

## AGENDA

### REGULAR MEETING DES MOINES CITY COUNCIL

May 12, 2011 - 7:30 p.m.

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

PLEDGE OF ALLEGIANCE– The flag salute was lead by Councilmember Thomasson.

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

#### ACTION/DIRECTION

Councilmember Matt Pina was absent. Councilmember Thomasson moved to excuse Councilmember Pina; Mayor Pro-Tem Kaplan, second; all the votes were ayes.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Planning Manager Denise Lathrop; Senior Planner Jason Sullivan; Land Use Planner Laura Techico; Clerk Autumn Lingle

#### CORRESPONDENCE

City Manager Piasecki noted that a letter to the Council from King County Department of Community Human Services regarding the CDBG three-year interlocal agreement was received. Staff recommendation is to renew the agreement.

#### COMMENTS FROM THE PUBLIC:

V. Staab, 21628 28<sup>th</sup> Ave S, Des Moines, Ms. Staab stated she is unhappy with the bread truck, barking dogs, football playing children, skateboarders and an ice cream truck with music playing too loud.

#### BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- Arts Commission meeting
- Skateboarders damaging new compass rose patterns at Marina

Mayor Pro-Tem Kaplan

- Public Safety & Transportation Meeting

Councilmember Musser

- Park & Recreation Benefit Event Saturday Night

Councilmember Sherman

- Former Normandy Park Mayor George Hadley passed away.
- Sound Transit not utilizing 272<sup>nd</sup>

Councilmember Thomasson

- No report

#### PRESIDING OFFICER'S REPORT

- No report

## ADMINISTRATION REPORTS

Sound Transit Update – Rachel Smith, Government and Community Relations Specialist for Sound Transit and Ron Lewis, Deputy Executive Director of Business Services and Project Director for the light rail extension to south 200<sup>th</sup> St. provided a PowerPoint display about the light rail extension and south corridor re-alignment study. Discussion with Council followed.

## CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve minutes from the meeting of April 28, 2011.

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 \$533,346.33

Payroll fund transfers in the total amount of \$438,748.57

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are \$972,094.90

Item 3: Mayor's Appointments to the Human Services Advisory Committee

Motion is to confirm the Mayoral appointments of Jill Martin, RN, and John McEvoy to four-year terms on the Senior Services Advisory Committee, effective May 13, 2011 and expiring on December 31, 2014.

Item #4: Resolution to Hold Blues and Brews Festival September 10, 2011

Motion #1 is to adopt Draft Resolution No. 11-085, authorizing the second annual Brews & Blues Festival on September 10, 2011, at the Des Moines Beach Park and Marina.

Motion #2 is to direct the City Manager to enter into an Agreement with the Rotary Club of Des Moines related to the provision of support services and amenities for the event as identified therein, Substantially in the form as attached.

Item #5: Resolution No.11-074 to Set a Public Hearing to Consider Amendments to the Land Use Review Procedures in the Zoning Code

Motion is to adopt Draft Resolution No. 11-974 setting a public hearing on June 23, 2011 to consider the proposed amendments to the land use review procedures established by Chapter 18.56 DMMC.

Item #6: Supplement for Construction Management and Inspection Services on the North Twin Bridge Improvement Project

Motion is to approve Supplement 3 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 \$29,388.32, bringing the total amount for these services to \$577,617.72, 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 \$10,000.00.

Item #7: MOU with Teamsters Bargaining Unit Regarding Healthcare and General Employees Regarding Healthcare

Motion (a) is to approve the memorandum of understanding regarding health insurance, wages, and other benefits with the City of Des Moines General Employees for the time period July 1, 2011 through December 31, 2013 and to authorize the City Manager to sign it substantially in the form as submitted.

Motion (b) is to approve the memorandum of understanding regarding health insurance, wages, and other benefits with the Public, Professional & Office-Clerical Employees and Drivers Local Union No. 763 for the time period July 1, 2011 through December 31, 2013 and to authorize the City Manager to sign it substantially in the form as submitted.

Mayor Sheckler recused himself from Item #7, Motion(a).

Councilmember Sherman removed Items #3 & #7.

#### ACTION/DIRECTION

Motion to adopt the remaining Consent Agenda was made by Mayor Pro-Tem Kaplan; second by Councilmember Musser; and approved unanimously.

#### Item #3

Councilmember Sherman questioned if there was a policy on City employees serving on citizen boards. City Manager Piasecki advised there were none. Councilmember Sherman stated that the City should consider making a policy forbidding City employees from serving on citizen boards in the future.

#### ACTION/DIRECTION

Motion was made by Councilmember Sherman to confirm the Mayoral appointments of Jill Martin, RN and John McEvoy to four-year terms of the Senior Services Advisory committee, effective May 13, 2011 and expiring on December 31, 2014. Second by Councilmember Musser; and approved unanimously.

#### Item #7

Councilmember Sherman stated he wanted the public to be more informed on this Item. City Manager Piasecki explained the MOU.

#### ACTION/DIRECTION

Motion was made by Mayor Pro-Tem Kaplan to approve the memorandum of understanding regarding health insurance, wages, and other benefits with the City of Des Moines General Employees for the time period July 1, 2011 through December 31, 2013 and to authorize the City Manager to sign it substantially in the form as submitted. Second by Councilmember Musser; and approved unanimously.

Motion was made by Mayor Pro-Tem Kaplan to approve the memorandum of understanding regarding health insurance, wages, and other benefits with the Public, Professional & Office-Clerical Employees and Driver Local Union No. 763 (Teamsters) for the time period July 1, 2011 through December 31, 2013 and to authorize the City Manager to sign it substantially in the form as submitted. Second by Councilmember Musser; and approved unanimously.

Mayor Sheckler, with Councils permission, changed the order of the Agenda, moving Public Hearing #2 before Public Hearing #1.

#### PUBLIC HEARING ON THE MARINA DISTRICT ZONING

At 8:08 p.m. Mayor Sheckler opened the Public Hearing.

Planning Manager Denise Lathrop and Senior Planner Jason Sullivan gave a PowerPoint presentation.

A break was taken from 8:31 p.m. to 8:39 p.m.

#### COMMENTS FROM THE PUBLIC:

The following individuals stated their opinions on changing the building heights in the Marina District:

- Thelma Vannoy, 22532 6<sup>th</sup> Ave. S.

- Will Scharf, 920 S. 226<sup>th</sup> Pl.
- Chuck Brastrup, 22327 10<sup>th</sup> Ave. S.
- Philip Johnson, 22555 10<sup>th</sup> Ave S
- Alison Hawley-Washington, 2416 S. 224<sup>th</sup> St., #103
- William Hopp, 23835 20<sup>th</sup> Ave. S.
- Vic Pennington, 823 S. 223<sup>rd</sup> St.
- Al Isaac, 22226 Cliff Ave. S.
- Terri De Martino, 22540 8<sup>th</sup> Ave. S.
- Marie Rosenberg, 22227 Dock Ave. S., #1C
- Florence McMullen, 1018 S. 246<sup>th</sup> Pl.
- Mark Ryder, 924 S. 226<sup>th</sup> Pl
- Michelle Roedell, 22712 10<sup>th</sup> Ave. S.
- Tony Hettler, 235 S. 185<sup>th</sup> St, Normandy Park
- Mike Latimer, 1020 S. 222<sup>nd</sup> St.
- Wendy Mason, 1030 S. 226<sup>th</sup> St.
- Ali Larken, 219 377<sup>th</sup> Ave. S., Federal Way

Mayor Sheckler called three times for any other persons wishing to make a comment. He noted that would conclude tonight's public comments. June 9, 2011 would be the public input deadline.

A break was taken from 9:46 p.m. to 9:56 p.m.

Mayor Sheckler inquired from the administration if there were any new statements of fact or whether the administration wishes to introduce any material as to subjects raised by the proponents or opponents or altering in any regards initial recommendations. Senior Planner Jason Sullivan made some clarifying statements.

1. This is not a rezone, it is simply text code amendments to the existing municipal code
2. All materials the staff reviewed and produced are available in the Planning Offices and are available for public review.
3. All projections were based on projects in or proposed to be within the City of Des Moines.
4. Building Heights on Marine View Drive South would be 65 feet, limited to the QFC block, not all of Marine View Drive South (216<sup>th</sup> to 219<sup>th</sup>).
5. All building heights in the downtown commercial area are measured from average finish sidewalk grade either on 7<sup>th</sup> or on Marine View Drive depending on which street the property faces (the center point on the sidewalk in front of the building).
6. The Survey Monkey is on the City's website until June 9, 2011.

#### ACTION/DIRECTION

Mayor Pro-Tem Kaplan made a motion to continue the Public Hearing to June 9, 2011. Second by Councilmember Musser; and approved unanimously.

#### PUBLIC HEARING ON 2011-2018 COMPREHENSIVE GARBAGE, RECYCLABLES AND COMPOSTABLES COLLECTION AGREEMENT WITH CLEANSCAPES, INC.

Mayor Sheckler opened up the Public Hearing. Land Use Planner Laura Techico gave a PowerPoint presentation. Jeff Brown with Epicenter Services discussed service changes and enhancements.

#### COMMENTS FROM THE PUBLIC:

- Rob Sherman, Kirkland, Director of Operations for Waste Management.  
Mr. Sherman requested the City delay granting the contract to CleanScapes, Inc. and made an argument for keeping Waste Management as the solid waste contractor.

Mayor Sheckler called three times for any other persons wishing to make a comment.

Mayor Sheckler inquired from the administration if there were any new statements of fact or whether the administration wishes to introduce any material as to subjects raised by the proponents or opponents or altering in any regards initial recommendations. There were none. Discussion with Council followed.

ACTION/DIRECTION

Motion was made by Mayor Pro-Tem Kaplan to 10:40 p.m. Second by Councilmember Musser; and approved unanimously.

Mayor Sheckler closed the Public Hearing.

ACTION/DIRECTION

Motion was made by Mayor Pro-Tem Kaplan to adopt Draft Resolution No. 11-081 to authorize the City Manager to approve the 2011-20118 Comprehensive Garbage, Recyclables and Compostables Collection Agreement, substantially in the form submitted. Second by Councilmember Thomasson and approved 5 to 1. Councilmember Musser opposed due to unfavorable previous experience.

NEXT MEETING DATE – May 26, 2011

ADJOURNMENT

Councilmember Musser moved to adjourn; Mayor Pro-Tem Kaplan, second. The vote to adjourn was unanimous. The meeting was adjourned at 10:34 p.m.

Respectfully submitted,

Autumn Lingle  
Clerk