

MINUTES

REGULAR MEETING DES MOINES CITY COUNCIL

August 11, 2011 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:33 p.m.

PLEDGE OF ALLEGIANCE – The flag salute was let by Mayor Pro-Tem Kaplan.

ROLL CALL

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

Councilmember Scott Thomasson and Melissa Musser were absent. Councilmember Sherman moved to excuse Councilmembers Thomasson and Musser; Mayor Pro-Tem Kaplan, second; all the votes were ayes.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Attorney Tim George; Planning Building and Public Works Director Grant Fredricks; Harbormaster Joe Dusenbury; Parks Recreation and Senior Services Director Patrice Thorell; Senior Planner Jason Sullivan; CIP Project Manager Scott Romano; Temporary Economic Development Manager Marion Yoshino; City Clerk Sandy Paul. Contract Engineer Len Madsen was also present.

CORRESPONDENCE

An email was received and distributed to all Councilmembers from Robert Simon, Redondo Ridge Homeowner's Association President, quoting a small section of code that might require the cutting of trees to restore views.

A letter for the Mayor's signature will be drafted stating the City's position that a development constructed under King County Codes cannot fall under any ordinances approved by the City since it was built. The complaint is a civil matter.

COMMENTS FROM THE PUBLIC

Jeannette Burrage, 905 South 209th Street, spoke about the Economic Development Strategy. She suggested the City consider building a new swimming pool as part of future improvement projects.

Joe Parr, 5955 42nd Avenue SW, Seattle, former owner of Butler Bar and Grill, 22341 Marine View Drive South, commended the City Planning Department. He has purchased 3 lots at 22837 Pacific Highway South and expressed his pleasure to be involved with projects in Des Moines

Rikki Marohl 22807 17th Ave South, invited Councilmembers to the Farmer's Market on August 20. Farmer's Market week is this week, but staff will be out of town. Beginning this week, credit and Electronic Benefits Transfer (EBT) cards will be accepted at the Farmer's Market. Card fees will be charged against a recently received grant. She added that the Farmer's Market is having a fantastic year.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- Over 700 people attended the free Music in the Park program on Wednesday

Mayor Pro-Tem Kaplan

- Attended 2nd day of a meeting of the joint transportation committees of the House and Senate and got a briefing on Public/Private Partnerships (P3) as they work in conjunction with various projects and specifically the SR509 project.

CONSENT CALENDAR ITEMS

Item 1: APPROVAL OF MINUTES

Motion is to approve the minutes of the meeting of July 28, 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 are **\$977,294.81**

Payroll fund transfers total **\$467,974.21**

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are
\$1,445,269.02

Item 3: CONTRACT EXTENSION FOR CUSTODIAL SERVICES

Motion is to approve amending the contract with American Building Services for janitorial services for City owned buildings by extending it through December 31, 2012, and additionally to authorize the City Manager to sign the Contract Addendum/Amendment substantially in the form as submitted.

Item 4.: PLANNING AGENCY APPOINTMENT

Motion is to approve the Mayoral appointment of Christine Hall to the Des Moines Planning Agency.

Item 5: APPOINTMENT OF PRO AND CON COMMITTEES FOR PROPOSITION #1

Motion is to approve the Mayoral appointments to the committees to create the Pro and Con statements in the Voter's Pamphlet for Proposition #1.

Item 6. TRANSPORTATION GATEWAY PROJECT: S. 216TH STREET RIGHT OF WAY ACQUISITION: JESSE AND LUZVILLE MATA – TAX PARCEL 092204-9165 – PROJECT PARCEL #11

Motion is to purchase 539 square feet of land from Jesse and Luzville Mata in the amount of \$4743.20, 258 square foot Slope Easement in the amount of \$567.60, 48 square foot Utility and Slope Easement in the amount of \$380.16 and compensation for improvements of \$800.00 for a grand total of \$6490.00 (*rounded to nearest dollar*), plus closing costs, and further to authorize the City Manager to sign the Statutory Warranty Deed, Slope Easement, Utility and Slope Easement, Construction Easement and Real Voucher Property Agreement substantially in the form as submitted and accept the right of way on behalf of the City of Des Moines.

Item 7. TRANSPORTATION GATEWAY PROJECT: 24TH AVENUE SOUTH CONSTRUCTION EASEMENT & RIGHT OF ENTRY: MORENO-HERNANDEZ - TAX PARCEL #092204-9411/PROJECT PARCEL #62

Motion is to approve and accept a Construction Easement and Right of Entry permission from Rey Moreno-Hernandez at no direct cost and further to authorize the City Manager to sign said document substantially in the form as submitted on behalf of the City of Des Moines.

Councilmember Sherman commented about a correction in his comments in the July 28, 2011, page 2, minutes which should have said Human Services and not Senior Services.

Councilmember Pina moved approval of the Consent Agenda; Mayor Pro-Tem Kaplan, second. The motion passed 5-0. The Consent Agenda was approved.

EXECUTIVE SESSION

The City Council recessed to Executive Session at 7:55 p.m. for approximately 15 minutes to discuss a matter of potential litigation as allowed in RCW 42.30.110 (i). Present were Mayor Sheckler; Mayor Pro-Tem Kaplan; Councilmembers Sherman, Pina, and Scott. Staff present were City Manager Tony Piasecki and City Attorney Pat Bosmans. The meeting was reconvened at 8:07 p.m.

OLD BUSINESS

1. Port Security Grant Decision

Harbormaster Joe Dusenbury made a presentation on a Port Security Grant with the purpose of receiving Council direction.

Councilmember Pina moved that Council direct the City Manager and staff to proceed with final design and permitting to reconfigure the D, E, and F Docks and continue to seek funding for the Harbor entrance projects. Mayor Pro-Tem Kaplan second. The motion was approved on a 5-0 vote.

Mayor Pro-Tem Kaplan moved to reject the Port Security Grant; Councilmember Pina, second. The motion passed 5-0.

Mayor Sheckler excused himself from the meeting and Mayor Pro-Tem Kaplan took over the chair.

NEW BUSINESS

1. Economic Development Strategy

Economic Development Manager Marion Yoshino presented a staff update on work on the City's Economic Development Strategy and its underlying goals

Councilmember Scott mentioned that Consultant Heber Kennedy is working with the City to determine the best courses of development action for the Marina.

Councilmember Pina moved approval of Economic Development Strategy; second by Councilmember Scott. The motion passed 4-0.

2. Landmarque Final Plat Approval

Senior Planner Jason Sullivan presented the history of the Landmarque Plat since 2006 and stated that the project was consistent with all final plat requirements.

Councilmember Pina moved to adopt Draft Resolution No. 11-162 approving the final plat entitled 'Landmarque', City File No. LUA06-014. Councilmember Scott, second. Motion passed 4-0.

3. Community Commercial Zoning on Pacific Highway South

Development Services Manager Robert Ruth explained a proposal initiated by Development Services of America (DSA), which would like to develop a property along Pacific Highway at the former Rose's Restaurant property. A 54,000 square foot building with truck access would be constructed next to Redondo Square Shopping Center.

Councilmember Sherman moved to direct staff to prepare an ordinance which allows for some of the uses that were previously removed to be restored, but with increased regulation and an increased review process such as an unclassified use; Councilmember Pina, second. The motion passed 3-1. Councilmember Scott voted no.

4. Bid Award for Decking at Beach Park Dining Hall

Parks Recreation Senior Services Director Patrice Thorell discussed bids received for deck replacement at the Beach Park Dining Hall. She recommended rejection of all bids with an immediate rebid for construction later. The project was bid as a small works project and will be re-bid as a regular public works project to get a broader group of bidders.

Councilmember Sherman moved to reject all submitted bids and not award the bid for construction services for the Des Moines Beach Park Dining Hall Decking Project. Councilmember Scott, second. The motion passed 4-0. The City has complied with all bid requirements of RCW 43.19.111 (4)(f). All bids received were at an unreasonable cost.

NEXT MEETING DATE September 1, 2011

ADJOURNMENT

Mayor Pro-Tem Kaplan moved to adjourn; Councilmember Sherman, second. The motion passed 4-0. The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Sandy Paul CMC
City Clerk