

## MINUTES

### REGULAR MEETING DES MOINES CITY COUNCIL

January 13, 2010 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:29 p.m.

PLEDGE OF ALLEGIANCE – The flag Salute was led by Councilmember Musser.

#### ROLL CALL

Present were Mayor Sheckler; Mayor Pro-Tem Kaplan; Councilmembers Scott Thomasson, Dan Sherman, and Melissa Musser.

Councilmembers Matt Pina and Carmen Scott absent. Councilmember Sherman moved to excuse Councilmembers Pina and Scott; Mayor Pro-Tem Kaplan, second; all the votes were ayes.

Staff present were City Manager Tony Piasecki; Assistant City Manager Lorri Ericson; Assistant City Attorney Tim George; Planning Building and Public Works Director Grant Fredricks; Interim Police Chief John O'Leary; Parks Recreation and Senior Services Director Patrice Thorell; Assistant Director of Transportation and Engineering Dan Brewer; Temporary Economic Development Manager Marion Yoshino; City Clerk Sandy Paul

#### CORRESPONDENCE

There was no correspondence to report.

#### POLICE CHIEF COMMENTS

Interim Police Chief John O'Leary read a prepared statement regarding the *Rosie* incident. His comments are attached.

Mayor Sheckler urged better training, better coordination, and better equipment in order to avoid a similar incident in the future. He commended Jan Magnuson for her dedication as the City's Animal Control Officer who was not involved in this incident in any way.

City Manager Piasecki agreed with Chief O'Leary's comments and promised that the City would learn from this event, prevent this from happening again in the future, and move forward.

#### COMMENTS FROM THE PUBLIC

Ed Pina, 24219 7<sup>th</sup> Avenue South, said that someone in his family has been on the school board for 24 years and urged support of the upcoming vote on the Highline School District maintenance levy.

Vernina Staab, 21628 238<sup>th</sup> Avenue South, spoke about trash and vandalized mailboxes on her street.

John Rayback, 22022 11<sup>th</sup> Avenue South, expressed concerns about the expiring Franchise agreement between Water District 54 and the City and the impact on the Downtown Water System Project in the absence of a franchise or an approved one that is less than twenty years in duration.

Al Isaac, 22226 Cliff Avenue South, spoke in support of the February 8 school levy vote.

Cindy Ruud, 25814 17<sup>th</sup> Avenue South, spoke about the *Rosie* incident.

## BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott was absent.

Mayor Pro-Tem Kaplan had no report.

Councilmember Musser

- Announced the Sonju Park work party this weekend. She urged everyone to become of friend of Sonju Park on Facebook
- Stated the Economic Development Committee had met to discuss the Sign Code and other Code revisions

Councilmember Pina was absent.

Councilmember Sherman had no formal report but thanked Police Chief O'Leary for his report earlier.

Councilmember Thomasson spoke about the Environment Committee meeting earlier in the evening and drainage issues on Marine View Drive from 208<sup>th</sup> Street. The City of Normandy Park was present for those discussions. Also discussed were storm drain issues along 24<sup>th</sup> Street between 226<sup>th</sup> and 228<sup>th</sup>.

## PRESIDING OFFICER'S REPORT

Mayor Sheckler recognized Cora Morrison as an outgoing Arts Commissioner. Ms. Morrison thanked all those who assisted in making her tenure so meaningful and successful.

Mayor Sheckler repeated his appreciation of Interim Chief John O'Leary's comments. He emphasized that he would request improved equipment and training, Interlocal Agreements with other cities, and attempt to get the state legislature involved. He complimented Master Animal Control Officer Jan Magnuson on the exceptional job she does, calling her the best in the state of Washington at what she does.

## ADMINISTRATION REPORTS

Michael Spear made a presentation on the February 8 School Maintenance Levy Ballot Proposal.

Darrin Grieve, Manager of King County's Transfer of Development Rights (TDA) program, briefed the Council on how the voluntary, incentive based, market driven TDA program works. The development rights of properties set aside for parks or open space may be sold in order to increase density in downtown areas.

## CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve minutes from the Special meeting to hold an Executive Session of December 30, 2010

Item 2: Item 2: APPROVAL OF FINDINGS:

Motion is to approve 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, which have been recorded on a listing and made available to the City Council.

Claim checks \$3,899,472.53

Payroll fund transfers in the total amount of \$1,348,493.48

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are \$5,247,966.01

Item 3: Resolution to Support School Levy

Motion is to adopt Draft Resolution No. 10-217 supporting the Highline School District's Replacement of Expiring Educational Programs and Operations Levy, Proposition No. 1, which will be on the February 8, 2011 mail-in special election ballot.

Item 4: Copier Lease Agreement with Copiers Northwest

Motion is to approve the contract for a 60 month lease with Copiers Northwest in the amount of \$1,232.46 per month, excluding sales tax and authorizing the City Manager to sign the contract substantially in the form as submitted.

#### ACTION/DIRECTION

Councilmember Thomasson pulled Item 3. Councilmember Sherman pulled Item 4.

Councilmember Kaplan moved adoption Items 1 and 2 of the Consent Agenda; Councilmember Musser, second. The motion was approved unanimously.

Following discussion and Councilmember comments, Mayor Sheckler moved approval of Consent Item 3, Draft Resolution No. 10-217 supporting the Highline School District's Replacement of Expiring Educational Programs and Operations Levy, Proposition No. 1, which will be on the February 8, 2011 mail-in special election ballot. Councilmember Musser, second. The motion passed 4-1. Councilmember Thomasson voted no because he felt that it was inappropriate for the City to take a position on the issue.

Following discussion, Councilmember Sherman moved Consent Item 4, approval of the contract for a 60 month lease with Copiers Northwest in the amount of \$1,232.46 per month, excluding sales tax and authorizing the City Manager to sign the contract substantially in the form as submitted; Councilmember Musser, second. The motion was approved unanimously.

#### BREAK –

The City Council recessed for a ten-minute break at 9:00 p.m. The Council meeting reconvened at 9:10 p.m.

#### PUBLIC HEARING

Comcast Franchise

Mayor Sheckler opened the Public Hearing at 9:12 p.m. He stated that no one had signed up to speak.

Assistant City Manager Lorri Ericson stated that this was the first of two public hearings that would be held regarding a new Comcast Franchise. This one was to hear from the public regarding concerns they may have with Comcast.

Mayor Sheckler asked the audience three times if there was anyone who wanted to speak about the Comcast Franchise. No one came forward.

The Public Hearing was turned over to the City Council for their comments.

Mayor Sheckler closed the Public Hearing at 9:17 p.m.

#### NEW BUSINESS

Supplement 1 to Consultant Agreement for Construction Management Services for North Twin Bridge Project

Assistant Director of Transportation Dan Brewer provided a status report of the North Twin Bridge Project. The project is on schedule and below budget.

Mayor Pro-Tem Kaplan moved to approve Supplement 1 to the Consultant Agreement with Exeltech, Inc. for additional Construction Management and Inspection Services on the North Twin Bridge Improvement Project in the amount of \$100,222.42; bringing the total amount for these services to \$495,488.52; authorize the City Manager or his designee to sign the Supplemental Agreement Substantially in the form as submitted; and authorize the City Manager to approve additional Supplements to the Agreement as necessary up to an amount of \$25,000.00. Councilmember Musser, second. The motion was approved unanimously.

NEXT MEETING DATE – January 27, 2011

ADJOURNMENT

Councilmember Thomasson moved to adjourn; Councilmember Musser, second. The motion was approved unanimously. The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Sandy Paul CMC  
City Clerk