

**REGULAR MEETING
MINUTES
DES MOINES CITY COUNCIL**

APRIL 8, 2010 - 7:30 p.m.

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

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

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

Councilmembers Scott Thomasson and Melissa Musser were absent. Councilmember Sherman moved, Councilmember Scott second, to excuse Councilmembers Thomasson and Musser. All the votes were ayes.

Staff present were City Manager Tony Piasecki; Assistant City Manager Lorri Ericson; City Attorney Pat Bosmans; Planning Building and Public Works Director Grant Fredricks; Parks and Recreation Director Patrice Thorell; and City Clerk Sandy Paul.

CORRESPONDENCE

There was no correspondence.

COMMENTS FROM THE PUBLIC:

Florence McMullin, 1018 South 246th Place, and member of the Senior Services Advisory Committee, told about how the Clarion Hotel had sponsored a dinner and auction to raise money for the Food Bank. The Event was so successful it would be held annually.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

There were no reports from Councilmembers.

PRESIDING OFFICER'S REPORT

Mayor Sheckler asked Councilmembers to get their vacation schedules to Executive Assistant Sue Bowman as soon as possible.

ADMINISTRATION REPORTS

City Manager Tony Piasecki explained edits to the minutes of February 25, where Mayor Pro-Tem Kaplan called the meeting to order in Mayor Sheckler's absence, yet May Sheckler was listed as present.

The meeting agenda for the Special Meeting to be held on April 14, 2010 would be in Council mailboxes by the end of the meeting.

CM Piasecki discussed presentation format for Council agenda packets. Councilmembers liked the binder/notebook presentation except for Councilmember Scott, who is left-handed, and the notebook provides a hindrance to her taking notes. Presentation in the 3-ring binders would continue except for Councilmember Scott, who would receive her agenda packet in a manila folder.

CONSENT CALENDAR ITEMS

1. Motion is to approve Minutes of the Meetings of February 25 and March 11 and 25, 2010.

2. APPROVAL OF VOUCHERS

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: 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 #123265 through #123392 and electronic fund transfers in the total amount of **\$557,652.80** and,

Payroll fund transfers in the amount of \$ **479,983.12** .

Certified Wire Transfers, Voids, A/P & Payroll vouchers total **\$1,037,635.92**

3. CONSTRUCTION AGREEMENT FOR THE 2010 FIELD HOUSE GRANDSTAND RESTORATION PROJECT

Motion is to authorize the award of the contract for building rehabilitation and site work services for the Des Moines Field House Grandstand Restoration Project to Epic Construction, LLC, for a total project cost of \$284,152.50 including sales tax plus a 10% contingency, and to authorized the City Manager to sign said contract substantially in the form as submitted.

4. NORTH TWIN BRIDGE IMPROVEMENT PROJECT: HIGHLINE WATER DISTRICT ILA

Motion is to approve the Interlocal Agreement between the City of Des Moines and the Highline Water District regarding improvements to the North Twin Bridge on 16th Avenue South, and further to authorize the City Manager to sign said Agreement substantially in the form as submitted.

Mayor Pro-Tem Kaplan had a question about the Grandstand contract. He had confused the earlier approval of the Field House work with the current item, Construction Agreement for the Field House Grandstand.

ACTION/DIRECTION

Motion - Mayor Pro-Tem Kaplan moved approval of the Consent Agenda as presented; Councilmember Pina, second. All the votes were ayes.

EXECUTIVE SESSION

The City Council recessed to Executive Session at 7:45 p.m. for twenty minutes to discuss Contract Negotiations per RCW 42.30.130(4)(a). The Executive Session was called to order at 7:46 p.m. with Mayor Sheckler, Mayor Pro-Tem Kaplan, and Councilmembers Scott and Pina present. Staff present were City Manager Tony Piasecki, Assistant City Manager Lorri Ericson, and City Attorney Pat Bosmans. Councilmember Sherman did not attend the Executive Session. Mayor Sheckler emerged at 8:05 to say that another five minutes would be needed. The Executive Session adjourned at 8:10 p.m.

The Council Meeting was reconvened at 8:14 p.m.

PUBLIC HEARING

ADOPT SHORELINE MASTER PROGRAM

The Public Hearing was opened at 8:15 p.m. He stated the purpose of the Public Hearing was to discuss and take public testimony on the recently revised Shoreline Master Program.

Mayor Sheckler called for City Staff to describe the matter being considered. The staff presentation enhanced by Power Point was given by Development Services Manager Robert Ruth and assisted by ESA Adolphson Consultant Alex Cohen and Barbara Nightingale of the Department of Ecology.

Mayor Sheckler invited Ed Pina, Former Councilmember and resident at 24219 7th Avenue South, commented that his waterfront was 70% of his property value and he urged the Council to maintain independence in addressing state requirements.

Mr. Pina was the sole individual signing up to speak. Mayor Sheckler made three successive requests that others take this opportunity to speak on the Shoreline Master Program. There was no further response.

Mayor Sheckler invited Councilmembers to speak. Councilmembers voiced their concerns about the preservation of individual private property owner's rights, to be able to maintain property in its initial level of repair, and to encourage public respect regarding access to public tide lands. New technology would be a maintenance option for long-time property owners. That same new technology would a requirement for new construction. The Shoreline Master Plan balances the needs and obligations of the City of Des Moines with the demands of the state of Washington policy and regulation.

Barbara Nightingale said that DOE had also struggled with issues of public access.

Mayor Sheckler closed the Public Hearing at 9:25 p.m.

ACTION/DIRECTION

Motion – Mayor Pro-Tem Kaplan, stating that the City had passed its first Shorelines Management Plan twenty-two years ago, ahead of the times, having done the best it could to preserve individual property rights, moved to adopt Draft Resolution No. 10-050 approving updates and changes to the City's Shoreline Master Program to be consistent with State requirements.

Councilmember Sherman, second. The votes were four in favor and one against, with Councilmember Pina dissenting. Councilmember Pina remained conflicted that lines were not drawn clearly between City needs and State requirements.

NEXT MEETING DATE: A Leadership Summit would be held at the Activities Center on Saturday, April 10, 2010 from 9 a.m. to 3 p.m. and a Special Meeting would be held Wednesday, April 14, 2010, at 6:30 p.m. in City Council Chambers. The next Regular City Council Meeting would be April 22, 2010

Councilmember Sherman moved to adjourn; Mayor Pro-Tem Kaplan, second. All the votes were ayes. The meeting adjourned at 9:35 p.m.