

Minutes

REGULAR MEETING DES MOINES CITY COUNCIL June 9, 2011 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:31 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, Matt Pina, Melissa Musser and Carmen Scott.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson; Planning Building and Public Works Director Grant Fredricks; Interim Police Chief John O'Leary; Parks Recreation and Senior Services Director Patrice Thorell; Planning Manager Denise Lathrop; Development Services Manager Robert Ruth; Senior Planner Jason Sullivan; Associate Transportation Engineer Brandon Carver; CIP Project Manager Scott Romano; Temporary Economic Development Manager Marion Yoshino; Animal Control Officer Jan Magnuson; City Clerk Sandy Paul

CORRESPONDENCE

There was no correspondence.

COMMENTS FROM THE PUBLIC:

Frank Dinsmore, who also spoke for Lorrie Pellegrini, both of 28802 Redondo Shores Drive, described the late night activities and noise on the Redondo Boardwalk, for which the police have been no help because there are no laws to use as tools to quell the disturbing behavior.

Andy Langsford, 22525 7th Avenue South, spoke in favor of raising some building heights in order for development to be a better investment for developers in Des Moines' Marina District.

Chris Mitchell, speaking for himself and his wife, Michelle, 22712 10th Avenue South, spoke against increasing building heights. He said a citizens group has been formed to urge council not to raise building heights.

Jenise Disbrow, 22724½ thanked Council for restoring Beach Park. She wants to keep Des Moines 'quaint' and unique, different from Kirkland and other places.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- Reported on the Des Moines Arts Commission meeting to discuss upcoming summer events including four musical events, a Shakespearean Play, and the combined Arts Festival and Blues and Brews
- Reported on the opening of the auditorium (former tabernacle) at Beach Park

Mayor Pro-Tem Kaplan

- No report

Councilmember Musser

- Healthy Highline Communities Coalition met to discuss pedestrian-friendly streets; children being able to walk safely to school; clean, inviting neighborhoods; safe travel; and bike paths connecting economic centers within the community
- Elected officials are now tasked with policy direction of the Healthy Communities Coalition

Councilmember Pina

- Attended another successful opening of the Farmer's Market last Saturday
- Attended SCA PIC meeting where flood control was a topic of discussion, as well as sea walls which were of interest in the waterfront communities of Normandy Park, Des Moines and Federal Way, all of them having creeks flowing into Puget Sound
- Discussed removal of surveillance cameras from some of the libraries.
- June 15, 2011 was the next scheduled SCA networking dinner. The presentation topic would be *2011 Legislative session – what happened and what is next?*
- Mentioned non paper options for communicating with the City Council

Councilmember Sherman

- Stated that he wanted agenda packets on the city's website for the public to read but the he would still need to have a paper packet.
- He has no problem with the library removing cameras. He is more concerned about the use of cameras throughout the country and the loss of citizen privacy

Councilmember Thomasson

- Environment Committee met to discuss the Redondo Culvert Emergency repair and the FEMA floodplain regulations

PRESIDING OFFICER'S REPORT

- There was no report.

ADMINISTRATION REPORTS

- North Twin Bridge was closed June 9-16 for paving
- WCIA audit was yesterday regarding public records and management of facilities
- Planning Building Public Works Director Grant Fredricks gave an update on the Redondo repair

CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve minutes from the meeting of May 26, 2011.

Item 2: APPROVAL OF FINDINGS:

There were no findings to report due to staff shortages.

Item 3: Confirm Mayor Appointments to Planning Agency

Motion is to confirm the following Mayoral re-appointment and new appointments to the Des Moines Planning Agency:

Cass Prindle

Position 2 2nd Term

Expiration December 31, 2014

Mel McDonald	Position 3	1 st Term	Expiration December 31, 2012
William Hopp	Position 4	1 st Term	Expiration December 31, 2014
Josette Marcellino	Position 5	1 st Term	Expiration December 31, 2012

Item #4: Acceptance of Easement for the South 216th Street Improvement Project

Motion is to accept the easement for Parcel Number 082204-9087 from Wesley Homes.

Item #5: Modified Draft Resolution No. 11-119 - Larger Scope and Updated Cost Estimates of Redondo Culvert Repairs

Motion is to adopt Draft Resolution No. 11-119 that has been updated to expand the scope of damage repairs and superseding Resolution No. 1155 approved by the City Council on May 5, 2011, accepting findings that the emergency that existed on April 25, 2011 on Redondo Way justified the City's entering into an emergency contract to replace a failed storm culvert and restore the road to existing conditions.

Item #6: Draft Resolution No. 11-112 Setting the Public Hearing Date for First Ukrainian Baptist Church Street Vacation

Motion is to adopt Draft Resolution No. 11-112 setting a public hearing on July 14, 2011 to consider the vacation of the existing right-of-way bisecting the property owned by the First Ukrainian Baptist Church.

Item #7: Animal Adoption Donations and Expenditures

Motion is to adopt Draft Resolution No. 11-097, authorizing the acceptance of monetary gifts for expenses incurred in preparing animals for adoption, establishing an account in the general fund to deposit donations for adoption expenses, and establishing conditions for expenditures from said account.

ACTION/DIRECTION

Item #7, Animal Adoption Donations and Expenditures, was pulled by Councilmember Thomasson. Councilmember Thomasson moved approval of the remaining Consent Agenda; Councilmember Musser, second. The vote to pass was 7-0.

Following questions and discussion of Item #7, Animal Adoption Donations and Expenditures, Councilmember Thomasson moved approval of Consent Item #7; Councilmember Pina, second. The motion was approved on a 7-0 vote.

CONTINUED PUBLIC HEARING –

Mayor Sheckler opened the public hearing at 8:15 p.m.

1. Downtown Commercial Zone Amendments Draft Ordinance No. 11-011 Marina District Zoning Code

Senior Planner Jason Sullivan distributed Exhibit K, Public comment received via *SurveyMonkey* online through 06.09.11; and requested amendments #1- #6, as requested by Council

Seeing no further Councilmember questions, Mayor Sheckler closed the public hearing at 8:20 p.m.

To bring the document before the body to discuss it, Councilmember Musser moved to consider Substitute Draft Ordinance No. 11-011. Mayor Pro-Tem Kaplan, second. The motion was approved, 6-1. Councilmember Sherman voted *no*.

Mayor Pro-Tem Kaplan moved to pass Substitute Draft Ordinance No. 11-011 adopting amendments to the D-C Downtown Commercial zone to a second reading on June 30, 2011. Councilmember Pina, second.

Discussion followed.

ACTION/DIRECTION

Councilmember Sherman moved to amend Sec 2 p. 48 to add multifamily housing. Councilmember Thomasson asked Councilmember Sherman to add the words *Figure 1, area 2 properties that front 7th Avenue* south of 219th Street. Councilmember Sherman was amendable to the suggestion and Councilmember Thomasson seconded the motion. The vote to approve the amendment was 2-5 and the motion failed; Councilmembers Thomasson and Sherman voted to approve the motion; the prevailing vote was against the motion.

Councilmember Sherman moved on Page 13 of 31 (58 of entire packet, under dimensional standards) move to make area one and area two the same (area 1) and area three would become area two; Councilmember Thomasson, second. The vote to approve the amendment was 2-5 and the motion failed; Councilmembers Thomasson and Sherman voted to approve the motion; the prevailing vote was against the motion.

Councilmember Sherman moved to eliminate the entire building height bonus section. Councilmember Thomasson, second. The vote to approve the amendment was 5-2 and the motion failed; Councilmembers Thomasson and Sherman voted to approve the motion; the prevailing vote was against the motion.

Councilmember Sherman moved to retain the original #3 and eliminate the Floor Area Ratio formula as a solution. Councilmember Thomasson, second. The vote to approve the amendment was 2-5 and the motion failed; Councilmembers Thomasson and Sherman voted to approve the motion; the prevailing vote was against the motion.

Mayor Pro-Tem Kaplan moved to approve Amendment 1 labeled *QFC Block Modification*, which will amend Section 4 of Draft Ordinance 11-011 pages 13-15 of the Ordinance to include Figure 1 and Section 6 of Draft Ordinance 11-011 page 28 of the Ordinance to create a new base height area with a base building height of 55 feet for the area north of South 219th Street between 7th Avenue South and Marine View Drive and prohibiting building heights from being measured from 8th Avenue in Area 2; second by Councilmember Scott.

Discussion followed.

The City Council took a break at 9:00 p.m. The meeting reconvened at 9:15 p.m.

Mayor Pro-Tem Kaplan withdrew his motion on Amendment 1.

ACTION/DIRECTION

Councilmember Musser called the question. The vote was 5-2 to call the question. The motion passed. Councilmembers Sherman and Thomasson voted *no*.

The Main Motion is to move the ordinance to a second reading on June 30, 2011.

The Main Motion passed on a 5-2 vote. Councilmembers Sherman and Thomasson voted *no*.

NEW BUSINESS

1. Beach Park Utility Tax Ballot Proposal

Parks Recreation Senior Services Director Patrice Thorell presented five policy questions to the Council:

- Whether or not the city would like to present a ballot measure to the voters to raise the utility tax to complete and maintain Beach Park
- Which Beach Park capital projects should be included with the initiative
- Should maintenance and operations and repair and replacement be funded as part of the initiative
- What should the amount of the initiative be
- What would be the election costs.

ACTION/DIRECTION

Following discussion, and in accordance with the City Council 2011 strategic goals, the next steps would be to draft an ordinance to finish and maintain Beach Park, and, by Council consensus, to include transportation overlay provisions.

NEW BUSINESS

2. Update – 2011 Comprehensive Plan Amendments

Planning Manager Denise Lathrop outlined the comp plan amendments for 2011:

- Establish business park/commercial uses in the north hill neighborhood adjacent to SeaTac Airport (the old Blueberry Lane project)
- Expand the Business Park use in the North Hill and North Central Neighborhoods
- Marina District Land Use rezone
- Amend goals/policies/strategies related to Highline Community College
- SEPA infill exemption
- Upfront SEPA
- HEAL Grant
- Buildable Lands Update
- SCORE Facility

ACTION/DIRECTION

Mayor Pro-Tem Kaplan moved to extend the meeting an additional five minutes; the motion failed on a 4-3 vote. Extending the meeting requires a 2/3 majority vote. Mayor Sheckler and Councilmembers Pina and Musser voted *no*.

ADJOURNMENT

Time ran out at 10:30 p.m. and the meeting was adjourned.

NEXT MEETING DATE – June 23, 2011

Respectfully submitted,

Sandy Paul CMC
City Clerk