

**REGULAR MEETING  
DES MOINES CITY COUNCIL**

**June 28, 2012 - 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 Mayor Pro-Tem Matt Pina

ROLL CALL

Present were Mayor Dave Kaplan; Mayor Pro-Tem Matt Pina; Councilmembers Dan Caldwell, Melissa Musser, Jeanette Burrage, Bob Sheckler and Carmen Scott.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Attorney Tim George; Assistant City Manager Lorri Ericson; Planning Building and Public Works Director Grant Fredricks; Interim Police Chief John O'Leary; Parks Recreation and Senior Services Director Patrice Thorell; Development Services Manager Robert Ruth; Senior Planner Jason Sullivan; Senior Services Manager Sue Padden; Associate Transportation Engineer Brandon Carver; Court Administrator Jennifer Johnson; City Clerk Sandy Paul;

COMMENTS FROM THE PUBLIC:

Dan Kirkland, 21030 3<sup>rd</sup> Avenue South, commented on a letter he sent to council regarding ROW requirements on new developments. Because his lot lines were vacated in 1904, the regulations prevent him from dividing his double lot without installing curb gutter and sidewalk even without short or long term plans for them anywhere in the neighborhood. He asked the City Council for relief.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- Encouraged everyone to come to the farmer's market each Saturday
- Announced a grand rededication of the Auditorium at Beach Park from 5-7 p.m. on July 11

Councilmember Sheckler

- Commented from the *776 Stupidest Things Ever Said by Politicians*

Councilmember Burrage

- As the Des Moines representative to the South King County Transportation Board (SKTBd) she attended the meeting where the topic of discussion was inviting the Port of Tacoma and some additional Chambers of Commerce to participate but without voting rights

Mayor Pro-Tem Pina

- Reminded everyone that the 4<sup>th</sup> of July is next week and the Marina will be a busy place

Councilmember Musser

- Commented on the recent Marina Stakeholders Committee meeting where several land use options were discussed.

Councilmember Caldwell

- Commented that an arena in Des Moines or elsewhere would be a good means to stimulate business in

the surrounding cities. A good location might be west of the airport where there is no development

#### PRESIDING OFFICER'S REPORT

- Mayor Kaplan *cut the ribbon* and opened Super Bowl Pho last week. He is proud to take part in other business openings as well
- Recognized two longtime city employees retiring: Linda Wright, who has worked in Des Moines as Administrative Assistant in the Public Works Department for 12 years, and John O'Leary, Interim Police Chief, who is ending a 33 year police career
- At the July 5 City Council meeting several emerging issues will be covered on the agenda: Sound Transit, a Pavement Overlay program, and the Marina District Design Theme and Incentives
- The July 12 City Council meeting will be held at the Woodmont Elementary gymnasium. There will be a discussion about the Woodmont/Redondo area. South end Des Moines residents are strongly urged to attend
- The CEO of Highline Community Hospital informed the mayor of its intended merger with Franciscan Hospitals

#### ADMINISTRATION REPORTS

- City Manager Piasecki met with Dan Kirkland about the street improvements to his and his brother's double lot. The City Manager has no administrative flexibility with a variance or any other means to relax standards. Councilmember Sheckler commented that Mr. Kirkland made a good case in his plea to the City Council.
- A grant request was submitted to RCO to refurbish the Dining Hall and Des Moines made the list. Project budget is \$900,000. The grant is for \$750,000. Cost estimates have been pared back to make it possible to do this work if the grant is received
- Insurance with WCIA will go down next year \$35,000 due to fewer claims and a lower number of worker hours being reported
- Retirement of two longtime employees: Linda Wright and John O'Leary. Linda did all the notebooks that were carried to Washington, D. C., and enabled the grant to complete the Marina District Water Line project now completed by Water District 54. John will have to make a presentation tonight on his second to the last night of his career.
- A Capital Improvement Program Update was provided by Planning Building Public Works Director Grant Fredricks.

#### ACTION/DIRECTION

Councilmember Sheckler moved to recommend that staff look into building some flexibility into the Code regarding the requirement of sidewalks in neighborhoods where none have ever existed and are not planned for the near or distant future; second by Councilmember Musser. The motion passed, 7-0.

#### CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve the minutes of the meetings of June 7, 2012

Item 2: APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers and payroll transfers described as follows: (A second list of vouchers was submitted containing the correct check numbers).

Claim checks **\$702,261.05**

Payroll fund transfers in the total amount of **\$433,414.24**

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are **\$1,135,675.29**

Item 3: MAYORAL APPROVAL OF APPOINTMENT OF VIC ANDERSON TO THE SENIOR SERVICES ADVISORY COMMITTEE

Motion is to confirm the Mayoral appointment of Victor Anderson to a four-year term on the Senior Services Advisory Committee, effective June 29, 2012 and expiring on December 31, 2015.

Item 4: EXTENSION OF JANITORIAL SERVICES CONTRACT

Motion is to approve the Addendum/Amendment to the contract with American Building Services for janitorial services for City owned buildings extending it through December 31, 2014 at an estimated cost of \$115,000 per year, and additionally to authorize the City Manager to sign the Contract Addendum/Amendment substantially in the form as submitted.

Item 5            DRAFT RESOLUTION 12-019 SETTING THE HEARING DATE TO CONSIDER AMENDMENTS TO THE BUSINESS PARK ZONE (CHAPTER 18.25 DMMC)

Motion is to adopt Draft Resolution No. 12-019 setting a public hearing on July 26, 2012 to consider Draft Ordinance 12-019 amending the Business Park Zone codified as Chapter 18.25 DMMC.

Item 6:            CONTRACT AMENDMENT FOR CONSULTING SERVICES FOR AUDITORIUM/BEACH PARK PROJECTS

Motion is to approve the Amendment to the Consultant Agreement for Owner's Representative Services between the City of Des Moines and David A. Clark Architects, PLLC in the amount of up to \$38,600, thereby bringing the contract amount to a total of \$68,600, plus a 10% contingency and authorize the City Manager to sign the Amendment substantially in the form as submitted.

Councilmember Mussed moved approval of the Consent Agenda; Mayor Pro-Tem Pina, second. The motion passed, 7-0.

PUBLIC HEARING

1.            MODIFYING FENCE REGULATIONS IN RESIDENTIAL ZONES

Mayor Kaplan opened the public hearing at 7:35 p.m.

Development Services Manager Robert Ruth provided a PowerPoint presentation and explained the City's Fence Code which contains five fundamental key features.

Mayor Kaplan read the rules of the Public Hearing into the record.

Mark Eide, 28023 Redondo Beach Drive, spoke about the Fence Code. It is important for the safety of the Redondo community to have the Council consider some changes to the current Fence Code that was written in 1959 and has not been amended since then.

Mayor Kaplan called three times for anyone else wishing to speak. No one came forward.

Staff clarified that the new ordinance covers both single family and multifamily residential homes, as requested by Mr. Eide.

Mayor Kaplan closed the Public Hearing at 8:02 p.m.

ACTION/DIRECTION

Councilmember Musser moved to suspend Council Rule 26 (a) allowing the City council to take action on Draft Ordinance No. 12-059 on first reading; Mayor Pro-Tem Pina, second. The motion passed 7-0.

Councilmember Musser moved to adopt Draft Ordinance No. 12-059 adding new definitions for fence types and amending Section 18.40.150 DMMC, except to amend and consolidate Sections 18.40.150.3, 18.40.150.4, and 18.40.150.5 DMMC, into one section, and changing setback and height requirements for fences in residential zones; Mayor Pro-Tem Pina, second. The motion passed, 7-0.

Mayor Kaplan read the ordinance as approved into the record.

OLD BUSINESS

1.            Second Reading of Draft Ordinance 12-026 – Institutional Campus Zone

Senior Planner Jason Sullivan addressed the Institutional Campus Zone in prefacing remarks.

ACTION/DIRECTION

Councilmember Sheckler moved to adopt Draft Ordinance No. 12-026 amending the Zoning Code, Title 18 DMMC by adding a new chapter entitled Institutional Campus Zone; Mayor Pro-Tem Pina, second. Mayor

Kaplan offered a friendly amendment, acceptable to both maker and seconder, which includes *Amendment 1 as provided in Attachment 2 to the June 28, 2012 Agenda item – Administrative Amendments to Master Plans*. The motion passed as amended, 7-0.

Mayor Kaplan read the ordinance as approved into the record

NEW BUSINESS

1. School Zone Speed Enforcement

Police Chief John O'Leary discussed school zone safety and automated speed enforcement and expanding it to Midway Elementary/Pacific Middle School.

ACTION/DIRECTION

Councilmember Sheckler moved to approve the continuation of the Automated Speed Enforcement program at Woodmont Elementary with American Traffic Solutions under the terms of the previously authorized contract agreement; Mayor Pro-Tem Pina, second. The motion passed, 6-1. Councilmember Caldwell voted *no*.

Councilmember Sheckler moved to expand the Automated Speed Enforcement (ASE) project to the Midway Elementary/Pacific Middle School zone on 24<sup>th</sup> Avenue South; Mayor Pro-Tem Pina, second. The motion passed, 6-1. Councilmember Caldwell voted *no*.

Councilmember Sheckler moved to authorize the City Manager to enter into a contract Amendment/Addendum with American Traffic Solutions (ATS) for a four year ASE program commencing with a 30 day warning period for school zone speed limit violations at Midway Elementary/Pacific Middle School on 24<sup>th</sup> Avenue South, substantially in the form and terms of the existing ATS contract; Mayor Pro-Tem Pina, second. The motion passed 6-1. Councilmember Caldwell voted *no*.

NEXT MEETING DATE            July 5, 2012, City Council Regular Meeting

ADJOURNMENT

There being no further business to come before the City Council, Motion Councilmember Sheckler moved to adjourn; Mayor Pro-Tem Pina, second. The motion passed 7-0.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Sandy Paul

CMC

City Clerk