

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

November 15, 2001

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

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

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Bob Sheckler, Councilmembers Terry Brazil, Dave Kaplan, Dan Sherman, Gary Towe (arrived at 7:35 p.m.) and Don Wasson. Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, City Attorney Gary McLean, Finance Director Scott McCarty and City Clerk Denis Staab.

COMMENTS FROM THE PUBLIC

Dave Loft, 900 South 242nd

Mr. Loft informed Council that he is in the process of completing a short plat that requires he install sidewalks, curb and gutter, storm drains and catch basins for a distance of 270 feet along South 242nd. He advised that an earlier development had completed a portion of the same requirements, but there is a gap between their work and where his will end of about 137 feet. He has determined this 137 feet would cost about \$15,000. He advised Council that he had asked the Public Works Director if the City would be willing to split the cost and was told that there is no funds budgeted for this. Mr. Loft requested Council determined whether funds could be found in the budget, as he is more than willing to do the work. He also commented that tying the sidewalk together would create a much safer environment.

City Manager Olander remarked that Mr. Loft's proposal is a very generous offer and the City always wants to connect sidewalks whenever possible. He stated he will work with the Finance Director to see what funds can be freed up for this project.

BOARD & COMMITTEE REPORTS

King County - Financial Impacts

Councilmember Brazil announced that King County will be holding a meeting at Mercer Island City Hall on November 28th regarding the proposed \$40M cuts to cities and the impacts on social services and other programs. He encouraged all Councilmembers and Councilmembers Elect to attend this important meeting regarding expected revenue short falls and the impact on various cities.

Beach Park Flooding

Councilmember Wasson referenced the flooding at the Des Moines Beach Park, questioning why the problem cannot be solved.

ADMINISTRATION REPORTS

Record Rain Fall

City Manager Olander remarked that the 3 inches of rain that fell yesterday was the equivalence of a 25-50 year storm. He advised that the rainfall, coupled with high tides, caused flooding

around the City including closure of Kent-Des Moines Road and Marine View Drive. He advised that the installation of major retention facilities upstream, along with the new one at Highline College, has helped ease some problems. He noted that the Capital Improvement Plan contains the means for proceeding with the Barnes Creek Detention Facility. He also noted that a tree fell across Des Moines Memorial Drive at South 208th, taking out power in North Hill and tying up traffic.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the minutes of November 1, 2001.

MOTION was made by Councilmember Wasson, seconded by Councilmember Brazil, to approve the Consent Calendar as read. Motion passed unanimously.

AGENDA REVISION

Mayor Thomasson announced that he will be taking item number 3 from New Business first, as it could effect the draft budget ordinance.

NEW BUSINESS

Draft Ordinance No. 01-219 [ASSIGNED ORDINANCE NO. 1291] Amending the 2001 Budget - 1st Reading

City Manager Olander noted that, per Council Rules, three Councilmembers requested this item be placed on the Agenda for this meeting.

Finance Director McCarty stated that the draft ordinance is intended to finalize Council discussions regarding the Airport Defense Fund budget. He advised that of the following three items, the first two formalize Council's prior direction to staff. The items are:

1. Increase professional services by \$250,000 to support increased legal expenditures.
2. Payoff the outstanding balance of \$925,000 on the 1998 Limited Tax General Obligation Note due December 1, 2001 finance by a transfer from the General fund.
3. Increase professional services by an additional \$445,000 to support ACC legal expenditures. The increase will be financed by a \$375,000 transfer from the General Fund and a \$70,000 interfund loan from the General Fund. The interfund loan will be paid off by December 31, 2002 as utility tax payments are received at a 3% interest rate.

City Manager Olander remarked that items one and two are recommended as per Council direction. However, he cannot recommend item three as he feels it is not good public policy.

MOTION was made by Councilmember Kaplan, seconded by Mayor Pro Tem Sheckler, to suspend Council Rule 26(b) to enact Draft Ordinance No. 01-219 on first reading.

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

Councilmember Sherman noted that he supports this ordinance as it actually leaves next years budget with more money. He is in favor of eliminating debt, and stated this action will allow for the anticipated completion of actions by ACC. He further noted that the Pollution Control Hearing Board needs to rule and the Army Corps Permit is not a done deal. He felt that with air travel on the decrease and events such as our last earthquake, it is even more apparent that expansion of SeaTac is not the answer, but a supplemental airport is. He noted that the

completion of the fight against the 3rd runway is anticipated by the end of next year, and it is important to keep it funded.

Councilmember Kaplan expressed agreement with Councilmember Sherman plus he feels the most important part of the expenditure is needed in the first quarter of 2002.

Councilmember Wasson spoke in opposition. He felt item three is an attempt to prevent Councilmembers Elect from handling finances of the city. He **MOVED** to delay this issue until a referendum on the matter can go to a vote of the citizens. MOTION DIED for lack of a second.

Councilmember Towe noted that at first he agreed with the City Manager regarding item three. However, he has further reflected on the issue and remembers that the negative impacts of the 3rd runway was the most important issue to the voters when he first ran for office. During the 8 years he has been in office, the runway is still not built. He felt the dollar amount spent in this fight pales when it is compared to the effects to our quality of life and the long term economic impacts if the 3rd runway is built. He concluded this is the biggest issue facing the City, and in no way inhibits next years Council from taking any action they feel appropriate.

Mayor Pro Tem Sheckler commented that a referendum to the people could not be done in a timely manner. He advised that decisions should be reached by March of 2002 and if the 404 Corps Permit is not issued, the whole runway project is finished.

Councilmember Kaplan commented that he is elected to serve through the end of this year and he is only concerned about the best interests of the citizens of Des Moines, not outside influences. Feels it is important to commit the investment of funds up front to ensure the fight continues.

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

PUBLIC HEARING

Draft Ordinance No. 01-218 [ASSIGNED ORDINANCE NO. 1292] Adopting the 2002 Budget - 1st Reading

Finance Director McCarty advised Council that the 2002 Budget will maintain the current level of service and provides for the Police Department to be open 24 hours a day, along with full funding of human services.

City Manager Olander noted that the general property tax levy rate will actually decrease from the current amount of \$1.49 to \$1.40 per \$1,000 of assessed value.

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

City Attorney McLean read the rules for conducting the public hearing.

Mayor Thomasson declared the public hearing open and called for public comments.

PUBLIC COMMENTS

Tom Sitterly, 601 South 227th, Representing the Des Moines Marina Association

Mr. Sitterly noted that 2 years ago, due to the negative financial impacts of I-695, Council instituted a huge increase in rates and a large transfer of revenue to the General Fund. He noted no action has been taken in 2 years to rescind these amounts, even though the ordinance had a clause that Council could do so. He further noted that no improvements to the Marina have been instituted under the 1996 Master Plan. He called on Council to roll back these unfair rates.

As there were no further public comments, Mayor Thomasson closed the public hearing.

City Manager Olander noted that Des Moines Marina rates were increased an average of 3.5% annually for residents and are still very competitive. He further advised that the transfers of Marina funds to the General Fund are at the same level as last year.

MOTION was made by Councilmember Sherman, seconded by Councilmember Brazil, to suspend Council Rule 26(b) to enact the draft ordinance on first reading. Motion passed unanimously.

MOTION was made by Councilmember Sherman, seconded by Mayor Pro Tem Sheckler, to approve Draft Ordinance No. 01-218.

Councilmember Towe stated that he believes the draft budget for 2002 is well balanced covering a diversity of interests. He noted it contains healthy reserves with strong policies regarding public safety among many other important issues, and he strongly supports approval.

Councilmember Kaplan voiced agreement with Councilmember Towe, however, he expressed grave concerns over losing state and county funds. He felt unacceptable choices will have to be made very soon to create sustainable levels of services. He advised he cannot support the ordinance as he feels not enough steps have been taken for long term funding.

Councilmember Sherman agreed with Councilmember Towe, noting there are many competing interests for funding. He felt the Council's attitude has always been "not what we can't do, but what we want and how we can make it happen". He expressed support for the Marina rates, reminding everyone that non-residents rates are higher. However, our Marina rates are very competitive with other marinas.

Councilmember Wasson advised that he cannot support the proposed budget. He noted that a couple of the reasons for non-support are the funding to R.C.A.A. and the Marine View Drive Bridge projects, among other items.

VOTE ON MOTION: Motion passed 5 to 2. with Councilmembers Kaplan and Wasson voting NO.

NEW BUSINESS

Draft Ordinance No. 01-217 [ASSIGNED ORDINANCE NO. 1293] Special and General Property Tax Levies - 1st Reading

Finance Director McCarty advised that the draft ordinance contains the special property tax level to fund debt service for the Police facility and the 1% increase to the general property tax as directed by Council.

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

MOTION was made by Mayor Pro Tem Sheckler, seconded by Councilmember Sherman, to suspend Council Rule 26(b) to enact the draft ordinance on first reading. Motion passed unanimously.

MOTION was made by Mayor Pro Tem Sheckler, seconded by Councilmember Sherman and passed unanimously, to approve Draft ordinance No. 01-217.

Draft Resolution No. 01-216 [ASSIGNED RESOLUTION NO. 919] Adopting 2002-2007 Capital Improvement Plan

Finance Director McCarty informed Council that the draft resolution would approve the Capital Improvement Plan which reflects capital projects of the Municipal Capital Improvement, Arterial Streets, Surface Water management, and Marina Depreciation and Improvement Funds. He advised that the first year (2002) projects are reflected in the budget.

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

MOTION was made by Councilmember Sherman, seconded by Councilmember Brazil, to approve Draft Resolution No. 01-216 approving the City of Des Moines 2002-2007 Capital Improvement Plan.

Councilmember Kaplan stated that the Plan contains a lot of good projects and he is particularly pleased with the policy of maintaining our standards on street improvements and repairs. He thanked staff for hard work and long hours, to give Council the tools for building a firm foundation for the future.

Councilmember Brazil advised that the document contains work projects and funding for the future. He encouraged citizens to obtain a copy and review the items.

Councilmember Wasson stated that he has a few reservations, but will support the Plan as presented.

VOTE ON MOTION: Motion passed unanimously.

NEXT MEETING DATE

Mayor Thomasson announced that the next regular meeting will be November 29, 2001.

ADJOURNMENT

The meeting adjourned at 8:32 p.m.

Respectfully submitted,

Denis Staab
City Clerk