

## REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

September 10, 2009

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

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

ROLL CALL - Present: Mayor Bob Sheckler, Councilmembers Dave Kaplan, Ed Pina, Carmen Scott and Scott Thomasson. Also in attendance were Assistant City Manager Lorri Ericson, City Attorney Pat Bosmans, Development Services Manager, Robert Ruth, Planning Building and Public Works Director, Grant Fredricks, Court Administrator, Jennefer Henson, Harbormaster Joe Dusenbury, Park and Recreation Director, Patrice Thorell and Acting City Clerk, Bonnie Wilkins. Mayor Pro-Tem Dan Sherman arrived at 7:45pm.

**MOTION** was made by Councilmember Kaplan, seconded by Councilmember Thomasson and passed unanimously, to excuse Councilmember White.

### COMMENTS FROM THE PUBLIC:

John Ribary, 29010 8<sup>th</sup> Avenue S, Federal Way

Mr. Ribary expressed his concern on the closing of the Marina launch.

Ben Stark, 1310 S 230<sup>th</sup>, Des Moines

Mr. Stark had some concerns about the purchase price of the property for the right-of-way for the S 216<sup>th</sup> Transportation Project.

Bob Pond, 2316 30<sup>th</sup> Avenue S, Des Moines

Mr. Pond voiced his concerns about the high level of gang activity up in the Pacific Ridge area. Commander John O'Leary addressed his concerns.

### BOARD & COMMITTEE REPORTS & COUNCILMEMBER COMMENTS

- Des Moines 2010 Calendars have been send to the printers
- Crime Free Housing Program
- Beach Park Auditorium bid request
  - Relief ventilation system
  - Entry canopy
  - Interior items

### ADMINISTRATION REPORTS

Brown Bear Car Wash Re-Opening

Brown Bear Car Wash will be giving free car washes when they open on 9/11/09.

Marina Paving Project

Lorri Ericson notified City Council that the Marina paving project was not going to be completed on the 16<sup>th</sup> as expected. The North parking lot will be open but there will be detour routes around the construction. Trouble with the backfill has slowed the project.

Barbara McMichael, President Des Moines Library Advisory Board

Ms. McMichael gave a presentation on the benefits of the Des Moines and Woodmont Libraries. Ms. McMichael thanked Mayor Sheckler for his gracious speech at the Woodmont Library re-opening, July 2008. The dedication ceremony, for the turtle artwork that they have commissioned, will be on Saturday, October 24 at 3:00pm. Ms. McMichael invited Mayor Sheckler to speak at the dedication ceremony.

CONSENT CALENDAR\*

1. Motion is to approve the special and regular minutes of August 13.
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 # 120538 through #120911 & electronic fund transfers in the total amount of \$1,109,105.9  
Payroll fund transfers in the total amount of \$449,922.21
3. Motion is to adopt Draft Resolution No. 09-148 setting a public hearing on October 8, 2009 to consider the vacation of a portion of existing right-of-way known as 22<sup>nd</sup> Avenue South located in the City of Des Moines and adjacent to the Marcus Whitman Church property.
4. Motion is to approve the consultant agreement with INCA Engineers Inc. for Des Moines Creek Trail construction management and inspection services in the amount of \$115,884.30 plus a 10% contingency to cover any necessary supplements due to unforeseen changes, and further to authorize the City Manager to sign said agreement substantially in the form as submitted.
5. TWO MOTIONS:
  - (a) Motion is to accept the grant by the Washington State Department of Ecology providing \$23,500 of additional funds to update the City's Shoreline Master Plan and to authorize the City Manager to sign the grant agreement substantially in the form as submitted.
  - (b) Motion is to approve a professional services contract with ESA Adolphson Associates in the amount of \$23,500 for additional services necessary to complete the update of the City's Shoreline Master Plan and to authorize the City Manager to sign the contract substantially in the form submitted.
6. Motion is to approve the FY 2010-2011 Phase II Stormwater Pass-through Grants Program Grant Agreement between the State of Washington Department of Ecology and the City of Des Moines, and further to authorize the City Manager to sign said agreement substantially in the form as attached.
7. Motion is to approve the surplus of an Arrow Board and a 1998 Chevrolet Astro Community Service van VIN#1GCDL19W4WB168307 and further to authorize disposal of said equipment by sale or auction.
8. Motion is to approve the Interagency Agreement with the State Department of General Administration (GA) for GA to provide future Energy/Utility Conservation Project Management and Monitoring Services to the City, and further to authorize the City Manager to sign the Agreement substantially in the form as submitted.
9. Motion is to approve purchase of Parcel NO. 200900-0006 in its entirety from Car Wash Enterprise, Inc. in the amount of \$775,000 and further to authorize the City Manager to sign the Purchase and Sale Agreement substantially in the form as submitted.

10. Motion is to approve the Interagency Agreement with City of Seattle to be the Fiscal Agent for the Edward Byrne Memorial Justice Assistance Grant and to authorize the City Manager to sign the agreement substantially in the form as submitted.

Councilmember Thomasson pulled Consent Calendar Item #3 and Item #4.

Councilmember Kaplan pulled Consent Calendar Item #5, Item #6, Item #8 and Item #10.

ACTION/DIRECTION

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

ACTION/DIRECTION

MOTION was made by Councilmember Thomasson, seconded by Councilmember Pina, to approve the Consent Calendar Item #3, as read, passed unanimously.

MOTION was made by Councilmember Thomasson, seconded by Councilmember Kaplan, to approve Consent Calendar Item #4 with the deletion of “plus a 10% contingency”, passed unanimously.

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember Kaplan to approve the Consent Calendar Item #5, as read, passed unanimously.

MOTION was made by Mayor Pro Tem Sherman, seconded by Councilmember Thomasson, to approve the Consent Calendar Item #6, as read, passed unanimously.

MOTION was made by Councilmember Kaplan, seconded by Mayor Pro Tem Sherman to approve the Consent Calendar Item #8 as previously read, passed unanimously.

MOTION was made by Councilmember Kaplan, seconded by Mayor Pro Tem Sherman to approve the Consent Calendar Item #10 as previously read, passed unanimously.

PUBLIC HEARING

Auto Repair Uses in the PR-C-1 Zone

ACTION/DIRECTION

Mayor Sheckler opened up the public hearing at 8:30pm

Development Services Manager, Robert Ruth gave a Power Point presentation.

Mayor Sheckler invited business owner, Roy Dunn, 22616 Pacific Highway South, Des Moines to speak on this issue.

At 8:47 p.m., Mayor Sheckler asked three times for any public comment. There was no response.

At 9:03 p.m., Mayor Sheckler announced a break. Meeting reconvened at 9:17 p.m.

DIRECTION/ACTION

**MOTION** Councilmember Kaplan moves to continue the hearing on Draft Ordinance No. 09-116 to October 22, 2009, seconded by Councilmember Scott, passed unanimously.

Mayor Sheckler closed the public hearing at 9:37 pm.

NEW BUSINESS

North Marina Combined Projects Bid Award

Harbormaster, Joe Dusenbury, gave a presentation on the North Marina Combined Project bid awards. IMCO General Contractors was the lowest bidder at \$4,508,717.00.

ACTION/DIRECTION

**MOTION** was made by Councilmember Kaplan, seconded by Councilmember Pina to amend the previous motion to change the contingency amount from \$450,000 to \$150,000, passed unanimously.

PUBLIC HEARING

Draft Ordinance No. 08-129 on Des Moines Parks, Recreation and Senior Services Master Plan – 1<sup>st</sup> Reading

Mayor Sheckler opened up the public hearing at 10:14 pm.

At 10:14 p.m., Mayor Sheckler asked three times for any public comment. There was no response.

ACTION/DIRECTION

**MOTION** was made by Councilmember Thomasson to continue the public hearing to the October 15, 2009 meeting, Mayor Pro Tem Sherman seconded, passed unanimously.

Mayor Sheckler closed the public hearing at 10:15pm.

NEXT MEETING DATE –September 24, 2009.

ADJOURNMENT

At 10:15 p.m., **MOTION** was made by Mayor Pro Tem Sherman, seconded by Councilmember Kaplan, and passed unanimously, to adjourn.

Respectfully submitted,

Bonnie Wilkins  
Acting City Clerk