

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

February 22, 2007

At 7:35 p.m., City Manager Piasecki announced that the Council would remain in Executive Session for a few more minutes.

The regular meeting of the Des Moines City Council was called to order at 7:37 p.m. by Mayor Sheckler in the Council Chambers, 21630 11th Avenue South, #B.

PLEDGE OF ALLEGIANCE to the Flag was led by Councilmember Pina.

ROLL CALL - Present: Mayor Bob Sheckler, Councilmembers Dave Kaplan, Ed Pina, Dan Sherman and Susan White. Absent: Mayor Pro Tem Scott Thomasson and Councilmember Carmen Scott. Also in attendance were City Manager Tony Piasecki, Acting City Attorney Richard Brown, Land Use Planner II Jason Sullivan, Parks and Recreation Director Patrice Thorell, Planning, Building and Public Works Director Grant Fredricks, and Deputy City Clerk Angela Chaufty.

MOTION was made by Councilmember White, seconded by Councilmember Sherman and passed unanimously to excuse Mayor Pro Tem Thomasson and Councilmember Scott from attendance.

BOARD & COMMITTEE REPORTS AND COUNCILMEMBER COMMENTS

City Attorney Interviews

Councilmember Pina announced that he and two other Councilmembers had participated in the City Attorney interviews. Six candidates had been interviewed.

Suburban Cities Association

Councilmember Pina announced that he had attended the Public Issues Committee meeting last evening. A report regarding SCA's final position on the revised Multicounty Planning Policies by the Puget Sound Regional Committee had been distributed to Council. Councilmember Pina noted that he had made a motion to address the double taxation of the County.

Tall Ship Festival

Councilmember White reported that she was working with the City of Tacoma to involve Des Moines in the 2008 Tall Ship Festival.

Public Works Project

Councilmember White commended the Public Work Maintenance staff for their work on a Redondo area project.

PRESIDING OFFICER'S REPORT

Jail Site Taskforce

Mayor Sheckler announced that he and City Manager Piasecki were members of a taskforce to identify funding and a location for a jail facility in south King County.

ADMINISTRATION REPORTS

City Attorney Interviews

City Manager Piasecki announced that he would interview the six finalists for the City Attorney position tomorrow.

Jail Site Taskforce

City Manager Piasecki noted that the taskforce was seeking to provide two facilities with a total of 1,450 beds.

Hearing Examiner's Decision – McLean

City Manager Piasecki informed Council that the Hearing Examiner had determined that the City's analysis regarding its legal authority was appropriate but that the incorrect standard had been applied. The decision was currently being evaluated. The deadline for the Fire Marshall to submit comments regarding the decision is March 2, 2007.

CONSENT CALENDAR was read by Deputy City Clerk Chaufty.

1. ~~Motion is to approve the regular minutes of January 18, 2007, and the regular and special minutes of February 1, 2007.~~

2. 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: As of this date the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks #107873 through #108073 & electronic fund transfers in the total amount of \$544,655.82

Payroll fund transfers in the total amount of \$303,469.81

3. Motion is to approve the Interlocal Agreement between the City of Normandy Park and the City of Des Moines for the provision of Senior Services in fiscal year 2007 whereby Normandy Park will pay Des Moines for Senior Services in the amount of \$14,213, which represents the amount equal to Normandy Park's pro-rata share of costs for services based on 2006 participation levels and authorize the City Manager to sign the Agreement substantially in the form as submitted.

4. Motion is to confirm Mayor Sheckler's appointment to the Planning Agency of Cass Prindle to a vacant four year term to expire on December 31, 2010.

5. Motion is to confirm Mayor Sheckler's appointment of Rachelle Mendoza to an unexpired four year term on the Senior Services Advisory Committee effective immediately.

6. Motion is to authorize relocation reimbursements of up to \$8,000 for the following Police Department positions: ten (10) police officer positions, four (4) in the General Fund and six (6) in the Police Services Restoration Fund, and three (3) community service officers positions in the Police Services Restoration Fund, provided that the officers relocate to within twenty (20) miles of Des Moines City Hall.

7. Motion is to approve \$20,658 in additional contingency funds for a Change Order Proposal that would replace porcelain fixtures with stainless steel fixtures at the Underwood Memorial Park Restroom Facility and direct staff to make the necessary budget amendment and bring back to Council for approval at the appropriate time.

8. Motion is to authorize the City Manager to sign the \$35,000 contract with Leonard D. Madsen for professional transportation management services until a new City Transportation Engineer can be hired.

Item No. 1 was removed by Councilmember Kaplan.

MOTION was made by Councilmember Kaplan, seconded by Councilmember White, and passed unanimously to approve the consent calendar as amended.

REMOVED CONSENT CALENDAR ITEM

Minute Approval

In regard to the minutes of the January 18, 2007 meeting, Councilmember Kaplan noted that Councilmember Sherman, rather than himself, had made the reported comments on Page 7 and Page 10 of the preliminary minutes.

MOTION was made by Councilmember Pina, seconded by Councilmember Kaplan, and passed unanimously to approve the minutes as amended.

ADMINISTRATION REPORT, CONTINUED

Planning Agency Appointments

City Manager Piasecki announced that there were two vacancies on the Planning Agency. He asked interested individuals to contact the City Clerk's Office for additional information.

PUBLIC HEARING

Draft Ordinance No. 06-237 [Assigned Ord. No. 1397] Redondo Rezone

Mayor Sheckler introduced the subject, opened the public hearing, and read the rules for conducting a public hearing. He noted that the subject was not a quasi-judicial matter.

Land Use Planner II Sullivan reviewed the background of the topic. Staff's objectives were to review the historical land use development patterns, determine inconsistencies between zoning regulations and neighborhood conditions, and evaluate rezone alternatives to achieve consistency and transparency. Through the review process, 134 of the area's 154 tax parcels were determined to be substandard. Land Use Planner II Sullivan noted that staff had reviewed six alternative solutions. He recommended that Council adopt a 4,000 square foot lot size zone as it would reduce the number of substandard lots from 87% to 16%, establish clear and predictable development standards, simplify the review process, and adapt the code to neighborhood conditions. If changed, the following DMMC sections would be affected:

- DMMC 18.06.02 – List of all zones
- DMMC 18.06.030 – Hierarchy of all zones
- DMMC 18.08.030 – Minimum lot size
- DMMC 18.08.050 – Lot Width
- DMMC 18.80.010 – Zoning Map

Mayor Sheckler called for speakers three times.

None responded.

In response to Councilmember Sherman's questioning, Land Use Planner II Sullivan informed Council that no SEPA comments had been received.

Mayor Sheckler closed the public hearing.

MOTION was made by Councilmember Kaplan and seconded by Councilmember White to suspend Council Rule 26(b) in order to consider Draft Ordinance No. 06-237 on the first reading.

Councilmember Sherman noted that two Councilmembers were not in attendance. He recommended that the proposed ordinance be passed on to a second reading.

Mayor Sheckler reported that Councilmember Scott had indicated that she was comfortable with the proposed ordinance and he had received no comments from Mayor Pro Tem Thomasson.

VOTE ON MOTION: Motion passed, 4 – 1, with Councilmember Sherman opposed.

MOTION was made by Councilmember Kaplan and seconded by Councilmember Pina to adopt Draft Ordinance No. 06-237 amending Title 18 of the Des Moines Municipal Code creating a new RS-4000 zone and amending the official zoning map of the City of Des Moines in order to rezone select properties within the Redondo neighborhood currently RA-3600, RS-9600, and RS-7200 to RS-4000.

Councilmember Kaplan voiced support for the motion as staff's research had laid a historical foundation and the concerns of most of the property owners would be addressed.

Councilmember Sherman said that he wished the proposed ordinance had also addressed the Neighborhood Commercial property in Redondo.

VOTE ON MOTION: Motion passed unanimously.

Mayor Sheckler read the title of the ordinance into the record.

NEW BUSINESS

Council Liaison to Arts Commission

Parks and Recreation Director Thorell noted that the Arts Commission still needed a Council Liaison.

Councilmember White volunteered to serve as liaison.

Mayor Sheckler appointed Councilmember White as liaison to the Arts Commission.

Agreement with Destination Des Moines

Parks and Recreation Director Thorell introduced the subject. She introduced the members of Destination Des Moines in attendance, including President Leslie Newman.

Ms. Newman thanked Council for their support. She reviewed the activities of Destination Des Moines and briefly highlighted the goals of the various committees. Ms. Newman noted that a revised budget had been distributed to Council.

Councilmember White recommended that a member of Destination Des Moines attend the Main Street Conference.

MOTION was made by Councilmember Pina and seconded by Mayor Sheckler to authorize entering into a public services agreement with Destination Des Moines and to authorize the City Manager to sign the agreement substantially in the form as submitted.

Councilmember Sherman expressed hope that the agreement would signify a fresh start and a continuation of the enthusiasm.

VOTE ON MOTION: Motion passed unanimously.

Draft Resolution No. 07-048 [Assigned Res. No. 1031] - Educational Programs and Operations Replacement Levy

City Manager Piasecki introduced the subject. He noted that state law required that any speakers wishing to address Council regarding the topic be allowed to speak.

Mayor Sheckler called for speakers.

None responded.

MOTION was made by Councilmember Pina and seconded by Councilmember White to adopt Draft Resolution No. 07-048, supporting the Highline School District's Educational Programs and Operations Replacement Levy.

Councilmember Sherman said that, generally, he does not favor Council taking a position on a ballot issue. In this case, he felt that he would be making a statement, as a Councilmember, regarding the type of community he wished to live in rather than telling people how to vote.

Mayor Sheckler agreed with Councilmember Sherman's comments.

VOTE ON MOTION: Motion passed unanimously.

Pacific Ridge Economic Development Consultant Contract

Planning, Building, and Public Works Director Fredricks introduced the subject.

MOTION was made by Councilmember Sherman and seconded by Councilmember White to authorize the City Manager to sign the \$50,000 contract with ClearPath, LLC for real estate and economic development consultant services for Pacific Ridge Neighborhood project proposals, substantially in the form as submitted and to authorize the City Manager to approve supplements to this contract in amounts not to exceed \$10,000 for projects to be conducted under the terms of this contract.

In response to Mayor Sheckler's questioning, Planning, Building, and Public Works Director Fredricks explained that any project exceeding \$10,000 would need to be brought before Council for approval.

Councilmember White recommended that the agreement not be limited to the Pacific Ridge area.

City Manager Piasecki explained that if development services were needed in another area of the City, a similar agreement would be presented to Council.

Councilmember Pina recommended that the motion be changed to "up to \$50,000".

The maker and seconder of the original motion **accepted** "up to \$50,000" **as a friendly amendment**.

VOTE ON MOTION: Motion passed unanimously.

Draft Resolution No. 07-021 [Assigned Res. No. 1032] - Des Moines Rotary Club Fireworks Over Des Moines

Parks and Recreation Director Thorell introduced the subject. She noted that the Rotary Club had asked the City to absorb all in-kind costs. Ms. Thorell introduced Rotary Representative Jim Polhamus.

Mr. Polhamus stated that the goal of the event was to provide a safe local Fourth of July event for families in the community. The Rotary Club hoped to increase the size of the show this year.

MOTION was made by Councilmember White and seconded by Councilmember Pina to adopt Draft Resolution No. 07-021, authorizing the seventh annual Fireworks Over Des Moines event on July 4, 2007, at the Des Moines Marina and, to direct the City Manager to enter into an agreement with the Rotary Club of Des Moines related to the provision of support services and amenities for the event as identified therein.

Councilmember Sherman noted that the City contributed \$3,500 to the event last year. This year, the City had given money to organizations such as the Southwest Visitors Bureau and Destination Des Moines. He wished to balance the requests for funding.

MOTION was made by Councilmember Sherman and seconded by Councilmember Kaplan to amend Section 6 of the proposed resolution to \$5,000 instead of \$7,000.

Councilmember White commented that she was comfortable with the \$7,000 amount. She asked that Rotary identify a more efficient method to facilitate traffic flow out of the Marina after the event.

Councilmember Pina said that the City needed to enforce the fireworks ban and provide an alternative.

Mayor Sheckler agreed with Councilmember Pina's comments and voiced support for a \$7,000 funding level as there would be a bigger and better display.

VOTE ON AMENDMENT: Motion failed, 2 – 3, with Councilmembers Kaplan and Sherman in support of the motion.

VOTE ON MOTION: Motion passed, 3 – 2, with Councilmembers Kaplan and Sherman opposed.

NEXT MEETING DATE - Study Session March 1, 2007

ADJOURNMENT

At 9:03 p.m., **motion** was made by Councilmember White, seconded by Councilmember Pina and passed unanimously to adjourn the meeting.

Respectfully submitted,

Angela M. Chaufy
Deputy City Clerk

ACTION ITEMS FROM 2/22/07 COUNCIL MEETING – None.