

**MINUTES
REGULAR MEETING
DES MOINES CITY COUNCIL
December 9, 2010 - 7:30 p.m.**

CALL TO ORDER - Mayor Pro-Tem Kaplan

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

ROLL CALL

Present were Mayor Pro-Tem Kaplan; Councilmembers Scott Thomasson, Dan Sherman, Matt Pina, Melissa Musser and Carmen Scott.

Mayor Sheckler was absent. Councilmember Pina moved to excuse Mayor Sheckler; Councilmember Musser, second; all the votes were ayes.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Planning Building and Public Works Director Grant Fredricks; Harbormaster Joe Dusenbury; Assistant Director of Transportation Dan Brewer; and Planning Manager Denise Lathrop; Acting City Clerk Autumn Lingle.

No Correspondence

COMMENTS FROM THE PUBLIC:

Vernena Staab, 21628 28th Ave S, Des Moines.

Ms. Staab commented on water problems, abandoned shopping carts and street sweeping.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott had no report.

Mayor Pro-Tem Kaplan had no report.

Councilmember Musser had no report.

Councilmember Pina commented on the Tree Lighting, stating it was a wonderful community event and he encouraged others to attend in the future. He noted that on December 7, 2010, Healthy Highline Communities Coalition Meeting met in Burien. The committee is in the process of defining work that qualifies for the grant funding. Policy discussion is in progress.

Councilmember Sherman had no report.

Councilmember Thomasson stated the Environment Committee met earlier in the evening and discussed correspondence from the City of Normandy Park regarding drainage issues on 1st Avenue South and Marine View Drive South. The suggestion was made that the City of Des Moines and Normandy Park officials meet to consider a course of action.

PRESIDING OFFICER'S REPORT

Mayor Pro-Tem Kaplan presented the Sprit of Des Moines Award to Jeanne Moeller. Mayor Sheckler, unable to attend the meeting in person, phoned into the meeting to congratulate and thank her personally for her dedication. She accepted the award and thanked all the people that assisted her throughout the years.

ADMINISTRATION REPORTS

City Manager Piasecki noted that no minutes will be approved tonight. He alerted Council that the first phase of the Rosie the Dog Incident has been reviewed and sent to the King County Prosecuting Attorneys office. He stated the City is hoping for a quick resolution.

CONSENT CALENDAR

Item 1: No Minutes to approve.

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 is to approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks \$ 922,729.75

Payroll fund transfers in the total amount of \$ 434,795.67

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are \$ 1,357,355.42

Item 3. Consultant Contract to hire a Special Transportation Project Manager

Motion is to authorize the City Manager to sign the contract amendment, substantially in the form submitted, with Leonard D. Madsen to continue professional special project management services for the Transportation Gateway Project through December 31, 2011 at a value not to exceed \$66,000.

ACTION/DIRECTION

Motion was made by Councilmember Sherman, seconded by Councilmember Pina, to approve the Consent Calendar. Passed unanimously.

At 7:49 p.m. Mayor Pro-Tem Kaplan announced a 10-minute Executive Session regarding potential litigation. At 8:00 p.m. he extended the Executive Session for five more minutes. The regular meeting reconvened at 8:08 p.m.

OLD BUSINESS

1. Marina District Planning Update

Planning Manager Lathrop gave a PowerPoint update to Council.

ACTION/DIRECTION

None taken.

Mayor Pro-Tem Kaplan made a change to the agenda and moved New Business #2, Classic Yachts, as the next item to be discussed.

NEW BUSINESS

2. Classic Yachts Lease

ACTION/DIRECTION

MAIN MOTION AS AMENDED was made by Councilmember Sherman, seconded by Councilmember Pina, that the City Council approve the lease agreement with Classic Yachts, Inc., with Section 4 amended to read, "during the first 5 years of this lease as long as the tenants sales office is on L Dock the City will provide reasonable access as tenant currently enjoys to the tenants sales office in the event of present or future renovations projects" and authorize the City Manager to sign the lease agreement, substantially in the form as attached. Acceptable to the maker and seconder.

Councilmember Pina called the question.

Motion passed unanimously.

At 9:27 p.m. Mayor Pro-Tem Kaplan announced a 12 minute break. Meeting reconvened at 9:39 p.m.

Mayor Pro-Tem Kaplan announced a change in the agenda, moving New Business #1, Draft Ordinance Budget Amendments, as the next order of business.

NEW BUSINESS

1. Draft Ordinance Budget Amendments

ACTION/DIRECTION

MOTION was made by Councilmember Sherman, seconded by Councilmember Musser, to suspend Rule 26(b) in order to enact Draft Ordinance No. 10-210 on first reading. Passed unanimously.

MOTION was made by Councilmember Sherman, seconded by Councilmember Musser, to enact Draft Ordinance No. 10-210 relating to municipal finance, amending the 2010 budget adopted in Ordinance No. 1472, and as amended in Ordinance No. 1491. Passed 5 to 1, with Councilmember Thomasson opposed *not* because of the content of this amendment but because he voted against the previous amendments to the budget and this ordinance reconfirms those amendments.

NEW BUSINESS

3. Adoption of CIP Resolution

PBPW Fredricks briefed the Council on CIP progress.

ACTION/DIRECTION

No action taken. Council direction was that a refinement of further discussion of a potential bonding program go to the municipal facilities committee for further discussion to be brought back to the Council in the first few months of next year.

OLD BUSINESS

2. 2011 Budget Ordinance

ACTION/DIRECTION

MOTION was made by Councilmember Pina, seconded by Councilmember Musser, when the final budget numbers are provided to Council that those numbers include a 2 percent increase to the City Manager. Passed 4 to 2, with Councilmember Sherman opposed because of what is occurring at other cities and at the Federal level he does not believe anyone should be getting a COLA. Councilmember Thomasson opposed because the City Managers compensation is negotiated by contract.

MOTION was made by Mayor Pro-Tem Kaplan, seconded by Councilmember Pina, to pass Draft Ordinance No. 10-198 to a second reading for enactment at the December 16, 2010 City Council meeting. Passed 5 to 1, with Councilmember Sherman opposed.

NEXT MEETING DATE – December 16, 2010.

ADJOURNMENT

The meeting was adjourned at 10:11 p.m.

Respectfully submitted,

Autumn Lingle
Clerk