

MINUTES

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

June 26, 2014 – 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 Sheckler.

ROLL CALL

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

Councilmember Pennington arrived at 7:05 p.m.

Staff present: City Manager Tony Piasecki; City Attorney Pat Bosmans; Finance Director Paula Henderson; Engineering Services Manager Brandon Carver; Community Development Manager Denise Lathrop; City Clerk Bonnie Wilkins.

CORRESPONDENCE

There were no correspondences.

COMMENTS FROM THE PUBLIC

Vernena Staab, 21628 28th Avenue S; wants Police Officer intervention and prevention in her neighborhood.

Eva Parks, 20918 9th Avenue S, American Association of University Women, Highline Branch; asked Council for a rental fee waiver on their upcoming fundraising event at the Des Moines Activity Center.

Ben Stark, 1310 S 230th Street; Would like to be kept up to date on what's happening on the slide at 251st Street.

Tony Hettler, President of Destination Des Moines, 22506 Marine View Drive S; Updated Council on the upcoming Waterland Festival and Fireworks Over Des Moines. Mr. Hettler also introduced

Michelle Fawcett; Thanked Council for their support and invited everyone to the Community Barbeque.

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Pennington:

- No report.

Councilmember Sheckler:

- No report.

Councilmember Burrage:

- No report.

Mayor Pro Tem Pina:

- Finance & Economic Development Committee:
 - 5 Story-wood frame building.
 - Sign code.
 - Draft land use concepts.

Councilmember Musser:

- Municipal Facilities Committee:
 - Dining Hall project.
 - Volunteer demolition work complete.
 - Park, Recreation and Senior Services Master Plan renewal.
 - South Marina Parking lot storm water project:
 - Parking plan/realignment of parking spots.

Councilmember Nutting:

- Senior Services Advisory Committee:
 - Three part class on reverse mortgages:
 - September and October dates to be announced.
 - Next meeting August 21 @ 2:30 at the Activity Center.
 - Art Sculpture Program.
 - Free Concert Series, starting July 9th in Des Moines Beach Park.
 - Farmer's Market.

Direction/Action

Motion made by Councilmember Nutting to direct staff to bring back a resolution setting a public hearing at the July 24th meeting to consider an Ordinance amending DMMC 18.115.060(1)(b), expanding area 2 of figure 1 south and east to include only the 2 properties fronting the south side of S 226th Street between 7th Avenue S and Marine View Drive. The ordinance should change no other provisions of the Downtown Commercial Code; seconded by Mayor Pro Tem Pina.

The motion passed 7-0.

PRESIDING OFFICER'S REPORT

Direction/Action

Motion made by Councilmember Sheckler to waive the rental fee of the Des Moines Activity Center for American Association of University Women; seconded by Mayor Pro Tem Pina.

A friendly amendment was made by Councilmember Burrage to charge a flat fee of \$150 for the use of the facility.

Motion dies for a lack of a second.

A friendly amendment was made by Councilmember Musser that the issue be referred back to the Municipal Facilities Committee for review of fees for non-profit use of City Facilities; agreeable to the maker and the seconder of the original motion.

The motion passed 7-0.

Mayor Kaplan, City Manager Piasecki and members of Panattoni Development met with representatives from the Federal Aviation Administration on possible lease space in Des Moines.

Sound Transit Neighborhood Meetings:

Next meeting will be held July 1st at the Des Moines Activity Center, 6:00-7:15 p.m.

ADMINISTRATION REPORT

City Manager Piasecki discussed the prohibition of Barbeques in City Parks.

City Manager Piasecki announced that Michael Matthias has been selected as the new Assistant City Manager who starting July 21, 2014.

CONSENT AGENDA

- Item 1: APPROVAL OF MINUTES
Motion is to approve the minutes from the May 22, June 5 and June 12, 2014 Regular City Council Meetings and the minutes from the June 12, 2014 Executive Session.
- Item 2: APPROVAL OF VOUCHERS
Motion is to approve for payment vouchers and payroll transfers included in the attached list and further described as follows:
Claim Checks: \$882,756.46
Payroll Fund Transfers: \$464,923.63
Total Certified Wire Transfers, Voids, A/P and Payroll Vouchers: \$1,347,680.09
- Item 3: NATIONAL PARKS AND RECREATION MONTH PROCLAMATION
Motion is to approve the Proclamation recognizing July as Parks and Recreation Month in Des Moines.
- Item 4: 2014-2018 STREET SWEEPING SERVICES
Motion is to award McDonough and Sons Inc. the 2014-2018 Street Sweeping Services Contract in an amount not to exceed \$239,525.96, and authorize the City Manager to sign substantially in the form as submitted.
- Item 5: CONSULTANT CONTRACT AMENDMENT: TRANSPORTATION PROJECT MANAGER LEONARD D. MADSEN
Motion is to approve Amendment 7 to the Contract with Leonard D. Madsen, continuing professional project management services for the Transportation Gateway Project from July 1, 2014 through December 31, 2014 not to exceed \$38,000 (bringing the total contract amount for 2014 to \$76,000), and authorize the City Manager to sign the contract amendment substantially in the form submitted.
- Item 6: DRAFT ORDINANCE NO. 14-121 AMENDING DMMC 14.05.130 ENTITLED *FIVE-STORY WOOD FRAME BUILDINGS* AND DMMC 14.05.190 ENTITLED *HEIGHTS*
First Motion is to suspend Rule 26(a) in order to enact Draft Ordinance No. 14-121 on first reading.

Second Motion is to enact Draft Ordinance No. 14-121, amending DMMC 14.05.130 entitled *Five-Story Wood Frame Buildings*, and DMMC 14.05.190 entitled *Heights*.
- Item 7: DRAFT ORDINANCE 14-133: MODIFICATIONS TO UTILITY UNDERGROUNDING REQUIREMENTS
First Motion is to suspend Rule 26(a) in order to enact Draft Ordinance No. 14-133 on first reading.

Second Motion is to enact Draft Ordinance No. 14-133, amending Chapter 12.25.060 DMMC allowing for new or additional electric or communication facilities to be installed aerially where there are existing aerial facilities.

Item 8: SOUTH 251ST STREET SLIDE: FINAL DESIGN
Motion 1 is to approve the Task Order Assignment 2014-03 with TetraTech for the South 251st Street Slide Final Design in the amount of \$60,703.39, bringing the total design authorization to \$93,159.58, authorize a contingency in the amount of \$5,000, and further authorize the City Manager to sign said Task Order substantially in the form as submitted.

Motion 2 is to direct Administration to propose a CIP budget amendment reallocating funds between approved project budgets to cover the cost of this project.

Item 9: REQUEST TO SET DATE FOR PUBLIC HEARING FOR VACATION OF PUBLIC RIGHT-OF-WAY WITHIN CITY OF DES MOINES KNOWN AS 5TH PLACE SOUTH, SOUTH OF 287TH STREET
Motion is to adopt Draft Resolution No. 14-137 setting a public hearing on August 14, 2014, for a street vacation request relating to public right of way within the City of Des Moines.

Item 10: HIGHLINE SCHOOL FOUNDATION – BACK TO SCHOOL FAIR PROCLAMATION
Motion is to approve the Proclamation acknowledging the Highline Schools Foundation for providing community resources to help Highline Schools succeed.

Item 11: ARTS COMMISSION APPOINTMENT
Motion is to confirm the Mayoral appointment of M. Luisa Bangs to an unexpired term on the City of Des Moines Arts Commission effective immediately and expiring on December 31, 2014.

Item 12: BACK TO SCHOOL RESOURCE FAIR
Motion 1 is to approve the Draft Resolution 14-135 authorizing City of Des Moines co-sponsorship with Highline Schools Foundation of the 2014 Back to School Resource Fair at Steven J. Underwood Memorial Park on August 7, 2014.

Motion 2 is to authorize the City Manager to sign the Agreement with Highline Schools Foundation for the 2014 Back to School Resource Fair specifying the responsibilities assumed by Highline Schools Foundation and identifying the responsibilities assumed by the City of Des Moines, substantially in the form as attached.

Direction/Action

Motion made by Mayor Pro Tem Pina to approve the consent agenda; seconded by Councilmember Nutting.

Mayor Kaplan pulled Item #6 from the Consent Agenda.

The consent agenda, as amended, passed 7-0.

Mayor Kaplan moved New Business Item 1 ahead of Public Hearing Item 1 and Old Business Item 1.

NEW BUSINESS

Item 1: 2013 YEAR-END FINANCIAL REPORT
Staff Presentation: Finance Director Paula Henderson

Finance Director Henderson gave a power point presentation to Council on the 2013 Year-End Financial Report.

No formal action was taken.

PUBLIC HEARING

Item 1: TRANSPORTATION IMPROVEMENT PLAN (2015-2034)
Staff Presentation: Engineering Services Manager Brandon Carver

Mayor Kaplan opened the Public Hearing at 8:07 p.m.

Engineering Services Manager Carver gave a power point presentation to Council.

Mayor Kaplan called for those that signed up to speak.

Mike Brauhn, Wesley Homes; spoke about safety concerns on 11th Avenue S and S 216th Street and is in support of a rapid flashing light system at that intersection. Wesley Homes is offering \$5,000 contribution towards the project.

Shaun Kirkpatrick, Wesley Homes; Supports a rapid flashing light system at 11th Avenue S and S 216th Street.

Mayor Kaplan asked three times if anyone else wished to speak;

Ben Stark, 1310 S 230th Street; supports doing something for the pedestrians on S 216th Street.

Mayor Kaplan asked 3 times if anyone else wished to speak; seeing none, Mayor Kaplan asked Council if they had any questions.

Mayor Kaplan closed at 8:23 p.m.

Direction/Action

Motion made by Mayor Pro Tem Pina to approve Draft Resolution No. 14-138 adopting the 2015-2034 Transportation Improvement Plan for the City of Des Moines; seconded by Councilmember Musser.

Amendment made by Mayor Kaplan to move current item #27 of the Transportation Improvement Plan to #20; to move current item #48 to #21; and to move current item #29 to #22; seconded by Mayor Pro Tem Pina.

The motion, as amended, passed 7-0.

OLD BUSINESS

Item 1: DRAFT ORDINANCE NO. 14-035 TRANSIT COMMUNITY ZONE
Staff Presentation: Community Development Manager
Denise Lathrop

Community Development Manager Lathrop gave a brief presentation to Council.

Direction/Action

Motion made by Councilmember Sheckler to enact Second Draft Ordinance No. 14-035, adding and codifying a new chapter entitled "T-C Transit Community Zone" to Title 18 DMMC, adding a new section to chapter 18.195, DMMC, adopting a new zoning map that rezones all Highway Commercial-zoned properties south of Kent-Des Moines Road to the new Transit Community Zone, amending DMMC 18.05.080, 18.10.050, 18.52.005, 18.52.010B, 18.210.090, 18.250.060, 18.250.070 and 14.05.130, re-adopting the Findings of Fact in Ordinance No. 1457 establishing the Multifamily Tax Exemption (Exhibit 1 to Attachment 2) and extending the Residential Target Area for the Multifamily Tax Exemption in DMMC 3.96 to the new T-C Zone; seconded by Councilmember Musser.

An amendment was made by Councilmember Burrage to adopt option 3, a 20 foot setback with a 45 foot height limit and then another 20 foot setback with a 75 foot height limit; seconded by Mayor Pro Tem Pina. Agreeable to the maker and the seconder of the original motion.

An amendment was made by Councilmember Pennington to remove Sec. 20 and 21 from Draft Ordinance No. 14-035 as it relates to multi-family tax exemption; seconded by Councilmember Burrage.

The motion passed 5-2.

For: Mayor Kaplan; Mayor Pro Tem Pina; Councilmembers Nutting, Burrage and Pennington.

Against: Councilmembers Musser and Sheckler.

Motion made by Mayor Pro Tem Pina that the properties South of 240th be allowed to remain in conforming use; seconded by Councilmember Nutting. Agreeable to the maker and the seconder of the motion.

The motion, as amended, passed 7-0

Mayor Kaplan read Draft Ordinance No. 14-035, as amended, into the record.

CONSENT AGENDA

Item 6: DRAFT ORDINANCE NO. 14-121 AMENDING DMMC 14.05.130 ENTITLED *FIVE-STORY WOOD FRAME BUILDINGS* AND DMMC 14.05.190 ENTITLED *HEIGHTS*

Direction/Action

Motion made by Mayor Kaplan to suspend Rule 26(a) in order to enact Draft Ordinance No. 14-121 on first reading; seconded by Councilmember Nutting. The motion passed 7-0

Motion made by Mayor Kaplan to enact Draft Ordinance No. 14-121, amending DMMC 14.05.130 entitle *Five-Story Wood Frame Buildings*; and DMMC 14.05.190 entitle *Heights*; seconded by Councilmember Nutting. The motion passed 7-0.

Mayor Kaplan read Draft Ordinance No. 14-035 into the record.

NEXT MEETING DATE

July 24, 2014 Regular City Council Meeting

ADJOURNMENT

Motion made by Councilmember Nutting to adjourn; seconded by Mayor Pro Tem Pina. The motion passed 7-0.

The meeting was adjourned at 9:00 p.m.

Respectfully Submitted,
Bonnie Wilkins
City Clerk

