

**MINUTES  
REGULAR MEETING  
DES MOINES CITY COUNCIL  
November 10, 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 let by Councilmember Thomasson

ROLL CALL

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

Councilmember Dan Sherman was absent. Councilmember Pina moved to excuse Councilmember Sherman; Councilmember Thomasson, 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; Harbormaster Joe Dusenbury; Parks Recreation and Senior Services Director Patrice Thorell; Senior Planner Jason Sullivan; Associate Transportation Engineer Brandon Carver; CIP Project Manager Scott Romano; Court Administrator Jennifer Johnson; City Clerk Sandy Paul

COMMENTS FROM THE PUBLIC:

Vernina Staab, 21628 28<sup>th</sup> Avenue South, spoke about slow police response to 'noise' calls. She said the bread and ice cream trucks are gone but the bus traffic on her street is offensive. She said 'sex care providers' have returned.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Mayor Pro-Tem Kaplan

- Acknowledged and thanked the Des Moines Legacy Foundation for a fun and successful event on Sunday November 6
- Commented that the voters spoke about proposition 1 and gave it a fair hearing. He encouraged the public to come and tell the Council which of the City's long-term investment needs that they would support.
- Attended a sister city dinner in honor of Mayor Wang of Changle with City Manager Tony Piasecki, Assistant City Manager Lorri Ericson, Economic Development Manager Marion Yoshino and Representative Tina Orwall
- November 14 at Kent City Hall there will be hearing on the Envision Midway subarea plan

Councilmember Musser

- Councilmember Musser requested a moment of silence in honor of 19 year old Des Moines resident, Jaime Thomas, who was shot in Redondo and died later at Harborview Hospital. She remembered this remarkable young woman as always willing to help and on the cusp of what was going to turn out to be a brilliant career. The memorial will be held Saturday, November 12 at Mt. Rainier High School 1:00-3:00 p.m.. The suspects are still at large.

Councilmember Pina

- Thanked Des Moines Legacy Foundation for their event last Sunday, November 6. Watch for this event every year the first week of November. Councilmember Pina was awarded the *Jimmie Hendrix Award*.
- Was thankful that Proposition 1 went before the public. He also asked for public feedback on what could be supported because many important issues remain to be addressed
- Highline Healthy Communities Coalition will be meeting at the Puget Sound Skill Center on January 19 in the Yourmark Room 6:00-8:00 p.m.

- As we move forward, it is important as a council to work closely with the City Manager to review the goals established in January. Wants to see a formal policy around review of accomplishments.

#### PRESIDING OFFICER'S REPORT

- Signed an agreement between United States, the City of Des Moines, and Changle, Fujian Province, China, establishing the sister city relationship. He read a letter from the Chinese Embassy and Gary Locke, US Ambassador to China
- Received the *Cheech and Chong* award at the Legacy Foundation event last Sunday

#### ADMINISTRATION REPORTS

- Chief O'Leary spoke about the shooting of Jaime Thomas at Redondo last weekend. He encouraged anyone with additional information to call Crime Stoppers or the Des Moines police. There will be a stronger police presence at Redondo in the future.
- Beginning Monday, November 14, equipment will be working at the north side of Des Moines Creek Business Park (DMCBP). A development company will be doing a complete survey as well as soil work in order to give a potential tenant a comprehensive report about the property.

#### EXECUTIVE SESSION

An Executive Session was called to order at 7:55 p.m. to discuss Acquisition of Property per RCW 42.56.110(b) and Potential Litigation Per RCW 42.30.110(5), to last for approximately 15 minutes.

Present were Mayor Bob Sheckler; Mayor Pro-Tem Dave Kaplan; Councilmembers Scott Thomasson, Matt Pina, Melissa Musser and Carmen Scott. Also 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; and Associate Transportation Engineer Brandon Carver.

At 8:02 p.m. Planning Building and Public Works Director Grant Fredricks and Associate Transportation Engineer Brandon Carver left the meeting.

The Executive Session adjourned at 8:10 p.m. and the City Council meeting was reconvened.

#### CONSENT CALENDAR ITEMS

Item 1. APPROVAL OF MINUTES

Motion is to approve the meeting minutes of October 27, 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 **\$687,149.34**

Payroll fund transfers total **\$428,660.85**

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are **\$1,115,810.19**

Item 3. Draft Resolution No. 11-125 Drug Take Back Program

Motion is to adopt Draft Resolution No. 11-125 encouraging the establishment of a Pharmaceutical Take Back Program.

Item 4. Transportation Gateway Project: S. 24<sup>th</sup> Avenue South Right of Way Acquisition: Yoshikatsu Ono

Motion is to approve purchase of 28,746 square feet of land from Yoshikatsu Ono in the amount of \$288,000, a 1,702 square foot Permanent Slope Easement in the amount of \$4,500, a Permanent Utility Easement in the amount of \$500, and a cost to cure of \$10,000 for a grand total of \$303,000, plus closing costs, and further to authorize the City Manager to sign the Statutory Warranty Deed, Permanent Slope Easement, Utility Easement, Construction Easement/Right of Entry Temporary Slope Easement,

Construction Commitment Memo and Real Property Voucher substantially in the form as submitted and accept the right of way on behalf of the City of Des Moines.

Item 5. Transportation Gateway Project: South 216<sup>th</sup> Street Segment 2 Construction Easement & Right of Entry: Bayview Meadows Apartments, Lee Hsiang Wang

Motion is to approve and accept Construction Easement/Right of Entry permission from Lee Hsiang Wang 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.

### **ACTION/DIRECTION**

Councilmember Scott pulled Item 4, Transportation Gateway Project: South 24<sup>th</sup> Avenue South Right of Way Acquisition: Yoshikatsu Ono.

Councilmember Musser moved to adopt the remaining Consent Agenda; Councilmember Pina, second. The motion passed 6-0.

Following discussion, Mayor Pro-Tem Kaplan moved to approve purchase of 28,746 square feet of land from Yoshikatsu Ono in the amount of \$288,000, a 1,702 square foot Permanent Slope Easement in the amount of \$4,500, a Permanent Utility Easement in the amount of \$500, and a cost to cure of \$10,000 for a grand total of \$303,000, plus closing costs, and further to authorize the City Manager to sign the Statutory Warranty Deed, Permanent Slope Easement, Utility Easement, Construction Easement/Right of Entry Temporary Slope Easement, Construction Commitment Memo and Real Property Voucher substantially in the form as submitted and accept the right of way on behalf of the City of Des Moines. Councilmember Musser, second. The motion passed 5-1. Councilmember Scott voted *no*.

### **PUBLIC HEARING**

1. Draft Resolution 11-200, Amendments to DMMC 18.44.060 - Downtown Parking Waiver

Mayor Sheckler opened the public hearing at 8:16 p.m.

Senior Planner Jason Sullivan provided background information on the sunset clause of the Downtown Parking Waiver

Mayor Sheckler read the rules of the Public Hearing into the record.

Mayor Sheckler asked that those wishing to speak please do so at this time. There was no one wishing to speak and no one signed up

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

Mayor invited the Council to ask questions

Mayor Sheckler closed the Public Hearing at 8:20 p.m.

Mayor Sheckler asked staff if there had been any misrepresentation of the facts.

### **ACTION/DIRECTION**

Councilmember Musser moved to pass Draft Ordinance 11-200 extending the expiration date of the parking exemption established for commercial uses in the Marina District from December 31, 2011 to December 31, 2013 to a second reading on December 8, 2011; Councilmember Scott, second. The motion passed 5-1. Councilmember Thomasson voted *no*.

At 8:21 p.m. Mayor Sheckler handed over the meeting to Mayor Pro-Tem Kaplan. The Mayor left the meeting.

NEW BUSINESS

1. Presentation on Des Moines Police Department Study – Richard Brady

Richard Brady of Matrix Consulting Group provided a detailed report of findings of the Matrix assessment of the Police Department as requested by the City Council.

**ACTION/DIRECTION** No action was taken. The presentation was for information and discussion only.

**BREAK**

The City Council recessed for a break at 8:55. The meeting was reconvened at 9:05 p.m.

OLD BUSINESS

1. MCI 2012-2017 Capital Improvement Plans

The Marina Capital Improvement Plan (CIP,) as presented by Joe Dusenbury, was completed at last week's meeting.

Parks Recreation Senior Services Director Patrice Thorell presented the Municipal Capital Improvement Plan for Parks and brought the City Council up to date on current projects underway and other unfunded projects. Finance Director Paula Henderson assisted when discussing Real Estate Excise Tax (REET) revenues.

**ACTION/DIRECTION**

No action was taken. This presentation was for information and discussion only.

OLD BUSINESS

2. 2012 Budget Balancing Strategies

Finance Director Paula Henderson with the assistance of Planning Building and Public Works Director Grant Fredricks discussed balancing strategies for 2012.

**ACTION/DIRECTION**

No action was taken. This presentation was for information and discussion only.

NEXT MEETING DATE – November 17, 2011 City Council Regular Meeting

ADJOURNMENT

There being no further business to come before the City Council, Mayor Pro-Tem Kaplan adjourned the meeting without a motion at 10:00 p.m.

Respectfully submitted,

Sandy Paul CMC  
City Clerk