

MINUTES

REGULAR MEETING DES MOINES CITY COUNCIL

April 28, 2011 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:30.

PLEDGE OF ALLEGIANCE – The flag salute was led by Councilmember Pina.

ROLL CALL

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

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson; Assistant City Attorney Tim George; Planning Building and Public Works Director Grant Fredricks; Assistant Director of Utilities and Environmental Engineering Loren Reinhold; Development Services Manager Robert Ruth; Senior Planner Jason Sullivan; City Clerk Sandy Paul

CORRESPONDENCE

- A letter from WSDOT listing surplus Highway 509 properties was placed in Council mailboxes

COMMENTS FROM THE PUBLIC:

William Hopp, 23835 20th Avenue South, spoke about the City's garbage contract and asked if any other companies had been contacted to bid. He also spoke about speeding on his street, 20th Avenue South.

NOTE: He was advised by Mayor Sheckler to continue contact with the police about the traffic information he has gathered.

Michael Walker, 23911 20th Avenue South, was also concerned about speeding on 20th Avenue South

Martin P. Martinson, 1016 South 225th, asked for City Council support of the Interlocal Agreement for administrative and construction management support for the Des Moines Metropolitan Pool District. He said the Pool District Board thinks it makes good business sense to partner with Des Moines for services.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- No report

Mayor Pro-Tem Kaplan

- Commented on the letter Council received from WSDOT about surplus properties on SR509
- Attended *Brothers from Different Mothers* concert sponsored by the Arts Commission and commented that it was very entertaining
- Animal Control AdHoc Committee met to review policies, training and procedures. Council recommendations will be forthcoming
- Saturday April 30, and next Wednesday, May 4, there will be open houses at the Activities Center to take comment and discuss Marina District Zoning Codes
- Saturday, April 30, a drug take-back event at both of Des Moines' Bartell's locations to dispose of old prescription drugs
- The last Thursday of the month is worker memorial day for workers who have died of injuries received in the workplace

Councilmember Musser

- Commented on Ad Hoc Animal Control meeting and mentioned that the committee was considering ways to make pet licensing easier

- Highline Healthy Communities Coalition will meet Saturday, April 30
- Highline Elementary School is doing a *Walkable Safe Route to School* program
- Municipal Facilities Committee continues to work through a cohesive plan for the future of the Marina and Beach Park as a single entity and a business plan to get there
- Mentioned the proposed Beach Park Projects to be funded by a potential Utility Tax

Councilmember Pina

- Also attended *Brothers from Different Mothers* concert and believes Des Moines is honored to host an act of this quality

Councilmember Sherman

- No report but asked what is happening with Planning Agency applications

NOTE: Development Services Manager Robert Ruth reported the Planning Agency recently experienced several members either moving away or otherwise resigning. Advertisements for replacements for the positions has taken place with little response. There is currently one active Planning Agency member. Planning Agency members review land use issues and make recommendations to the City Council. Meetings are once a month, or as needed.

Councilmember Thomasson

- Planning Agency has some requirements to meet. He asked how recommendations were made to Council without a quorum in the planning agency.

NOTE: It depends on the topic being recommended.

PRESIDING OFFICER'S REPORT

- Marina District zoning changes will be coming to council for a vote soon after a public hearing to be held on May 12.
- Reminder that two open houses have been scheduled to hear from the public what they think about the Marina District Zoning changes on Saturday April 30, from 9:00 a.m. to 12:00 p.m. and Wednesday, 5:00 to 8:00 p.m., both at the Activities Center
- The Artemis Hotel Groundbreaking will be held in July.

ADMINISTRATION REPORTS

- A sink hole caused the City Manager to declare an emergency closure on Redondo Drive due to a failed culvert pipe. The repairs will take two weeks and could begin as early as April 29. The cost is \$209,000 plus \$80,000 contingency fund, which should be sufficient to complete the work
- Long time Marina employee, Bonnie Holmboe, announced her retirement effective May 31, 2011
- One building inspector has been laid off

CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve minutes from the meetings of April 7 and 14, 2011

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 \$ 831,391.75

Payroll fund transfers in the total amount of \$ 431,327.69

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are \$1,262,719.44

Item 3. Amendment to Interlocal Agreement for the Joint Minor Home Repair Program

Motion is to authorize The City Manager to sign Amendment 1 to the Interlocal agreement between the Cities of SeaTac, Des Moines, Tukwila and Covington for the Minor Home Repair Program adding federal grant standards and requiring subcontractors to indemnify King County.

Mayor Pro-Tem Kaplan moved to adopt the Consent Agenda as presented; Councilmember Musser, second. The vote was 7-0 to approve. The motion passed.

EXECUTIVE SESSION

The City Council recessed at 8:05 p.m. to hold an Executive Session to discuss Labor Negotiations per RCW 42.30.140 (4)(a). Present were Mayor Sheckler; Mayor Pro-Tem Kaplan; Councilmembers Scott Thomasson, Dan Sherman, Matt Pina, Melissa Musser and Carmen Scott. Staff present were City Manager Tony Piasecki and Assistant City Manager Lorri Ericson. At 8:25 p.m. the meeting was extended by Mayor Sheckler for five minutes, and the City Clerk was so informed. The Executive Session adjourned at 8:30 p.m.

NEW BUSINESS

1. Water District #54 Franchise Agreement

Assistant Director of Utilities and Environmental Engineering Loren Reinhold announced that a franchise agreement for twenty years has been reached between Water District 54 and the Des Moines. The agreement is modeled after the agreement with Lakehaven Utility. The agreement contains no language about a fire hydrant issue, which will be included later in other agreements. The franchise fee is actual cost at \$5,000 for administrative costs. Effective date is not subject to referendum and is effective in five days.

Mayor Pro-Tem Kaplan moved to suspend Rule 26(a) in order to enact Draft Ordinance No. 11-023 on first reading; Councilmember Scott, second. The vote was 6-0 to approve (Councilmember Musser was out of the room). The motion passed.

Mayor Pro-Tem Kaplan moved to enact Draft Ordinance No. 11-023 granting a 20-year water franchise to King County Water District No. 54; Councilmember Scott, second. The approval vote was 7-0. The motion passed.

The bid process will begin as early as May with construction to begin as early as late in July.

2. Interlocal Agreement with the Pool District for Clerk and Project Management Services

City Manager Tony Piasecki stated the agreement includes eight to ten hours for City Clerk services at \$50 per hour which includes salary, benefits, insurance, copies, and paper. Project management will be billed up to \$60 per hour depending on any number of employees who provide services within the Public Works department, dependent upon staff time available.

Mayor Sheckler moved to enter into an Agreement with the City of Des Moines and the Des Moines Pool District to provide City Clerk and Project Management Services and to authorize the City Manager to sign the Agreement substantially in the form as attached; Councilmember Musser, second. The vote was 6-1 to approve. The motion passed. Councilmember Thomasson was opposed.

3. Set Public Hearing Date on May 26 on Amendments to the Pacific Ridge Zone DMMC Chapter 18.31

Land Use Planner Jason Sullivan introduced the discussion about amendments to the Pacific Ridge Zone, further explaining floor area ratios and building mass.

Following discussion, Mayor Pro-Tem Kaplan moved to adopt Draft Resolution No. 11-066B superseding Resolution 1153 and setting a public hearing date of May 26, 2011 to consider the proposed amendments to dimensional standards established by Chapter 18.31.DMMC; Councilmember Scott, second. The vote was 6-1 to approve. The motion passed. Councilmember Sherman was opposed.

4. Position Restorations in the City Clerk's Division

Assistant City Manager Lorri Ericson explained that an increase in Pool District revenue from the approved ILA with the Pool District and added business license revenue would fund restoring the City Clerk and Administrative Assistant to full time through December 31, 2011 only.

Councilmember Musser moved to authorize the City Manager to restore the City Clerk and the Administrative Assistant positions to full time for the remainder of 2011 effective May 1, 2011 and direct staff to include these items in the next budget amendment; Councilmember Pina, second. The approving vote was 7-0. The motion passed.

5. Economic Development Manager

City Manager Tony Piasecki discussed the value of the temporary, full-time economic development person who has made countless contacts and works diligently to get businesses to come to Des Moines. He stated that it is appropriate and timely to keep this position filled.

Councilmember Sherman moved to authorize extension of the temporary, full-time economic development position to December 31, 2011, using proceeds from the sale of surplus right-of-way to the Port of Seattle in the Des Moines Creek Business Park and direct staff to include this action in the next budget amendment ordinance; Councilmember Pina, second. The vote was 5-2 to approve. The motion passed. Mayor Pro-Tem Kaplan and Councilmember Thomasson were opposed.

NEXT MEETING DATE – May 5, 2011 City Council Study Session

ADJOURNMENT

Mayor Pro-Tem Kaplan moved to adjourn; Councilmember Pina, second. The vote was 7-0. The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Sandy Paul CMC
City Clerk