

REGULAR MEETING DES MOINES CITY COUNCIL
June 25, 2009 - 7:30 p.m.

The regular meeting of the Des Moines City Council was called to order by Mayor Sheckler at 7:34 p.m. in the Council Chambers, 21630 11th Avenue South, #B.

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

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Dan Sherman, Councilmembers Ed Pina, Carmen Scott, Scott Thomasson and Councilmember Susan White. Absent: Councilmember Dave Kaplan. Also in attendance were City Manager Tony Piasecki, City Attorney Pat Bosmans, Planning Building and Public Works Director Grant Fredricks, Parks and Recreation Director Patrice Thorell, Assistant Director of Transportation & Engineering Dan Brewer, Special Project Manager Len Madsen and Interim City Clerk Autumn Lingle.

The Council voted unanimously to excuse Councilmember Kaplan's absence.

COMMENTS FROM THE PUBLIC:

Jan Lande, 421 S. 284th, Des Moines

Ms. Lande stated drinking and basketball playing among other activities were being conducted at Woodmont Park after it is closed for the night. She noted that if the lights were turned off it would help discourage use of the park after hours.

M. Anne Sweet, 23438 25th Ave. S., Des Moines

Ms. Sweet requested that Council review and change City zoning regulations for small fowl such as chicken, geese and ducks. She favored City of Seattle zoning laws.

Richard Kennedy, 18825 6th Ave SW, Normandy Park

Mr. Kennedy presented to the City, a United States flag that had been flown over the State Capitol on June 17, 2009 to commemorate the 50th birthday of Des Moines.

BOARD & COMMITTEE REPORTS COUNCILMEMBER COMMENTS

- Posters for the 4th of July and upcoming 50th Birthday events available at the Field House
- Senior Center Transportation to the Farmers Market
- Farmers Market accepted as an entity by Washington State
- Farmers Market attendance up
- Official 50th Birthday Celebration at the IOOF Hall
- Des Moines Museum summer hours are Saturdays 1:00 p.m. to 4:00 p.m.
- Environment Committee reviewed Surface Water Management Ordinance
- Water District Capital Improvement Plan briefing
- City Budget
- Downtown Planning Retreat

PRESIDING OFFICER'S REPORT

Mayor Sheckler read the certification of the gifted Flag.

ADMINISTRATION REPORTS-

City Manager Piasecki presented the Council with a copy of the policy regarding video cameras noting that one issue is requiring more research. He also distributed a copy of The Strategic Plan for Enhanced School Safety that the Police department and Highline School District have completed. He noted a similar plan is being assembled with Highline Community College. He then introduced Phil Watkins, City of Des Moines lobbyist in Olympia. Mr. Watkins distributed a list of House Bills and discussed the legislative session which included the following topics;

- Budget Issues
- Supplemental transportation budget
- Greenhouse gases
- House Bill 1490
- Senate Bill 5687
- Crime Free Housing Ordinance

CONSENT CALENDAR was read by Interim City Clerk Lingle.

1. Motion is to approve the special and the regular minutes of June 4, 2009.
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 42.24.090, have been recorded on a listing which has been made available to the City Council.

Motion: As of this date, the Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks #119769 through # 119942 & electronic fund transfers in the total amount of \$505,658.66

Payroll fund transfers in the total amount of \$442,418.22

3. Motion is to move to award the Agreement for Construction Services for the Des Moines Field House Ball field #1 Expansion Project to Garrett Construction in the amount of \$247,975, plus a 20% contingency, and to further authorize the City Manager to sign said contract substantially in the form as submitted. ***[Pulled by Councilmember Thomasson]***
4. Motion is to approve amending the contract with American Building Services for janitorial services for City owned buildings by extending it through December 31, 2011 and additionally to authorize the City Manager to sign the Contract Addendum/Amendment substantially in the form as submitted. ***[Pulled by Councilmember Pina]***
5. First Motion is to suspend Rule 26(b) in order to enact Draft Ordinance No.09-100 on first reading. Second Motion is to enact Draft Ordinance No. 09-100, amending the Crime Free Fee Housing by repealing DMMC 5.64.050. ***[Pulled by Mayor Pro Tem Sherman]***
6. Motion is to approve the Agreement for Design Revisions, Bidding and Construction for the Services between the City of Des Moines and BOLA Corporation for the Beach Park Auditorium Project Administration in the amount of \$33, 486 for Project Design Revisions and \$50,528 for Bidding and Construction Administration and authorize the City Manager to sign the Agreement substantially in the form as submitted.
7. Motion is to approve Supplemental Agreement #4 with INCA Engineers, Inc. in the amount of \$10,241.56 for the completion of the Des Moines Creek Trail design and authorize the City Manager or his designee to sign the Supplemental Agreement substantially in the form as submitted.

ACTION/DIRECTION

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember Thomasson, and passed unanimously, to approve the remaining Consent Calendar.

Mayor Pro Tem Sherman stated he pulled Item #5 because he did not feel this alteration in the City's Crime Free program was helpful and requested confirmation from the City's staff. Police Chief Roger Baker responded that this section was added as a common sense guide for owners and managers of rental properties. He stated information supports this item has been an aid in lowering crime.

ACTION/DIRECTION

MOTION was made by Councilmember Pina, seconded by Mayor Pro Tem Sherman, to place this Item on the July 2, 2009 meeting. Vote was 5 to 1. Councilmember White opposed.

Councilmember Thomasson pulled Item #3 because he didn't favor the context of the scope creep being put in contingency.

ACTION/DIRECTION

MOTION was made by Councilmember Thomasson, seconded by Councilmember White, to move to award the Agreement for Construction Services for the Des Moines Field House Ball field #1 Expansion Project to Garrett Construction, schedule A, schedule B, alternative 1 and alternative 2 for a total project cost of \$247,975, including sales tax plus a 10% contingency, and to further authorize the City Manager to sign said contract substantially in the form as submitted. Passed unanimously.

Councilmember Pina pulled Item #4 because he favors City contracts being put out for bid.

ACTION/DIRECTION

MOTION was made by Councilmember Pina, seconded by Mayor Pro Tem Sherman, to move that the Janitorial services contract for City buildings be put out for bid. Failed 2 to 4. Mayor Pro Tem Sherman and Councilmember Pina for.

ACTION/DIRECTION

MOTION was made by Councilmember Thomasson, seconded by Councilmember Scott, to approve the original Consent Calendar motion for Item #4. Passed 4 to 2. Mayor Pro Tem Sherman and Councilmember Pina opposed.

At 8:49 p.m., Mayor Sheckler announced a 10-minute break followed by a 10-minute Executive Session to discuss Pending Litigation.

Meeting reconvened at 9:13 p.m.

ACTION/DIRECTION

MOTION was made by Mayor Sheckler, seconded by Mayor Pro Tem Sherman, to authorize settlement in the amount not to exceed \$500 in full settlement of Mr. Pierce's claim in regarding a public records request from the Des Moines Police Department. Passed unanimously.

PUBLIC HEARING

Draft Resolution No.09-074 **ASSIGNED #11071** 6 Year Transportation Improvement Plan

Assistant Director of Transportation & Engineering Brewer gave a PowerPoint presentation to the Council updating the list of projects on the 6 year Transportation Improvement Plan. He stated there are too many projects and suggested removing the last 13 projects on the list.

At 9:45 p.m., Mayor Sheckler closed the Public Hearing.

ACTION/DIRECTION

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember White, to approve Draft Resolution No. 09-074 adopting the 2010-2015 Six-Year Transportation Improvement Program for the City of Des Moines.

MOTION AMENDMENT was made by Councilmember Pina, seconded by Councilmember Scott, to remove projects 27 through 39 from the 6 year TIP list. Failed 2 to 5. Favored by Councilmember's Pina and Scott.

VOTE ON MAIN MOTION: Passed unanimously with clarifications suggested by Councilmember Thomasson to the TIP.

OLD BUSINESS

Transportation Gateway – Alternatives & Recommendations

Project Manager Len Madsen along with Nelson Davis (KPG Design Engineer Consultant) and Assistant Director of Transportation & Engineering Dan Brewer gave a PowerPoint presentation briefing to the Council on the status of the Transportation Gateway Project and initiate discussion of a preferred alignment for detailed evaluation in preliminary design.

ACTION/DIRECTION

No decision reached. Consensus by Council was the need for more maps and information from staff. Discussion will continue in the future.

ST2 Alignment

A letter regarding Light Rail from Mayor Sheckler to Sound Transit on behalf of the Council was discussed. Councilmember White was not in favor of the letter. Councilmember Thomasson reminded fellow Councilmembers on protocol regarding emails to all council members. He favored a phone call as opposed to the letter. Mayor Pro Tem Sherman favored a stronger letter establishing Des Moines opinion.

MOTION was made by Mayor Sheckler, seconded by Councilmember Scott, to extend the meeting to 10:35 p.m.

Councilmember Scott was not in favor of the letter. Councilmember Pina favored the letter.

ACTION/DIRECTION

Mayor Sheckler determined the consensus was that not enough Councilmember's favored sending a letter, a phone call by City Staff was deemed more appropriate.

NEXT MEETING DATE – Special Meeting, June 27, 2009.

ADJOURNMENT

At 10:35 p.m., Mayor Sheckler adjourned the meeting.

Respectfully submitted,

Autumn Lingle
Interim City Clerk