

**MINUTES
REGULAR MEETING
DES MOINES CITY COUNCIL
October 27, 2011 - 7:30 p.m.**

CALL TO ORDER Mayor Sheckler called the meeting to order at 7:33

PLEDGE OF ALLEGIANCE – The flag salute was led Councilmember Musser.

ROLL CALL

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

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

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; Finance Director Paula Henderson; Finance Operations Manager Cecilia Pollock; Parks Recreation and Senior Services Director Patrice Thorell; Assistant Director of Transportation and Engineering Dan Brewer; Assistant Director of Utilities and Environmental Engineering Loren Reinhold; Planning Manager Denise Lathrop; Development Services Manager Robert Ruth; Senior Planner Jason Sullivan; Policy Analyst Sue Anderson; Municipal Judge Veronica Alicea-Galvan; Court Administrator Jennifer Johnson; City Clerk Sandy Paul.

COMMENTS FROM THE PUBLIC:

Bob Pond, 23116 30th Avenue South, spoke about taxes and against Proposition One.

Rikky Marohl 22807 17th Avenue South, spoke about the Farmers Market and increased sales and numbers of vendors over the years. The Chili Cook-Off will take place Saturday, October 29, with 15 teams lined up.

Al Isaac, 22226 Cliff Avenue South, concerned about the negativity surrounding Proposition One, said he views Prop 1 as a tool to move Des Moines forward at a critical time in its history. He urged voters to support Prop 1.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Musser

- Municipal Facilities Committee met and reviewed the Park CIP. Many projects are unfunded.
- Marina CIP and reconfiguration of the docks
- Land Use Lease with the State for waterways

Councilmember Sherman

- Spoke about the public health board and their pending decision on increased fees for farmer’s markets

ADMINISTRATION REPORTS

- City Manager Piasecki reported the Drug Take-Back program is this Saturday, October 29
- Judge Alicea-Galvan spoke about the State of the Court.

CONSENT CALENDAR ITEMS

Item 1. APPROVAL OF MEETING MINUTES

Motion is to approve the meeting minutes from the City Council meetings of October 6 and 13, 2011.

Item 2. APPROVAL OF VOUCHERS

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 \$1,624,706.87
Payroll fund transfers total \$853,117.76
Total certified Wire Transfers, Voids, A/P & Payroll vouchers are \$2,477,824.63

Item 3. Transportation Gateway Project: S. 24th Avenue South Construction Easement and Right of Entry: Sukhwinder Uppal

Motion is to approve and accept Construction Easement and Right of Entry permission from Sukhwinder Uppal 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.

Item 4. Transportation Gateway Project: 24th Avenue South: Melchoir

Motion is to approve purchase of 440 square feet of land from Thomas and Marciana Melchoir in the amount of \$3,872 as well as an administrative settlement for Utility Easement in the amount of \$316.80 and landscaping in the amount of \$550.00, making a grand total of \$4739.00 (*rounded to nearest dollar*), plus closing costs, and further to authorize the City Manager to sign the Statutory Warranty Deed, Utility Easement, Construction Easement/Right of Entry permission 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 5. Draft Ordinance 11-179 National Flood Insurance Program Compliance Ordinance, Second Reading

Motion is to adopt Draft Ordinance No. 11-179 adding a new section and amending the City's Flood Hazard Areas Code Chapter 14.40 DMMC to comply with federal and state environmental permit requirements.

Item 6. Assignment of Garbage Collection Agreement with Cleanscapes

Motion is to grant the City Manager authority to sign the attached letter from CleanScapes to allow for the assignment of the Comprehensive Garbage, Recyclables and Compostables Collection Agreement between the City of Des Moines and CleanScapes, Inc., dated May 13, 2011 to Recology, pursuant to Section 6.9.2 of the Agreement.

Item 7. Task Order Assignment for Barnes Creek Trail/SR 509 right-of-way support.

Motion is to approve the Task Order Assignment with KPG, Inc. to provide preliminary engineering and right of way support services on the Barnes Creek Trail/SR 509 right of way acquisition project in the amount of \$102,547.15, authorize the City Manager to approve Supplements to the Task Order as necessary up to \$10,000, and further authorize the City Manager or his designee to sign said Task Order Assignment, substantially in the form as submitted.

Item 8. Des Moines Farmer's Market Draft Resolution No. 11-213 and Contract Amendment

Motion 1 is to adopt Draft Resolution No. 11-213 authorizing the Des Moines Farmers Market to conduct the Market at the Des Moines Marina and South Marina Park on Saturdays from June through October, and other market days throughout the year in concurrence with the City, listing conditions under which such permission is granted, and superseding Resolution No. 1151.

ACTION/DIRECTION

Item 2 was pulled for a correction.

Item 7 was pulled for discussion.

Within the October 13 minutes, Marine View Drive should be replaced with Kent Des Moines Road.

Motion to adopt the remaining Consent Agenda was offered by Councilmember Musser; second by Councilmember Sherman. The motion was passed 6-0.

In Item 2, only one payroll was listed on the consent agenda. The backup documentation in the Agenda Packet supports the full amount of two payrolls since the last report of Vouchers.

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 \$1,624,706.87
Payroll fund transfers total \$853,117.76 (both payroll amounts added together)
Total certified Wire Transfers, Voids, A/P & Payroll vouchers are \$2,477,824.63

Following discussion of Item 7 there was no motion and the motion died.

PUBLIC HEARING

1. Draft Ordinance No. 11-121 Comprehensive Plan Amendments

Mayor Sheckler opened the public hearing at 8:40 p.m. and read the public hearing rules

Planning Manager Denise Lathrop gave the staff presentation regarding six Comprehensive Plan amendments for 2011.

- Amendments 2011-1 and 2011-2 affect the North Hill Neighborhood zoning from SF Single Family to BP Business Park relating to Blueberry Lane which was changed several years ago to accommodate the Blueberry Lane Planned Unit Development, PUD, a housing development.
- 2011-3 is to change the land use designation for SCORE from SF Single Family to PF Public Facility
- 2011-4 Incorporates goals, policies and strategies of the HEAL Initiative and Safe Routes to School evaluation in conjunction with the Highline School District to Land Use Policies and Parks, Recreation and Open Space Element as well as the Healthy Des Moines Element.
- 2011-5 Adds a policy to Chapter 2 Land Use Element to establish an Institutional Campus Land use designation and corresponding zoning for the HHCC campus
- 2011-6 Adds a policy to Chapter 7 Housing Element that identifies the location for providing affordable housing in the South Des Moines Neighborhoods. The amendment would support SeaMar's future plans.

Mayor Sheckler asked those who signed up to speak to come forward.

Johnathon Grant, 1014 South 198th Place, spoke about his lot #48 and Lot #78, part of the proposed business park zone. He asked that the southern parcels near his development remain residential.

Larry Yok, Highline Community College, 2400 South 240th Street, spoke in favor of Amendment 2011-5.

Marta Schlegal, 1006 South 198th Place, lives at Lot # 44, near Lot #78, part of the rezone. She said they have sidewalks and nearby schools for their children. When the third runway went in the noise increased again and there was limited noise mitigation. She would like to see the preservation of her neighborhood block on the cul-de-sac with no dust, trucks, warehouses, or crime.

Char Williams, 913 278th Place, spoke in support of Amendments 2011-1 and 2011-2 which would create a commercial use land base. The change would reduce future conflicts with development in association with SeaTac Airport.

Ray Hansberger, 1010 South 198th Place, Lot #45, was in favor of retaining the residential character of the neighborhood.

Carrie Dumar, 1022 South 197th Street, said if this amendment is approved, her property would be surrounded by commercial development.

Mayor Sheckler called three times for anyone else wishing to speak.

BREAK – The City Council meeting was recessed at 9:10 p.m. and was reconvened at 9:20 p.m.

Mayor Sheckler asked staff if there had been any misrepresentation of fact. There had been none.

Councilmembers were then invited to ask questions.

ACTION/DIRECTION

Following discussion, Councilmember Thomasson moved to continue the public hearing to the December 1, 2011 City Council meeting; Councilmember Pina, second. The motion passed 6-0.

Councilmember Thomasson moved all remaining agenda items to a City Council meeting date agreed upon by the Mayor; Councilmember Pina, second. The motion passed 6-0.

NEXT MEETING DATE – November 3, 2011 City Council Regular Meeting

ADJOURNMENT

Councilmember Musser moved to adjourn; Councilmember Pina, second. The motion passed 6-0.

The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Sandy Paul CMC
City Clerk