

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

August 13, 2009

The regular meeting of the Des Moines City Council was called to order at 7:33 p.m. by Mayor Sheckler in the Council Chambers, 21630 11th Avenue South, #B.

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

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Dan Sherman, Councilmembers Dave Kaplan, Ed Pina, Carmen Scott, Scott Thomasson and Susan White. Also in attendance were City Manager Tony Piasecki, City Attorney Pat Bosmans, Assistant City Attorney Susan Mahoney, Recreation Manager Bob Houston, Utilities Environmental Engineer Loren Reinhold, and Interim City Clerk Autumn Lingle.

COMMENTS FROM THE PUBLIC:

Dr. Marie B. Rosenberg, 22222 Dock Ave. S, #1, Des Moines

Dr. Rosenberg inquired whether the City of Des Moines is involved in the Gravel Mine Project on Maury Island. In addition, she asked about City budgetary practices, which involve the Marina.

Alli Larkin, King County Water District #54 Commissioner, 21937 7th Ave S, #210, Des Moines

Ms. Larkin yielded her comment time to King County Water District #54 Commissioner John Rayback.

John Rayback, King County Water District #54 Commissioner, 22022 11th Ave S, Des Moines

Mr. Rayback does not favor the City taking over Water District #54.

Nadine Byers, Chair of the Human Services Advisory Committee, 26241 13th Pl. S., Des Moines

Ms. Byers stated the Human Services Budget provides scholarships for the Before and After School program. She introduced City of Des Moines Recreation Manager Bob Houston.

Bob Houston, City of Des Moines Recreation Manager

Mr. Houston presented a statistical report on the 2008 Scholarship Program. He noted the importance of the scholarship program.

BOARD & COMMITTEE REPORTS & COUNCILMEMBER COMMENTS

- Farmers Market
- Jobie Carnival at Masonic Lodge
- Flutists at Saltwater State Park
- Des Moines 2010 Calendar
- **MOTION** was made by Councilmember Pina, seconded by Councilmember Kaplan and passed unanimously to have the Mayor schedule the draft ethics ordinance provided by the City Attorney for discussion.
- Environment Committee (Stormwater system regulations)
- Arts Commission (Art Walk, Honoring for Aging Mural)
- Beach Park Trail Improvements
- City of Des Moines State Audit

- Tax incentives for business park development

ADMINISTRATION REPORTS

Coast Guard Certificate of Valor Award

Captain Suzanne Englebert & Lieutenant Jennifer Osburn of the U.S. Coast Guard, presented to Stevie Kokita and Bruce Johnson, the Coast Guard Certificate of Valor Award for their heroic actions in responding to individuals in a perilous situation.

Eagle Scout Presentation

Mayor Sheckler gave a presentation on behalf of the City of Des Moines to Eagle Scout Sam O'Neal of Troup #361. Eagle Scout O'Neal coordinated 25 scouts and parents with the monumental task of revitalizing Wooten Park. This undertaking included restoring the pond, cleaning the adjacent trail, logistics of manpower, materials, grading, fencing, debris removal, and installing gravel.

Proposed Maritime National Heritage Area for Western Washington

Dr. Allyson Brooks, State Historic Preservation Officer, provided information to Council regarding the proposed Maritime National Heritage Area.

School City Summit

City Manager Piasecki presented a list of potential future discussion topics. Mayor Sheckler volunteered to be the Council representative for upcoming Summit meetings.

CONSENT CALENDAR was read by Interim City Clerk Lingle.

1. Motion is to approve the regular minutes of July 23, 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 #120345 through #120537 & electronic fund transfers in the total amount of \$690,514.04.

Payroll fund transfers in the total amount of \$482,776.14.

3. Motion is to award the construction contract for the Des Moines Creek Trail to Grade, Inc. in the amount of \$624,778.97 for Bid Schedule A and B, and Alternative A1 for sculpted shotcrete finish on the wall at the park entrance (consistent with the finish that was provided the Marine View Drive Bridge), plus a 15% contingency to cover unforeseen change order conditions, and further to authorize the City Manager to sign said contract substantially in the form as submitted.
4. Motion is to award the construction contract for the South 250th Street Storm Water Replacement Project to RJC Construction Group, Inc. in the amount of \$118,515.70, plus a 10% contingency to cover unforeseen change orders, and further to authorize the City Manager to sign said contract substantially in the form as submitted.
5. Motion is to adopt Draft Resolution No. 09-139 **[ASSIGNED NO.1110]** adopting a Memorandum of Understanding between the City of Des Moines and the Des Moines Police Guild regarding concessions to assist the City during a difficult budgetary period and authorizing the City Manager to sign the MOU substantially in the form as attached.

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

OLD BUSINESS

NPDES National Pollution Discharge Elimination System Ordinance No. 09-086*[ASSIGNED NO. 1463]* **2nd Reading-**

Assistant Director of Utilities and Environmental Engineer Reinhold presented to the Council the Draft Ordinance as required by the City's National Pollution Discharge Elimination System (NPDES) permit. He noted changes that had been made to the original Draft. The Ordinance prohibits illicit discharges to the City's stormwater system, surface waters, ground water and Puget Sound, establishes operation and maintenance requirements of both public and private owned stormwater facilities, and adopts supplemental stormwater standards to the City's adopted King County Surface Water Design Manual. Passage of this Ordinance by August 15, 2009 is required by the NPDES permit. This Ordinance is subject to referendum requiring a 30-day period from the passage date before the Ordinance is effective.

ACTION/DIRECTION

MOTION was made by Councilmember White, seconded by Mayor Sheckler, to enact Draft Ordinance No. 09-086 prohibiting illicit connections and discharges to the city stormwater system, creating an operations, maintenance and inspection program for public and private stormwater facilities, and adopting supplemental stormwater standards.

FRIENDLY AMENDMENT was made by Councilmember Kaplan to reference after Draft Ordinance No. 09-086: labeled legal department 4th Draft dated 8-13-09. Accepted by maker and seconder.

FRIENDLY AMENDMENT was made by Mayor Pro Tem Sherman, and seconded by Councilmember Kaplan, to state on page 20, 4(d), single family residential lawn irrigation watering that is comingled with urban stormwater. In addition, on page 22, 5(b) Lawn watering or other irrigation except single family residential is permitted using BMPs regarding lawn care and vegetation management. Accepted by maker and seconder.

VOTE ON MAIN MOTION: Passed unanimously.

At 9:02 p.m., Mayor Sheckler announced a break. Meeting reconvened at 9:15 p.m.

Water District #54 (WD#54) – Assumption Update

Assistant Director of Utilities and Environmental Engineer Reinhold stated the purpose of this agenda item is to update the Council on staff's technical analysis about the City assuming the Water District 54. He also briefed Council on the District's latest proposal for improving the water system in the downtown area.

ACTION/DIRECTION

No action taken. Mayor Sheckler directed staff to schedule final briefing to the Council within the next 2 months.

NEXT MEETING DATE –September 3, 2009.

ADJOURNMENT

At 9:52 p.m., **MOTION** was made by Councilmember Kaplan, seconded by Councilmember White and passed unanimously, to adjourn.

Respectfully submitted,

Autumn Lingle
Interim City Clerk