

MINUTES

REGULAR MEETING DES MOINES CITY COUNCIL

October 28, 2010 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:42 p.m. at the Samoan Christian Fellowship Church, 19804 8th Avenue South. He thanked the Samoan Church for hosting the City Council and staff and commented on the beautiful meal in advance of the proceedings.

PLEDGE OF ALLEGIANCE - The flag salute was led by Councilmember Sherman.

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 Sherman moved to excuse Mayor Pro-Tem Kaplan; Councilmember Pina, 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; Harbormaster Joe Dusenbury; Parks Recreation and Senior Services Director Patrice Thorell; Finance Operations Manager Cecilia Pollock; Assistant Director of Transportation and Engineering Dan Brewer; Assistant Director of Utilities and Environmental Engineering Loren Reinhold; Civil Engineer Amy Swartz; CIP Project Manager Scott Romano; Desktop Support Technician Chris Pauk; City Clerk Sandy Paul

CORRESPONDENCE

There was no correspondence to report.

COMMENTS FROM THE PUBLIC:

Ricky Marohl, 22807 17th Avenue South, talked about the great year the Farmer's Market has had this year. A survey of vendors gave a thumbs-up to the current location. She thanked the Council for their support.

Amber Scott, 22807 17th Avenue South, invited everyone to the chili cook-off this weekend. Thirteen teams will compete for top honors. Cost is \$3 per person and tasting begins at 12:00 noon.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott had no report.

Mayor Pro-Tem Kaplan was absent.

Councilmember Musser had no report.

Councilmember Pina had no report.

Councilmember Sherman reported on attending the AWC Regional Meeting where the AWC Legislative Agenda for the upcoming legislative session was discussed. Flexibility in utilizing existing resources, allowing cities greater fiscal flexibility, and maintaining essential state revenues and authorities were top priorities.

Councilmember Thomasson had no report.

PRESIDING OFFICER'S REPORT

Bradley Hawthorne had attended last week's meeting to request emergency funds for the Destination Des Moines Committee to begin its work this year.

ACTION/DIRECTION

Mayor Sheckler moved to approve \$5000 be given to Destination Des Moines; councilmember Musser, second. Councilmember Sherman moved to amend the motion to reduce to \$3000 the amount to be given to the Destination Des Moines Committee. Councilmember Sherman's motion failed due to lack of a second. The vote on the main motion was 4-2 in favor of giving the Destination Des Moines Committee \$5000. Councilmembers Thomasson and Sherman voted *no*.

ADMINISTRATION REPORTS

Port of Seattle Commissioners would meet next Tuesday. On their agenda was approval of the Second Addendum to the First Development Agreement with the City of Des Moines. Their formal process to surplus property could then begin.

The Washington State Department of Ecology approved the City's Shoreline Master Program with one minor change. In 1997, Ordinance No. 1179, which annexed the Woodmont-Redondo area, addressed a change in SMP to add Woodmont - Redondo. In effect, what it was the Comprehensive Plan that was changed and not the SMP. With that minor correction, the City will be able to adopt the Shoreline Master Program in late January.

The Annual Report from the Library Board was presented by Virgil Staiger, 27703 8th Avenue South. He introduced Robin Landreau and Melissa Ponder, also on the Library Board. Absent were Janet Zorby and Tony Wilson. Carol Van Balen is the King County Library System Community Liaison to the Board and spoke about the work of the King County Library, highlighting five new vans which take the library to the people.

CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Past meeting minutes will be ready for approval at the November 18, 2010 meeting.

Item 2: APPROVAL OF 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 **\$660,587.97**

Payroll fund transfers in the total amount of **\$432,041.25**

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are **\$1,092,629.22**

Item 3. 2011 Department of Ecology Stormwater Grant

Motion is to approve the FY 2011-2012 Municipal Stormwater Capacity Grant Agreement in the amount of \$147,425.00 between the State of Washington Department of Ecology and the City of Des Moines, and further to authorize the City Manager to sign said agreement in the form as attached.

Item 4. Task Order for Additional Construction Engineering Services on The North Twin Bridge Seismic Retrofit and Safety Upgrades Improvement Project

Motion is to approve the Task Order Assignment with KPFF, Inc., for additional Construction Engineering Services on the North Twin Bridge Seismic Retrofit and Safety Upgrades Improvement Project, in the amount of \$77,354, bringing the total amount for these services to \$263,697, and to authorize the City Manager or his designee to sign said Task Order Assignment, substantially in the form as submitted.

ACTION/DIRECTION

Councilmember Thomasson pulled Item 4. Councilmember Sherman moved approval of the remaining Consent Agenda items; Councilmember Thomasson, second. Approval was unanimous.

Following discussion, Councilmember Thomasson moved approval of Consent Item 4; Councilmember Sherman, second. Approval was unanimous.

PUBLIC HEARING/CONTINUED PUBLIC HEARING

Public Hearing for the Street Vacation of Public Right-of-Way on South 247th Street between 13th Place South and an Unnamed Alley

Mayor Sheckler opened the Public Hearing at 8:15 p.m.

Civil Engineer Amy Swartz provided background information on the vacation of the Public Right of Way on South 247th, with the potential, if vacated, to produce additional tax revenue to the City. The property is no longer used by the public.

Mayor Sheckler called three times for public comment. There was none.

There was no City Council comment.

Mayor Sheckler closed the Public Hearing at 8:22 p.m.

ACTION/DIRECTION

Councilmember Sherman moved to suspend City Council Rule 26(b) allowing for the enactment of Draft Ordinance No. 10-153 on first reading; Councilmember Musser, second. Approval was unanimous.

Councilmember Sherman moved to enact Draft Ordinance No. 10-153 approving a request to vacate certain portions of public right-of-way on South 247th Street between 13th Place South and an unnamed public alley more specifically identified and legally described in said Ordinance. Approval was unanimous.

OLD BUSINESS

1. Budget Balancing Strategies

The City Council considered a number of budget balancing strategies in which expenses were either reduced or eliminated, revenues increased, or funds transferred. Several of the strategies depend upon employee bargaining group approval. The outcome of the pending election may also influence City revenues and expenses.

No action was taken. The presentation was for information and discussion.

NEW BUSINESS

1. Business License Amnesty

The City's Business License Tracking system will drop businesses which fail to pay their business license renewal in any given year. A recent audit revealed that several businesses, some which regularly do business with the City, fell through the cracks in the City's system. Those businesses have asked for amnesty for penalties when past business licenses are paid in full. Staff recommends some form of amnesty with Council approval.

ACTION/DIRECTION

Councilmember Pina moved to approve Draft Resolution No. 10-176 A, amnesty of overdue penalties if a business which had a license in arrears pays their annual business license renewal and remains a business in good standing for a period of two years; Councilmember Musser, second.

Councilmember Sherman prefers the original resolution and he offered a substitute motion to adopt Draft Resolution No. 10-176; Councilmember Thomasson second. The vote failed 2-4. Councilmembers Sherman and Thomasson voted yes.

The main motion does not adopt the resolution. Staff offered a more comprehensive motion that reads as follows: *I move to adopt Draft Resolution 10-176 A and to add a sentence to Section 2 defining 'compliance' that reads to comply with the agreement will mean that there will be no penalties assessed if an owner's business license is paid on time for two years.* The makers of the original motion accepted the change. The motion was approved unanimously.

The Mayor recessed the meeting at 9:00 p.m. for ten minutes. The meeting reconvened at 9:15 p.m.

NEW BUSINESS

2. SWM CIP

Assistant Director of Utilities & Environmental Engineering Loren Reinhold presented the 2011 – 2016 Surface Water Management CIP.

ACTION/DIRECTION

Councilmember Thomasson made a motion that would task staff to write an ordinance that would keep Surface Water Fees the same for 2011 as in 2010 (rather than reduce them); Councilmember Pina, second. The motion passed 4-2. Mayor Sheckler and Councilmember Musser voted *no*.

NEW BUSINESS

3. Marina CIP

Harbormaster Joe Dusenbury presented the Marina CIP.

ACTION/DIRECTION

The City Council directed staff to show the Port Security Grant in the CIP so future discussions could include the consideration of all options and to prioritize the remodel the south bathroom with an extension in order to provide space for a vendor.

NEXT MEETING DATE – There being no further business to come before the City Council, Councilmember Pina moved to adjourn; Councilmember Musser, second. The meeting was adjourned at 10:15 p.m. The next meeting is November 4, 2010.

ADJOURNMENT

Mayor Sheckler once again thanked the Samoan Church for their hospitality. He also thanked Councilmember Musser for the suggestion to take the City Council meeting to the public.

Respectfully submitted,

Sandy Paul CMC
City Clerk