

MINUTES

**DES MOINES CITY COUNCIL
Regular Meeting
City Council Chambers
21630 11th Avenue South, Des Moines**

July 7, 2016 – 7:00 p.m.

CALL TO ORDER

Mayor Pina called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Nutting.

ROLL CALL

Council present: Mayor Matt Pina; Mayor Pro Tem Vic Pennington; Councilmembers Jeremy Nutting, Luisa Bangs, Robert K. Back and Dave Kaplan.

Councilmember Melissa Musser was absent.

Direction/Action

Motion made by Councilmember Nutting to excuse Councilmember Musser; seconded by Councilmember Bangs.

The motion passed 7-0.

Staff present: City Manager Tony Piasecki; Interim City Attorney Tim George; Assistant City Manager/Economic Development Director Michael Matthias; Commander Barry Sellers; Sergeant Mike Graddon; Project Manager Scott Romano; Assistant Harbormaster Scott Wilkins; Transportation & Engineering Services Manager Brandon Carver; Finance Director Donyele Mason; Planning, Building and Public Works Director Dan Brewer; Interim Assistant City Attorney Matt Hutchins; Parks, Recreation & Senior Services Director Patrice Thorell; Management Consultant Grant Fredricks; Community Development Manager Denise Lathrop; City Clerk Bonnie Wilkins.

CORRESPONDENCE

- There were no correspondences.

COMMENTS FROM THE PUBLIC

- Dr. Wendy Ghiora, 26449 Marine View Drive S; Woodmont Commercial property and public safety.
- Linda Fideler, 28853 Redondo Shores Drive S; Citizens Advisory Committee.
- Gary Peterson, Jr., 509 S 225th; Speed bump on 5th Street and brown water.
- Rick Johnson, 28624 Redondo Beach Drive S; Fireworks and Law Enforcement.
- Nicole DeLeon 524 Second Avenue; Gerrity Group in support of Ordinance 16-027.
- Kevin Isherwood, Redondo Beach Drive; Revenue generated by the Redondo Parking facility and parking enforcement.
- Tony Hettler, 22506 Marine View Drive; Fourth of July and Community Barbeque Events.
- Chris Sloan, Redondo Square Property; Encourages new development and traffic impact studies.

- Michael Lai; Development in the Community.
- Erica Schindler; 12th Avenue S; Removal of the old land use signs in the Woodmont Commercial area.

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Mayor Pro Tem Pennington

- Public Safety & Transportation Committee meeting.
- Fourth of July Fireworks.
- Thanked the Marina staff during the recent boat fire at the Marina.

Councilmember Kaplan

- City Manager Candidate Meet and Greet:
 - July 19th at the Activity Center.
 - Response cards will be available.

Councilmember Back

- No comment.

Councilmember Bangs

- Public Safety & Transportation Committee meeting:
 - Police operations update.
 - ADA Transition Plan.
 - No cruising, loitering and closing of parks.
- Gary McNeil Art Walk:
 - July 17th – Sculpture and Artwork Walk.
 - August 28th – Redondo Art Walk.
- Concerts in the Park:
 - Over 1,400 in attendance.
- Wednesday Farmer's Market.

Councilmember Nutting

- Thanked the Police Department and Marina for keeping everyone safe on the 4th of July.
- Wednesday Farmer's Market.
- Concerts in the Park.
- Community Barbeque.
- Legacy Foundation Silent Auction:
 - Raised \$8,363 that will go for scholarships for underprivileged children.

PRESIDING OFFICER'S REPORT

- Concerts in the Park:
 - Thanked Park & Rec. staff, Senior Services staff, Marina staff, Farmer's Market, Destination Des Moines, Arts Commission and Legacy Foundation and Law Enforcement.
- Recognized Highline College Employee of the Year for 2015-2016, Jean Munro, who also serves as the Arts Commission Chair.
- RISE presentation at the Sound Cities Association dinner:
 - City Manager Piasecki received SCA Award for his years of service.

ADMINISTRATION REPORT

Item 1: EMERGING ISSUES

- Gave Government 101 presentation at the RISE presentation.
- Highline Water District has approved their Franchise Agreement.
 - Southwest Suburban Sewer District and Midway Sewer District Agreements to come soon.
- Police Department very busy on the 4th of July.
- Redondo Boardwalk Issues:
 - Transportation & Engineering Services Manager Carver explained legalities regarding the Redondo Boardwalk.
- Code Enforcement:
 - Addressing nuisance properties.
 - 16 to 17 out of 18 to 20 on the list have been dealt with.
 - Moved duties to Community Services Officer in the Police Department
 - Dealing with high level public safety health type issues first.
 - Planning, Building and Public Works Director Brewer spoke to Council on having automated the Code Enforcement process.
 - Sergeant Graddon updated Council on the Code Enforcement process/progress through the Police Department.

CONSENT AGENDA

Item 1: APPROVAL OF MINUTES

Motion is to approve minutes from the June 2, June 9, June 16 and June 23, 2016 regular City Council meetings, amended minutes from the February 11, 2016 regular City Council meeting and the minutes from the June 7 and June 9, 2016 City Council Executive Sessions.

Item 2: DES MOINES LEGACY FOUNDATION (DMLF) GIFT TO THE CITY OF DES MOINES-THREE PUBLIC ART SCULPTURES

Motion is to accept the gift of three sculptures: "A Gentle Nudge" valued at \$15,000, "Yakutat" valued at \$6,500 and "Tree of Life" valued at \$9,000 to the City of Des Moines from the Des Moines Legacy Foundation.

Item 3: DOROTHY M. PROVINE ESTATE BEQUEST-\$150,000 EXPENDITURE RECOMMENDATION

Motion 1 is to approve the expenditure of up to \$40,000 of the funds donated from the Dorothy M. Provine Estate to the City of Des Moines Senior Services for the purchase of a fourteen passenger bus and to include the bus purchase as a future amendment to the 2016 General Fund Equipment Rental Budget.

Motion 2 is to approve the expenditure of up to \$53,000 of the funds donated from the Dorothy Provine Estate to the City of Des Moines Senior Services for the repairs to the Activity Center exterior and to include the project in the 2017 Capital Improvement Plan

Motion 3 is to approve holding the remaining \$57,000 of the funds donated from the Dorothy Provine Estate to the City of Des Moines Senior Services for future approved Senior Services budget expenditures.

Item 4: CONTRACT AWARD FOR THE 2016 FIELD HOUSE ROOF REPAIRS PROJECT

Motion is to award the Public Works Contract to Multifacet Group for the 2016 Field House Roof Repairs Project, in the amount of \$71,175.00; authorize a project contingency of \$15,000.00; and authorize the City Manager to sign said contract substantially in the form as submitted.

Item 5: DRAFT ORDINANCE NO. 16-093 CITIZENS ADVISORY COMMITTEE AMENDMENTS

Motion 1 is to suspend Council Rule 26(a) in order to enact Draft Ordinance No. 16-093 on first reading.

Motion 2 is to enact Draft Ordinance No. 16-093 to amend Ordinance No. 1648 to update the name, applicant requirements, and basic meeting structure to align with the City Council's vision for the Committee.

Item 6: CITIZENS ADVISORY COMMITTEE APPOINTMENTS

Motion 1 is to confirm the Mayoral appointments of Warren "Geoff" Copeland, North Hill Primary; Matthew Mahoney, North Hill Alternate; Alena Rogers, Pacific Ridge Primary; Patrick Nardo, Zenith Primary; Dale Dowsing, Zenith Alternate; Kevin Isherwood, Redondo Primary; Susan White, Redondo Alternate; and Ben Stewart, Marina Tenant Primary to the Council Advisory Committee effective immediately and expiring on December 31, 2017.

Motion 2 is to confirm the Mayoral appointments of Ken Rogers, Central Des Moines Primary; Lynn Henderson-DeBoe, Central Des Moines Alternate; William "Bill" Linscott, Marina District Primary; Sandra Higgins, Marina District Alternate; Debrena Jackson Gandy, South Des Moines Primary; Kyle Curtis, South Des Moines Alternate; Doreen Harper, Woodmont Primary; Rorie Zajac, Woodmont Alternate; and Patricio Mendoza, Business Owner Primary to the Council Advisory Committee effective immediately and expiring on December 31, 2018.

Item 7: DEPARTMENT OF ECOLOGY AGREEMENT FOR PARKSIDE PARK SOIL REMEDIATION

Motion 1 is to approve the Interagency Agreement No. C1700004 between the City of Des Moines and the Department of Ecology for the remediation of arsenic and lead contaminated soils at the Parkside Park resulting from operations performed at the former Asarco Tacoma Smelter at a cost not to exceed \$200,000 and to authorize the City Manager to sign the Agreement substantially in the form as attached.

Motion 2 is to direct staff to amend the 2016 Capital Budget to include a \$25,000 increase to the Parkside Renovation project #310.062 and to include an \$81,300 increase to the Parkside Soil Remediation project #310.065.

Item 8: 2016 SUMMER EVENTS – AGREEMENT WITH DESTINATION DES MOINES
Motion 1 is to approve Draft Resolution 16-108 authorizing Destination Des Moines to use City property to conduct three summer events and to provide up to \$10,000 of in-kind City services for the Fireworks Over Des Moines on July 4, Community BBQ on July 6 and Waterland Festival on July 22-24, 2016.

Motion 2 is to ratify the Agreement with Destination Des Moines for summer events specifying the responsibilities assumed by Destination Des Moines and identifying the in-kind services and facilities that will be provided by the City, substantially in the form as attached.

Direction/Action

Motion made by Councilmember Nutting to approve the Consent Agenda; seconded by Kaplan.

The motion passed 6-0.

PUBLIC HEARING

Item 1: DRAFT ORDINANCE NO. 16-056 RENAMING A PORTION OF 19TH AVENUE SOUTH TO RAINIER DRIVE SOUTH
Staff Presentation: Transportation & Engineering Services Manager
Brandon Carver

Mayor Pina opened the public hearing at 8:23 p.m.

Transportation & Engineering Services Manager Carver gave a power point presentation to Council.

Mayor Pina called those that signed up to speak:

- Felicitas Fischev, ASB Treasurer at Mt. Rainier High School; Proponent of renaming 19th Avenue S.
- George C. Minnich, 22701 19th Avenue S; Opponent of renaming of 19th Avenue S.
- Paula Fisher, 22615 19th Avenue S; Opponent of renaming of 19th Avenue S.

Mayor Pina for anyone else who wished to speak;

- Emily Rhodes, ASB Vice President at Mt. Rainier High School; Proponent of renaming 19th Avenue S.
- Kevin Isherwood, Redondo Beach Drive S; Asked students if they were prepared to help residents pay for address changes.
- Lori Rock, 22027 6th Avenue S; Proud of the students no matter the outcome.

Mayor Pina called 3 times for anyone else who wished to speak; seeing none Mayor Pina asked Council if they had any questions.

Mayor Pina closed the public hearing at 9:03 p.m.

Direction/Action

Motion made by Councilmember Kaplan to direct staff to come back to Council with a resolution to pursue a commemorative sign as an alternative; seconded by Mayor Pro Tem Pennington.
The motion passed 6-0.

Item 2: DRAFT ORDINANCE NO. 16-023 RELATING TO THE ZONING CODE AND CITY LAND USE AND DEVELOPMENT REGULATIONS AND AMENDING CHAPTERS 18.01, 18.10, 18.15, 18.20, 18.52, 18.55, 18.105, 18.140, 18.190, 18.195, 18.200, AND 18.210 DMMC TO CORRECT OMISSIONS, ERRORS, INCONSISTENCIES AND TO CLARIFY CITY COUNCIL INTENT
Staff Presentation: Management Consultant Grant Fredricks

Mayor Pina opened the public hearing at 9:12 p.m.

Management Consultant Fredricks gave a presentation to Council.

Councilmember Nutting left the meeting at 9:13 p.m.

Mayor Pina called 3 times for anyone who wished to speak; seeing none Mayor Pina asked Council if they had any questions.

Mayor Pina closed the public hearing at 9:32 p.m.

Direction/Action

Motion made by Councilmember Kaplan to suspend Council Rule 26(a) in order to enact Draft Ordinance No. 16-023 on first reading; seconded by Councilmember Bangs.
The motion passed 5-0.

Motion made by Councilmember Kaplan to enact Draft Ordinance No. 16-023 that would amend the Des Moines Municipal Code Chapters 18.01, 18.10, 18.15, 18.20, 18.52, 18.55, 18.105, 18.140, 18.190, 18.195, 18.200 and 18.210 DMMC to correct omissions, errors, inconsistencies and to clarify City Council intent; seconded by Councilmember Bangs
The motion passed 5-0.

Mayor Pina read Draft Ordinance No. 16-023 into the record.

NEW BUSINESS

Item 1: DISCUSSION OF 2017-2022 CAPITAL IMPROVEMENT PLAN
Staff Presentation: Finance Director Donyele Mason

Due to time constraints, New Business Item #1 was moved to the July 14, 2016 Regular City Council meeting.

OLD BUSINESS

Item 1:

SECOND READING OF DRAFT ORDINANCE 16-027 AMENDING ALLOWED USES AND DEVELOPMENT REGULATIONS FOR THE W-C WOODMONT COMMERCIAL ZONE

Staff Presentation: Community Development Manager Denise Lathrop

Assistant City Manager/Economic Development Director Matthias, Planning, Building and Public Works Director Brewer, Community Development Manager Lathrop and Sergeant Graddon gave a power point presentation to Council.

Direction/Action

Motion made by Councilmember Kaplan to extend the meeting until 10:15 p.m.; seconded by Mayor Pro Tem Pennington.
The motion passed 5-0.

Motion made by Councilmember Kaplan to enact Draft Ordinance No. 16-027 amending the Des Moines Municipal Code Table 18.52.010B Commercial zone Primary Uses to allow mixed use within the W-C Woodmont Commercial Zone, and amend development regulations for the W-C Woodmont Commercial Zone in DMMC 18.127.030, 18.127.060, 18.127.070 and 18.210.090 and finding that the revised development regulations meet the statutory requirements of Chapter 36.70A RCW; seconded by Councilmember Back.

Motion made by Councilmember Kaplan to extend the meeting until 10:30; seconded by Mayor Pro Tem Pennington.
The motion passed 5-0.

Friendly amendment made by Mayor Pina to amend Sec 4 (d) to add "mixed use projects shall include a CPTED review as part of the design review" to the current language in the Ordinance; agreeable to the maker and seconder of the main motion.

Motion made by Councilmember Kaplan to amend Sec. 2, W-C Dimensional Standards, to allow increased building heights to 70 feet; seconded by Councilmember Bangs.
The motion passed 5-0.

Motion made by Councilmember Kaplan to amend Sec. 3, W-C General building design requirements, to allow increased building heights to 70 feet; seconded by Councilmember Bangs.
The motion passed 5-0.

The main motion, as amended, passed 5-0.

Mayor Pina read Draft Ordinance No. 16-027, as amended, into the record.

NEXT MEETING DATE

July 14, 2016 Regular City Council Meeting

ADJOURNMENT

Direction/Action

Motion made by Mayor Pro Tem Pennington to adjourn; seconded by Councilmember Kaplan.

The motion passed 5-0.

The meeting was adjourned at 10:26 p.m.

Respectfully Submitted,
Bonnie Wilkins, CMC
City Clerk

