

MINUTES

**DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue South, Des Moines**

July 11, 2013 - 7:00 p.m.

CALL TO ORDER

Mayor Kaplan called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Musser.

ROLL CALL

Council present: Mayor Kaplan; Mayor Pro Tem Pina; Councilmembers Jeremy Nutting, Melissa Musser, Jeanette Burrage and Bob Sheckler.

Councilmember Scott was absent.

Mayor Pro Tem Pina made a motion to excuse Councilmember Scott; seconded by Councilmember Musser.

The motion passed 6-0

Staff present: City Manager Tony Piasecki; City Attorney Pat Bosmans; Engineering Services Manager Brandon Carver; Civil Engineer 1 Tommy Owen; Harbormaster Joe Dusenbury; Assistant City Manager Lorri Ericson; City Clerk Bonnie Wilkins.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

BOARD & COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Scott:

No Report

Councilmember Sheckler:

- Received word that the EB5 Regional Center has been approved for the Artemis Hotel

Councilmember Burrage:

- Attended the Concert in the Park at the Des Moines Beach Park

Mayor Pro Tem Pina:

- Finance & Economic Development Committee Meeting:
 - Three finalists selected for the Marina Floor Development Project.
 - Municipal Facilities Committee to provide detail.
 - Artemis permit for clearing and grading.
 - Parking Code review.
 - Sign Code review.

- Attended Fireworks Over Des Moines on the 4th of July:
 - Councilmembers in attendance:
 - Carmen Scott
 - Jeremy Nutting
 - Melissa Musser
 - Judge Veronica Galvan
 - Thanked Powell Homes, Marina Tenants Association, Taco Time, Destination Des Moines, Des Moines Police, Des Moines Marina and Des Moines Parks & Recreation as well as numerous community volunteers.
 - Special thanks to the Bjorneby's for hosting all the elected officials.

Councilmember Musser:

- Municipal Facilities Committee
 - Review for RFQ from local developers for commercial development on the Marina floor.
 - Have narrowed it down to 3 finalists.
 - Asked finalists to come back for a question and answer session.
 - Date being worked on.
 - Was awarded the Heritage Grant from Washington State to complete the remediation and restoration for the Beach Park Dining Hall.
 - \$850,000, minus 3%, has been earmarked for project.

Councilmember Nutting:

- Met with the Senior Services Advisory Committee.
 - Brandon Carver and Scott Romano gave a 216th Street Project update.
 - Farmer's Market shuttle up and running, every other Saturday
 - Next meeting, July 12th @ 2:30 p.m.

PRESIDING OFFICER'S REPORT

- Attended the Community Barbeque in the Des Moines Beach Park on July 3, 2013.
- Environment Committee:
 - Federal Emergency Management Coastal Flood Maps.
 - Seeking public comment and comment from various agencies.
 - Reviewed SWM/CIP projects planned for 2013 and 2014.
- 216th Roadway Project:
 - Pipe to the west of the current phase being done has collapsed and a sinkhole needs to be repaired.
 - Out to bid shortly for that project.
 - SWM Rate Structure Study:
 - Reviewed 2 Ordinances, one directed by Council, one directed by Consultants.
 - Made a recommendation for Alternative A.
 - Discussion on the July 25 Council Meeting with adoption on August 8th.
- City Manager Tony Piasecki, Economic Development Manager Marion Yoshino and Mayor met with one of the two property owners of the QFC property.
 - Good conversation.
 - The two property owner's are beginning to talk to each other.
 - All parties envision a grocery store going in the space.

ADMINISTRATION REPORTS

- Thanked all City Staff for a fantastic job for the Community Barbeque and 4th of July.
- Parade on July 20th, Marine View Drive will be closed for several hours.
 - Notices have been posted.
 - Hours of closure are 5:00 p.m. to 8:00 p.m.
 - Councilmembers received invitation to be in the Parade.
 - Reception being held before the Parade at Landmark on the Sound.

EXECUTIVE SESSION

At 7:14 p.m. Council went in Executive Session to discuss potential litigation per RCW 42.30.110. The meeting was estimated to last 10 minutes. In attendance were Mayor Kaplan; Mayor Pro Tem Pina; Councilmembers Nutting, Musser, Burrage and Sheckler. Staff in attendance were: City Manager Tony Piasecki; Assistant City Manager Lorri Ericson; City Attorney Pat Bosmans; Assistant City Attorney Tim George; Planning, Building and Public Works Director Dan Brewer and Community Development Manager Denise Lathrop.

The Executive Session adjourned at 7:18 p.m. No formal action was taken.

CONSENT CALENDAR

- Item 1: APPROVAL OF MINUTES
Motion is to approve the minutes of the June 6, 2013 City Council Meeting.
- Item 2: SETTING NEW PUBLIC HEARING DATES FOR DRAFT ORDINANCE 13-086, PACIFIC RIDGE ZONE AND 13-108, PARKING CODE
Motion 1 is to adopt Draft Resolution No. 13-086-A superseding Resolution No. 1227 and setting a new public hearing on August 8, 2013 to consider Draft Ordinance 13-086 amending DMMC 18.31, Pacific Ridge Zone.
AND
Motion 2 is to adopt Draft Resolution No. 13-108-A superseding Resolution No. 1228 and setting a new public hearing on August 8, 2013 to consider Draft Ordinance 13-108, amending DMMC 18.44, Loading Areas and Off-Street Parking.
- Item 3: NATIONAL NIGHT OUT
Motion is to approve the Proclamation observing Tuesday, August 6, 2013 as National Night Out in the City of Des Moines.

- Item 4: IM RESIDENTIAL ADDITION – PROPOSED PROCESS FOR REVIEW BY HEARING EXAMINER
Motion is to delegate the SEPA Appeal decision and the Shoreline Conditional Use Permit decisions for the IM Residential Addition filed under LUA2012-0023 to the Hearing Examiner pursuant to DMMC 18.94.112(3).
Direction/Action
Motion made by Mayor Pro Tem Pina to approve the consent agenda; seconded by Councilmember Musser.
The motion passed 6-0

PUBLIC HEARING/CONTINUED PUBLIC HEARING

- Item 1: TRANSPORTATION IMPROVEMENT PLAN (2014-2033)
Staff Presentation: Engineering Services Manager
Brandon Carver

Mayor Kaplan opened the Public Hearing at 7:25 p.m.

Engineering Services Manager Brandon Carver gave a brief power point presentation.

Mayor Kaplan asked 3 times if anyone wanted to comment on the transportation improvement plan.

Seeing none Mayor Kaplan asked Council if they had any questions.

Seeing none Mayor Kaplan closed the public hearing at 7:30 p.m.

Direction/Action

Motion made by Councilmember Sheckler to approve Draft Resolution No. 13-148 adopting the 2014-2033 Transportation Improvement Plan for the City of Des Moines; seconded by Councilmember Burrage.

Councilmember Musser offered a friendly amendment to move project proposed priority #34 to #17 on the TIP; acceptable to the maker and the seconder of the motion.

Councilmember Burrage offered a friendly amendment to move proposed priority #37 to proposed priority #18 on the TIP; acceptable to the maker and the seconder of the motion.

The motion passed 6-0

Mayor Kaplan read Draft Resolution No. 13-148 into the record.

- Item 2: PUBLIC HEARING FOR SV2012-02: VACATION OF PUBLIC RIGHT-OF-WAY WITHIN CITY OF DES MOINES KNOWN AS THE EAST HALF OF 15TH AVENUE S AND ALLEY EAST THEREOF BETWEEN S 222ND STREET AND S 223RD STREET
Staff Presentation: Civil Engineer 1 Tommy Owen

Mayor Kaplan opened the public hearing at 7:40 p.m.

Civil Engineer 1 Tommy Owen gave a power point presentation on the vacation of public right-of-way.

Mayor Kaplan asked 3 times is anyone wished to testify.

Mayor Kaplan swore in Harold Duncanson, 145 SW 155th Street #102, Burien WA 98166. He represents the Engineering firm and wanted to let Council know he is available for questions.

Mayor Kaplan asked 3 times if anyone wished to speak.

Seeing none Mayor Kaplan closed the Public Hearing at 7:46 p.m.

Direction/Action

Motion 1A made by Councilmember Musser to suspend City Council Rule 26(a) in order to enact Draft Ordinance No. 12-086 on first reading; seconded by Councilmember Sheckler
The motion passed 6-0

Motion 1B made by Councilmember Musser to enact Draft Ordinance No. 12-086 approving the vacation of certain portions of public rights-of-way specifically identified and legally described in Draft Ordinance Number 12-086; seconded by Councilmember Burrage.

Councilmember Burrage offered a friendly amendment to delete "or native growth protection" from Draft Ordinance No. 12-086, Sec. 1(3); acceptable to the maker of the motion.
The motion passed 6-0

Mayor Kaplan read Draft Ordinance No. 12-086 into record.

NEW BUSINESS

Item 1:

EMERGENCY RESOLUTION 13-155 ACCEPTING FINDINGS OF FACT THAT AN EMERGENCY EXISTED

Staff Presentation: Harbormaster Joe Dusenbury and
Assistant City Manager Lorri Ericson

Direction/Action

Motion made by Councilmember Sheckler to adopt Draft Resolution No. 13-155 to allow the waiver of competitive bidding requirements for contracts authorized by the City Manager pursuant to the June 24, 2013 Proclamation of Emergency pursuant to RCW 39.04.280; seconded by Mayor Pro Tem Pina.
The motion passed 6-0

Mayor Kaplan read Draft Resolution No. 13-155 into the record.

NEXT MEETING DATE

July 25, 2013 Regular City Council Meeting

ADJOURNMENT

Motion made by Councilmember Sheckler to adjourn; seconded by Mayor Pro Tem Pina
The motion passed 6-0

The meeting was adjourned at 8:07 p.m.

Respectfully submitted,
Bonnie Wilkins
City Clerk

