future grant funds for a future sports park and improvements to existing sports fields. He distributed a list of grants and donations received in the last 18 months for field improvements in the City of Des Moines. He noted that more funds are available through grants therefor he does not see a need to raise taxes. In conclusion, he noted that various sports clubs are more than willing to work with Council on the park issues.

BOARD & COMMITTEE REPORTS

Suburban Cities Association

Mayor Pro Tem Brazil reported that the Association plans to team up with other groups to go to Olympia to pressure the State Legislature to address the cities major concerns over the impacts from the passage of I-695.

South King County Area Transportation Board

Councilmember Sherman reported that the City's new bus route 189 has now been cut due to the passage of I-695. He noted that more cuts will follow.

SR 509 Executive Committee

Councilmember Sherman advised that \$148 million set for the SR 509 improvements has been lost with the passage of I-695. However, the EIS and design work previously funded will continue, with a public hearing on the EIS set for some time in October of the year 2000.

ADMINISTRATION REPORTS

Telecommunications Ordinances - Court Challenge

City Attorney McLean announced that the Federal Court has ruled in favor of Des Moines, Olympia, Tacoma, University Place and Auburn regarding the challenges filed by US West concerning telecommunication facilities. The judge ruled that US West must absorb costs of relocating its lines.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the minutes of October 21 and 28, and November 4 and 8, 1999.
2. Motion is to authorize the City Manager to approve all vouchers for payment of the following claims during the period of November 11, through November 25, 1999:
 - 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 December 9, 1999 meeting.
3. Motion is to adopt the 1999-2000 Intergovernmental Relations Policies and Positions as submitted by the City Manager.
- 4.A. Draft Resolution No. 99-237 [ASSIGNED RESOLUTION NO. 876] - Title: A Resolution of the City Council of the City of Des Moines, Washington, declaring certain property surplus and authorizing disposal of surplus property by auction, sale, or transfer to other agency.

MOTION is to approve Draft Resolution No. 99-237.
- 4.B. Motion is to authorize the City Manager to sign a contract for auction services substantially in the form as submitted.
5. Motion is to approve the Interlocal Agreement between Highline School District and the City of Des Moines for the replacement of sidewalks on Midway Elementary School property and authorize the City Manager to sign the agreement substantially in the form as submitted.

MOTION was made by Mayor Pro Tem Brazil, seconded by Councilmember Sheckler to approve the Consent Calendar as read.

Councilmember Kaplan requested that the minutes of November 4, 1999, page 4, be corrected to read: "Councilmember Kaplan expressed support for option A.", not concern.

VOTE ON MOTION: Motion passed unanimously.

PUBLIC HEARING

Draft Ordinance No. 99-245 - Adoption of 2000 Budget - 1st Reading

Mayor Thomasson introduced the topic and read the draft ordinance by title into the record. He thanked the public for attending the hearing and requested anyone who has preferences on what services should be cut, or what revenues to raise, to be sure and offer suggestions for Council's consideration.

Finance Director McCarty noted, that as required by State law, the City Manager has prepared a balanced budget for the year 2000 for consideration by Council. He advised that the 2000 Budget totals approximately \$29.3 million. He noted that the budget includes expenditures, sources of revenues for the programs and services offered by the City.

City Attorney McLean explained the rules and procedures for conducting the public hearing.

PUBLIC COMMENTS:

John Carroll, 24832 11th Avenue South, Member of the Des Moines Senior Services Advisory Committee

Mr. Carroll felt that additional funding will be available regarding sports fields and requested Council not cut this item. He further requested no cuts be made to the senior services division as he feels it is important to the mental and physical health of the senior citizens.

Georgetta Nupen, 24816 12th Avenue South, Member Des Moines Senior Services Advisory Committee

Ms. Nupen informed Council that the Senior Center provides essential services to the seniors in the area with meals on wheels, health services, classes, van transportation and support groups. She noted over 10,000 volunteer hours are spent on these vital services and she encouraged Council not to cut any funding to these programs.

Brad Wagner, 803 South 242nd, Summit Tree Service

Mr. Wagner commented on how the City's parks and street crews have done a wonderful job. He encouraged Council to keep the personnel of these departments so as to not lose the progress the City has made in the last few years.

Keith Noess, 21210 4th Place South, Des Moines Senior Services Advisory Committee

Mr. Noess presented a petition to the Council with 158 signatures on how important the Park and Recreation Department and Senior Center are to the community. He cited numerous programs that are self-supporting. He concluded by noting that he does not favor a special tax and that cuts should be made equally in all departments.

Randy Potter, 612 South 192nd Place

Mr. Potter spoke in favor of proceeding with sport fields, noting that if the grant funds are not utilized they will be lost. He stated that the park and recreation department has excellent staff. He concluded by advising there are not enough sports fields and requested Council not cut public safety personnel or kids programs.

Patty Lewis Worthington, Highline Community College - Adult Literacy Program

Ms. Worthington reminded Council of the importance of human services issues and encouraged them not to cut any funds in this vital area.

Becky Huntley, 2670 Belvider - Apple Parenting Program

Ms. Huntley thanked Council for past funding support. She reminded Council that healthy parents raise healthy children and therefore there should be no funding cuts to human services programs.

Sven Halstensen, 22841 Thunderbird Drive

Mr. Halstensen suggested that the City quit spending money on fighting the 3rd runway and use that money to keep police officers and all City personnel.

Bill Bird, 4301 Norpoint Way N.E., Tacoma, Assistant Principal Mt. Rainier High School

Mr. Bird complimented the Des Moines Police Department for their efforts in helping with the School's safety task force and encouraged that no funds be cut for law enforcement programs.

Ola Mae Crawford, 24714 13th Avenue South

Ms. Crawford spoke in strong support of no funding cuts to law enforcement. She spoke glowingly of the Des Moines Police Department and the numerous school programs they have. She also voiced strong support for the senior services programs.

Debbra Strayor, 21450 29th Avenue South - Mt. Rainer High School Instructor

Ms. Strayor voiced strong support of total funding for law enforcement, citing several programs as providing a positive interaction between police and youth. She also encouraged no cuts to senior services.

Penny Fry, 4430 South 262nd, Teacher Midway Elementary School and Ryan Knutson, 6th Grade Student

Ms. Fry and Mr. Knutson spoke in strong support for maintaining the current level of law enforcement and all the activities and programs between police officers and students.

Bill Lewis, 19821 5th Avenue South, South Highline Little League

Mr. Lewis noted there is a real shortage of ball fields in the area. He encouraged creativity in continuing to fund much needed recreational facilities.

April Wilson, 1232 South 235th Place, Mt. Rainier High School Student

Ms. Wilson spoke of the police involvement in programs at the schools noting what a positive influence this has been on students. She requested that no funding cuts be leveled at law enforcement.

Rose Nelepinski, 21439 15th Avenue South

Ms. Nelepinski spoke in support of no funding cuts to law enforcement and requested that taxes not be raised.

Gene White, 28742 Redondo Beach Drive South

Mr. White stated that the parks and recreation programs are the heart and soul of the community and the employees make it happen. He requested no cuts be made in this department.

Larry Watson, 804 South 252nd

Mr. Watson stated he would prefer to see non-essential services such as parks and recreation cut, but no cuts should be made to law enforcement.

Jerod Theckston, 22936 19th Avenue South, Pastor at Midway Covenant Church

Pastor Theckston encouraged Council to keep funding human services. He noted that as the budget gets cut, the funding always decreases.

Clarice James, 22360 Dock Avenue, Des Moines Chamber of Commerce

Ms. James spoke in opposition to raising business license fees. She suggested City employee salaries be cut by 1 to ½ percent and that the City should re-visit 3rd runway fight expenses.

Marty Michalson, 23015 17th Avenue South

Mr. Michalson suggested the City should investigate annexation the AMF Bowling Center on Highway 99 for additional revenue before raising any taxes.

Brad Bryan, 21811 12th Avenue South

Mr. Bryan spoke in support of continuing to fund the fight against the 3rd runway, police department and community service officers and all senior center activities.

Eric Dawson - Highline Community College Student

Mr. Dawson spoke in support of leaving all funding in place for the police department.

Cliff McNeal, 28210 Redondo Beach Drive

Mr. McNeal applauded the City's Park and Recreation Department. He suggested Council consider using citizen volunteers to help with park maintenance. He requested that no funding cuts be made in public safety.

Brad Stalley, 21009 12th Avenue South, President Des Moines Police Guild

Mr. Stalley stated that he felt there is no finer police force in the nation than Des Moines. He noted any cuts to staffing of the police department would endanger those officers left to serve the community. As a citizen of the City his main concerns are public safety and roads, the rest is a luxury.

Michelle Barker, 24015 16th Avenue South

Ms. Barker spoke against taking any funds from parks and recreation as it would be taking a great step backwards.

Robert Ruth, 22496 13th Avenue South

Mr. Ruth stated that he wants all departments to remain strong. He stated that a balance of services across the board is vital to a strong community. He stated he is willing to see some tax increase to save all programs as he is sure it will be less than what he was paying for motor vehicle excise tax.

Steve Wieland, Des Moines Master Patrol Sergeant

Sgt. Wieland reminded Council how hard everyone has worked to make Des Moines Police Department one of the best in the State. He requested Council make no budget cuts to law enforcement as it will only led to declines in the police department.

Tom Sitterley, 601 South 227th, President of Des Moines Marina Association

Mr. Sitterley noted that the passage of I-695 had no impacts on the Marina as none of those tax funds ever supported the Marina. He spoke against taking an additional \$200,000 out of the Marina to fund the rest of the City. He encouraged Council to be honest with the citizens and Marina tenants. He spoke of significant capital repairs needed at the Marina and advised that the previous schedule of rate increases to help pay for those repairs is fair. He urged careful consideration before raising the Marina rates to help support other City departments and services.

Carolyn Wilson, 1232 South 235th Place

Ms. Wilson praised the park and recreation programs and the police department involvement in school programs. She urged that no funding be cut from law enforcement as it could impact police officer safety. She requested Council look for innovative ways to increase funding so no cuts need to be made.

Don Riecks, 21221 5th Avenue South

Mr. Riecks offered the following suggestions on what to cut or raise for the budget:

- Raise Building Permit Fees
- Review ridiculous requirements for sound insulation on new construction/remodeling projects
- Reduce Surface Water Management Fees
- Raise Utility Tax by 1%
- Reduce travel budget for all departments including legislative
- Slow down on hiring outside consultants
- Eliminate contingency fees in contracts

Jim Gallagher, Detective with Des Moines Police Department

Mr. Gallagher noted that the Police Department has gone from a reactive to proactive department in the last 10 years and he felt budget cuts would reverse that. He encouraged Councilmembers to ride with night shift officers to see what safety issues will be raised if there is any reduction in personnel.

Susan Slitzer, 1120 Rainbow Lane

Ms. Slitzer spoke against any cuts to the Police Department and emergency services.

David Wilson, 1232 South 235th Place

Mr. Wilson cited public safety as the number one issue that Council must consider. He suggested that money should not be spent on field house ball field lighting and that the Marine View Drive Bridge project should not be funded at this time.

Robert Collins, Des Moines Police Patrol Sergeant

Mr. Collins spoke against any cuts to law enforcement as public safety is of paramount importance. He advised that any reduction in police employees will jeopardize officers.

9:31 p.m. Mayor Thomasson declared a 10 minute break.

Shelia (?), 1410 South 242nd Street

She spoke in favor of keeping all funding for parks and recreation.

Frank Jovanovich, 22431 10th Avenue, Representing Des Moines Food Bank

Mr. Jovanovich informed Council that donations are down, but in just the last 2 to 3 months requests for help from the Food Bank have doubled. He encouraged all citizens to lodge complaints at the state as the fault lies with Olympia for not being prepared. He noted that cuts in funding are necessary, but hopes there will be continued support of the food bank.

Dick Stites,

Mr. Stites addressed someone's comments about not funding the ball field lights. He noted that the lights are inadequate and dangerous. He also pointed out that this is being funded by grant money not City funds.

As there were no further speakers, Mayor Thomasson closed the public hearing. He advised that Council will welcome any written comments regarding the budget issues. He noted this item will be back before Council at a special meeting on Monday, November 29, 1999 for deliberations.

OLD BUSINESS

Draft Ordinance Nos. 99-243 [ASSIGNED ORDINANCE NO. 1244] & 99-247 [ASSIGNED ORDINANCE NO. 1245] Adopting Year 2000 Property Tax Levy - 2nd Reading

Finance Director McCarty noted that this is the second reading on the two required property tax ordinances. With the use of a view foil, he reviewed tax levy comparisons for actual 1999, 2000 estimate and 2000 maximum.

MOTION was made by Councilmember Towe, seconded by Councilmember Sherman to adopt Draft Ordinance No. 99-243. Motion passed 6 to 1 with Councilmember Kaplan voting NO.

MOTION was made by Councilmember Towe, seconded by Councilmember Sherman and passed unanimously, to approve Draft Ordinance No. 99-247.

Draft Ordinance No. 99-241 [ASSIGNED ORDINANCE NO. 1246] Surface Water Management Fees & Hook-up Fees - 2nd Reading

Mayor Thomasson read the ordinance by title into the record.

MOTION was made by Councilmember Kaplan, seconded by Councilmember Sheckler to approve Draft Ordinance No. 99-241.

Upon questioning by Council, Public Works Director Heydon advised that there are no excess funds. He advised that 2/3 of the funds go to pay operations and maintenance crew and the remaining 1/3 goes to capital projects as prioritized in the Capital Improvement Program.

Councilmember Wasson noted he is voting no on this issue as he does not feel that the Marine View Drive Bridge Project should be funded.

Councilmember Kaplan commented that this is one program where results are very obvious with the reduced flooding problems.

VOTE ON MOTION: Motion passed 6 to 1 with Councilmember Wasson voting NO.

Draft Ordinance No. 99-244 Marina Moorage Rates -1st Reading

Harbormaster Dusenbury reminded Council that when the Marina Facility Master Plan was adopted a rate ordinance was put in place to increase rates at 4.6% per year. In order to increase the transfer to the general fund by \$200,000 a year a couple of options will be presented. With the use of a view foil he reviewed a chart showing the various sizes of open and covered moorage. He noted that approximately 60% of the moorage is used by 20, 24 and 28 foot slips which generate about 51% of the total moorage income. He further noted that the smaller moorage slips have a very low waiting list. He detailed the two options noting the following:

Option 1 - 15% Across the Board Increase for Two Years:

This option would allow a \$200,000 increase to the general fund and continue with the Capital Improvement Projects. This would allow the scheduled contributions to the Depreciation and Improvement Fund in 2000 and 50% of the scheduled contributions in 2001.

He noted however, there are concerns about the vacancy rates increasing with a 15% increase.

Option 2 - Incremental Increase of 7% in 2000 and 5% in 2001:

With this option contributions would be missed to the CIP in order to make the \$200,000 contribution to the general fund. However, there is a smaller impact on the rates in the first year so we can study the impacts on vacancy rates to the smaller moorage slips.

Upon questioning on whether the Marina Master Plan is behind schedule, Harbormaster Dusenbury stated that the Plan is approximately a year behind where he would like it to be. It was noted that that this is not critical for about another 2 years and then he would have concerns regarding pilings and the seawall.

City Manager Olander commented that if Council chooses option one, he would like some flexibility to consider a graduated rate increase, less increase to the smaller boats, and slightly higher to the larger boats.

Councilmember Sherman expressed concern over allowing further deterioration of Marina facilities. He would favor option one as it does not impact the Marina Facility Master Plan. He also noted that he would prefer differential rates being applied.

10:29 p.m. MOTION was made and seconded to extend the meeting another 20 minutes. Motion passed.

Mayor Thomasson noted that he would support option two.

Councilmember Towe questioned whether in the future will Marina rate increases have to go to the vote of the citizens in light of the passage of I-695. City Attorney McLean responded that he cannot answer and this issue will be one of many that the court will have to rule on.

Councilmember Towe noted that he would support option one, but unsure of whether he supports the \$200,000 transfer to the general fund as there are capital needs at the Marina.

Mayor Thomasson read the draft ordinance by title into the record.

MOTION was made by Councilmember Sheckler, seconded by Councilmember Towe, to move Draft Ordinance No. 244 on to a second reading on November 29th.

Councilmember Wasson noted that he is against “milking” any more funds from the Marina. When rate hikes create vacancies he cannot support the idea at all and will vote against the ordinance.

Councilmember Kaplan requested that the “whereas” of the ordinance state clearly that the purpose is to fund the general operations specific to the needs created by I-695.

Councilmember Sherman noted that most citizens want to keep all programs and he would support the 15% increase.

Upon questioning by Mayor Thomasson, the majority of Council supported the transfer of \$200,000 to the general fund by using option one, with some discretion as to how the rate increase will be applied to different sized slips.

Councilmember Sherman requested that residents of the City receive a discounted rate. There was no support for this idea.

Mayor Pro Tem Brazil stated he would like language in the ordinance that in the event the legislature restores funding for City services that this ordinance will come back to Council for reconsideration and possible repeal.

VOTE ON MOTION: Motion passed 6 to 1 with Councilmember Wasson voting NO.

NEW BUSINESS

Reconsideration Draft Ordinance No. 99-255 Utility Occupation Tax Rate

Mayor Pro Tem Brazil called Council’s attention to the draft ordinance noting that language has been added in the opening title: “and calling for reconsideration and/or repeal of the utility occupation tax rate increase if the state legislature replaces funding lost through passage of Initiative 695.”

Mayor Thomasson read the draft ordinance by title into the record.

MOTION was made by Mayor Pro Tem Brazil, seconded by Mayor Thomasson to pass Draft Ordinance No. 99-255 to a second reading on November 29th.

Councilmember Towe noted that he cannot support the ordinance as he feels the City has 6 to 8 months to seek additional revenues therefore the ordinance is unnecessary.

10:50 p.m. **MOTION** was made, seconded and passed to extend the meeting another 10 minutes.

VOTE ON MOTION: Motion passed 4 to 3 with Councilmembers Kaplan, Towe and Wasson voting NO.

NEXT MEETING DATE

Mayor Thomasson announced that there will be a special study session on Monday, November 29, 1999.

Executive Session

Mayor Thomasson announced that the Council will go in to Executive Session to discuss litigation matters.

ADJOURNMENT

The regular meeting adjourned at 10:53 p.m. and Council went in to Executive Session.

Respectfully submitted,

Denis Staab
City Clerk