

**MINUTES
REGULAR MEETING
DES MOINES CITY COUNCIL
January 14, 2010 - 7:30 p.m.**

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

PLEDGE OF ALLEGIANCE – The flag salute was led by Councilmember Kaplan..

ROLL CALL

Present were Mayor Sheckler; Mayor Pro-Tem Dave Kaplan; Councilmembers Matt Pina, Dan Sherman, Carmen Scott, Scott Thomasson, Melissa Musser. Staff present were City Manager Tony Piasecki; Assistant City Manager Lorri Ericson; City Attorney Pat Bosmans; Assistant City Attorney Susan Mahoney; Police Chief Roger Baker; Planning, Building, and Public Works Director Grant Fredricks; and City Clerk Sandy Paul.

CORRESPONDENCE

There was no correspondence to report.

COMMENTS FROM THE PUBLIC:

There was no public comment.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS:

Councilmember Scott had not attended any committee meetings in the past week. She reported on meeting with Marion Yoshino, the volunteer Economic Development Manager about getting more coverage for Des Moines on the Washington State tourism website.

Councilmember Kaplan reported that the Transportation Committee had met and discussed future topics to be considered. Those concepts would be shared with the full Council at a later date.

Councilmember Musser had no report.

Councilmember Pina had no report.

Councilmember Thomasson reported that at the Transportation Committee Meeting future work items were brainstormed. He mentioned the new procedure for beginning the regular City Council meetings requiring that the Council be called to order in order to hold an Executive Session.

Councilmember Sherman had no comments.

PRESIDING OFFICER'S REPORT

Mayor Sheckler thanked all Councilmember for quickly stepping up to serve on committees.

ADMINISTRATION REPORTS

City Manager Tony Piasecky discussed Legislative Policies and Positions. Councilmember moved to remove section 'r' pertaining to references to I-695; Councilmember Sherman second; the Council voted in the affirmative to support removing section 'r'. Councilmember Sherman moved,

Councilmember Musser, second, to modify language relating to passenger-only ferries. All the votes were in the affirmative except Councilmember Kaplan who voted *no*.

CONSENT CALENDAR*

1. Findings: 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, have been recorded on a listing which has been made available to the City Council.

Motion #1 is as follows: As of this date the Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks # 121927 through #122286 & electronic fund transfers in the total amount of **\$1,531,564.23**, and

Payroll fund transfers in the total amount of **\$892,752.43**

Motion #2 is to accept the easements for Parcel Number 082204-9014 and Parcel Number 082204-9087 to purchase 94 square feet of land from Wesley Homes for \$10.00 and other considerations per the conditions of the temporary construction license agreements, and further, to authorize the City Manager to accept the easements and right of way on behalf of the City of Des Moines, Washington.

Motion #3 is to approve the Schedule 74 Project Construction Agreement with Puget Sound Energy for Underground Conversion on the South 216th Street Project (Segment 4:Marine View Drive to 11th Avenue South), and further authorize the City Manager to sign the Agreement, substantially in the form as submitted.

Councilmember Kaplan moved to adopt the Consent Agenda; Councilmember Sherman, second. All the voters were ayes.

PUBLIC HEARING

Mayor Sheckler opened the Public Hearing for Council deliberations to amend Chapter 12.56 of the DMMC relating to the City's transportation impact fee program. . Public comment, received at a previous meeting, was closed.

Planning Building Public Works Director Grant Fredricks and Assistant Director of Transportation and Engineering Dan Brewer presented information and answered Council questions.

ACTION/DIRECTION

Motion

Councilmember Kaplan moved Motion 1-A, Councilmember Pina, second, to suspend City Council Rule 26b, allowing adoption of Draft Ordinance No. 09-150 on 1st reading. Councilmembers Thomasson and Sherman were opposed.

Motion 1B is to adopt Draft Ordinance No. 09-150 amending Chapter 12.56 of the DMMC relating to the City's transportation impact fee program.

ACTION/DIRECTION

Motion

Councilmember Thomasson moved to amend Motion 1-B to apply traffic impact fees equally throughout the City. Councilmember Sherman, second.. Councilmembers Thomasson, Musser, and Sherman voted yes. Councilmembers Scott, Kaplan, Pina and Mayor Sheckler voted *no*. The amendment failed.

ACTION/DIRECTION

Motion

Councilmember Pina moved, Councilmember Sherman, second, to amend the adjustment to Section 7 (7) to read (8) *no reduction based upon prior use shall be made for a vacant structure or a vacant property that once contained a structure if the structure or property had been vacant for more than 10 years*; and to renumber the remaining sections. The vote was unanimously in the affirmative.

ACTION/DIRECTION

Motion

Motion 2 is to approve Draft Ordinance No. 09-150, amending Chapter 12.56 of the DMMC relating to the City's transportation impact fee program.

Councilmember Kaplan moved, Councilmember Sherman second, approval of DRAFT Ordinance No. 09-150 which reads An ordinance of the City of Des Moines, Washington adopting the 2009 Update of the Rate Study for Transportation Impact Fees' amending DMMC 12.56.010, 12.56.030, 12.56.050, 12.56.060, and 12.56.070; and adding new sections to chapter 12.56, DMMC entitled "Transportation Impact Fees" authorizing the collection of transportation impact fees; providing findings and definitions; providing payment time frames, exemptions, and credits; establishing an appeal process; establishing transportation impact fee accounts, refunds, policies, and schedules for transportation impact fees; and authorizing independent calculations, as amended..

The votes were all ayes except Councilmember Thomasson who voted *nay*. The motion passed.

No action was taken on Motion 3.

NEW BUSINESS

Planning, Building, and Public Works Director Grant Fredricks opened discussion about the New Des Moines Creek Business Park Development Agreement. The purpose of this agenda item was to brief the City Council and receive its direction on the New Development Agreement with the Port of Seattle for the Des Moines Creek Business Park (DMCBP). The General Services Administration (GSA) was looking for property to develop for a possible lease for a consolidated location for the Western Region of the Federal Aviation Association (FAA). No formal action was required but policy direction was encouraged.

ACTION/DIRECTION

Motion: Councilmember Thomasson moved to extend the meeting to 11:00 p.m.; Councilmember Kaplan, second; all the votes were ayes to continue the Council meeting to 11:00 p.m.

NEXT MEETING DATE Retreat - City Council Strategic Goals and Strategies for 2010
 January 23 at the Des Moines Activities Center 9 a.m. to 3 p.m.
 Regular Meeting January 28, 2010

ADJOURNMENT

Motion

Councilmember Kaplan moved adjournment, Councilmember Pina, second, to adjourn the meeting at 11:00 p.m. All the votes were ayes.