

**MINUTES
REGULAR MEETING
DES MOINES CITY COUNCIL
December 16, 2010 - 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 led by Councilmember Thomasson.

ROLL CALL

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

Councilmember Dan Sherman was absent. Councilmember Musser moved to excuse Councilmember Sherman; Mayor Pro-Tem Kaplan, 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; Parks Recreation and Senior Services Director Patrice Thorell; Assistant Director of Transportation and Engineering Dan Brewer; CIP Project Manager Scott Romano; City Clerk Sandy Paul

CORRESPONDENCE

There were three letters to report:

- The CDBG grant for improved lighting at the Activities Center was awarded to the City of Des Moines
- A letter from David Gehrke supported placing a mural on one side of the Key Bank building
- The Department of Ecology (DOE) sent a letter notifying the City that all requirements had been met and the Stormwater grant was approved.

COMMENTS FROM THE PUBLIC:

Dennis Steussy, 1912 South 25th Place, Des Moines, discussed the Arts Commission Budget.

Dee Dee Law, 19909 Marine View Drive in Normandy Park, commented on the death of Rosie the dog and read from comments from others who could not attend the meeting.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott reported that on Tuesday, December 14, the Finance and Economic Committee had met and discussed the Economic Development Strategy Overview, Transfer of Development Rights (TDR) Program, and new provisions of the Sign Code.

Mayor Pro-Tem Kaplan reported that on Friday, December 10, he had attended two separate volunteer recognition events, one for seniors and one for the Farmer's Market. Approximately 100 people attended each event.

Councilmember Musser had no report.

Councilmember Pina had no report.

Councilmember Sherman was absent.

Councilmember Thomasson had no report.

PRESIDING OFFICER'S REPORT

Mayor Sheckler reported that he had received several emails about the Rosie incident. Investigations were completed internally and by the King County prosecutor. Findings from the Prosecuting Attorney concluded that police officers involved in shooting Rosie did not commit a felony or break any laws. Their report would be posted on the City's website December 17. The City will now proceed to see of policy was followed. Mayor Sheckler wished to emphasize that the loss of Rosie is in no way minimized by these findings.

ADMINISTRATION REPORTS

There were no Administrative reports.

CONSENT CALENDAR

Item 1. Approval of Minutes

Motion is to approve the November 18, 2010, meeting minutes and the minutes of the Special Meeting to hold an Executive Session on November 18, 2010.

Item 2. Surplus Vehicles

Motion is to surplus the following six Police Crown Victoria vehicles, all of which have over 100,000 miles and further to authorize the City Manager to dispose of said equipment to FIC, Inc. for trade of services for setting up four new Police vehicles, or to dispose of by auction to the highest bidder:

| <u>Vehicle No.</u> | <u>Year</u> | <u>License</u> | <u>VIN #</u> |
|--------------------|-------------|----------------|-------------------|
| 518 | 2005 | 40520D | 2FAHP71W75X147795 |
| 519 | 2004 | 37672D | 2FAHP71W34X147016 |
| 524 | 2004 | 37669D | 2FAHP71W14X147015 |
| 528 | 2005 | 40519D | 2FAHP71W55X147794 |
| 530 | 2004 | 37612D | 2FAHP71W77X148142 |
| 538 | 2005 | 40518D | 2FAHP71W23X147793 |

ACTION/DIRECTION

Mayor Pro-Tem Kaplan moved to approve the Consent Agenda; Councilmember Thomasson, second. The motion passed unanimously.

EXECUTIVE SESSION

The City Council recessed at 7:55 p.m. to hold an executive session. The purpose of the Executive Session was to discuss strategies or positions as part of an ongoing collective bargaining process as provided in RCW 42.30.140(4)(b), and to discuss potential litigation per RCW 42.30.110 (B).

Present for discussion on potential litigation were Mayor Sheckler; Mayor Pro-Tem Kaplan; Councilmembers Scott Thomasson, Matt Pina, Melissa Musser and Carmen Scott; Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson; and Interim Police Chief John O'Leary. That portion of the session began at 7:55 p.m. and concluded at 8:10 p.m.

At 8:10 p.m. ongoing collective bargaining was discussed and City Attorney Pat Bosmans and Interim Police Chief John O'Leary were excused.

At 8:20 p.m., Mayor Sheckler announced to the audience waiting in Council Chambers that another 5 minutes would be needed.

The Executive Session adjourned at 8:25 p.m.

OLD BUSINESS #1

Adoption of CIP Resolution

Mayor Pro-Tem Kaplan moved to adopt draft Resolution No. 10-200 (Resolution No. 1138) approving the City of Des Moines 2011 – 2016 Capital Improvement Plan. The motion passed 5-1. Councilmember Thomasson voted *no*.

OLD BUSINESS #2

2011 Budget Ordinance

Councilmember Scott moved to amend the budget as presented to add \$7000 from the fund balance to the Arts Commission in order to support Parks staff who lend assistance to many of the Commission's activities; Mayor Sheckler, second. The favorable vote was 6-0.

Councilmember Scott moved to adopt Draft Ordinance No. 10-198 (Ordinance No. 1500) adopting the final budget for the City of Des Moines, Washington, for the fiscal year ending December 31, 2011. Councilmember Musser, second. The approving vote was 5-1. Councilmember Thomasson voted *no*.

NEXT MEETING DATE – The December 23, 2010, meeting is cancelled. The December 30 meeting is a fifth Thursday. The next meeting of the Des Moines City Council will be January 6, 2011.

ADJOURNMENT

Councilmember Musser moved adjournment; Councilmember Pina, second. The vote to adjourn was unanimously in favor. The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Sandy Paul CMC
City Clerk