

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

September 13, 2007

At 7:29 p.m. Mayor Sheckler announced that the Council's Executive Session is expected to last approximately another 15 minutes.

The regular meeting of the Des Moines City Council was called to order at 7:50 p.m. by Mayor Sheckler in the Council Chambers, 21630 11th Avenue South, #B.

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

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Scott Thomasson, Councilmembers Dave Kaplan, Ed Pina, Carmen Scott, Dan Sherman and Susan White. Also in attendance were City Manager Tony Piasecki, City Attorney Pat Bosmans, Planning, Building and Public Works Director Grant Fredricks, Building Official Larry Pickard, Assistant Director Environmental Engineer Loren Reinhold, Planning Manager Denise Lathrop, Land Use Planner II Jason Sullivan and City Clerk Denis Staab.

COMMENTS FROM THE PUBLIC

Bill Lewis, 21507 42nd Avenue South, SeaTac

Mr. Lewis, as a user of the Senior Activity Center, thanked Council for the Senior Center and the new grass, noting that he and his dog enjoy eating outside. He expressed appreciation for the great meals, variety of activities provided and complimented the Senior Center staff. He expressed support for future expansion of the Center that will be addressed by Ms. Neupen.

Georgie Neupen, 24816 12th Avenue South

Ms. Neupen expressed appreciation for the Des Moines Beach Park and the new Marine View Drive Bridge, along with the current Activity Center. However, she reminded Council that last year they removed the Activity Center expansion from the Capital Improvement Plan (CIP) during the budget process, even though there was no funds attached to it. She requested Council re-instate the Center expansion (with no funds) as she informed Council outside funding or grants cannot be pursued unless it is listed in the CIP. She encouraged Council to put the expansion back in the CIP during the 2008 budget process.

Rikki Morohl, 22807 17th Avenue South

Ms. Morohl informed Council that Des Moines is mentioned three times in the *Best of the Best for Seattle* magazine 1) The "goat cheese" gal from the Des Moines' Farmer's Market, 2) B & E Meats and 3) out of the numerous Saturday farmer markets in King County, only two were listed and Des Moines was one.

She reminded Council that there will be a chili cook-off which will be held on October 27th, the last day of the Farmer's Market for this year. She invited everyone to attend.

PRESIDING OFFICER'S REPORT

Sound Transit 2 and Regional Transportation Investment District Ballot Proposition

Mayor Sheckler introduced King County Councilmember Julia Patterson, who introduced Eric Chips a South King County Senior Planner with Sound Transit. They proceeded to review the November Ballot proposition for roads and transit plan prepared jointly between Sound Transit and the Regional Transportation Investment District for the most congested corridors in the region. She noted over five years of work went into the Plan with State and local elected officials. She advised that the City of Des Moines input has been very valuable as Council has advocated powerfully on behalf of the citizens of Des Moines and South King County.

Highlights presented included:

- Displayed and distributed map showing major chokepoints
- Fix Urgent Safety Problems
 - Address 50 high-accident locations across the region
 - Replace or upgrade 3 seismically vulnerable bridges
 - Invest in signals, turn land & other safety features to reduce accidents
- More Transit Options
 - Expand light rail by 50 miles
 - Complete Renton/Tukwila Sounder Station, Renton BRT Access Ramp
 - Add transit and business access lanes
 - Study future high capacity transit options in Renton, Burien, Seattle area
 - Move over 300,000 riders a day on light-rail with long term capacity to expand
 - Construct 24 new light rail stations
 - Transit service up to 20 hours a day
 - Provide bicycle paths & walkways
- Reduce Congestion & Chokepoints
- Connect & Complete Investments
 - Integrated system in 3 major corridors; including south King & Pierce Counties

In conclusion, County Councilmember Patterson noted the capital investment in 2006 dollars is \$17.8 billion total, with \$10.8 billion for transit and \$7 billion for roads. The proposal calls for new revenue of .6 of one percent of sales tax (.5 for Sound Transit & .1 for roads) which equals 6 cent sales tax on \$10, along with .8 of one percent Motor Vehicle Excise Tax for roads only, which equals \$80 for every \$10,000 worth of value on a vehicle. She stressed that we can not afford to delay this comprehensive plan as costs will only escalate, and requested that Council consider endorsement in the form of a resolution supporting these efforts.

Mayor Pro Tem Thomasson noted he has process related questions in terms of Des Moines City Council taking an action on a ballot proposition, as Council does it rarely and infrequently and there is a process by State law that we need to adhere to. He hopes to have a process wherein we could identify specific benefits to Des Moines and should a resolution be developed, it would state those benefits.

County Councilmember Patterson stated that she felt the SR 509 configuration will be pleasing to Council. She also noted that there is a commitment that the light rail station in Des Moines will be built and completed during the first half of the construction period. She felt there is an immediate benefit to Des Moines' citizens as they will be able to go to Highway 99 board a light

rail train, and travel all the way to Seattle, Snohomish County, or the Tacoma Dome. She encouraged Council to not just look at the investments that happen to be within Des Moines boundaries, but take into consideration the travel patterns of Des Moines citizens as many are commuting long distances to work every day.

Upon questioning by Councilmembers, County Councilmember Patterson offered the following:

- Increased Metro bus service is planned, and she and her staff would be happy to work with Des Moines staff to get local circulating buses
- Light rail will not connect to Southcenter
- This is a 20 year plan, with SR 509 and the interchange at 167 and 405 planned for the 1st stage, with a promise made to get to the Des Moines station in the next 10 years
- More information is available on soundtransit.org, or rtid.org
- Alaskan Way viaduct was pulled out of the plan because the State of Washington has come forward with full funding
- Kept together instead of two separate issues, due to the fact each side would defeat the other in a vote, we need to have investment in both and the system needs to be integrated

Councilmember Kaplan thanked County Councilmember Patterson for leveraging the improvements on SR 509 to ensure that it is 2 lanes in both directions, with the alignment we need. He advised he wants a resolution to support the measure as presented, even though he feels it is the State's obligation, because if we do not do this it will never happen. Also, the longer we wait the less funds will be available to make the improvements we need. He noted just since last fall the inflation in construction materials, particularly concrete have gone up 43%, this ate up the additional funds that would have gone into projects the State had planned to pay for. He felt the other important aspect is the infrastructure we are putting in, in conjunction with the Transit Now package, is going to provide Des Moines' residents with the North/South transportation that has been needed for a long time, particularly to support the development that is going to happen on Pacific Ridge and other parts of the City.

ADMINISTRATION REPORTS

Consent Calendar Item

City Manager Piasecki noted Consent Item #7 is his request for Council to confirm his appointment of Veronica Alicea-Galvan as Municipal Court Judge to fill the rest of the term that Judge Hartl was unable to fulfill as she accepted another position. He introduced Ms. Alicea-Galvan and advised Council that the City of Normandy Park has already confirmed her.

Ms. Alicea-Galvan addressed Council noting it will be an honor to serve Des Moines and its residents.

BOARD & COMMITTEE REPORTS & COUNCILMEMBER COMMENTS

Farmer's Market

Councilmember Scott encouraged everyone to attend the Saturday markets through October.

Public Safety & Transportation Committee

Councilmember Kaplan advised that the Committee met last week. Discussion included:

- Transit Now proposal, improved the frequency of buses on Pacific Highway South, however with a reduced number of stops

- 16th Avenue South Phase I Project, moving along well and hope to have most of the work done by the end of the year, with final paving and landscaping done next spring
- Saltwater Bridge, contractor has been chosen and by early to mid-November it should be complete. Work Started on Monday, September 17th

Public Issues Committee, Suburban Cities Association

Councilmember Pina reported attending a Public Issues Committee meeting last night with the Roads and Transit ballot the big discussion item. The Committee will vote on their recommendation at their next meeting. He advised that the Committee did vote to support the King County EMS medical I levy, and noted Des Moines position was not a popular one. They also support the King County Solid Waste Transfer Export System Plan. At the next meeting they will be discussing protection for volunteer medical professionals against lawsuits in emergency situations.

Park Maintenance

Councilmember White commended the Parks department maintenance crew for how wonderful are Parks are being maintained.

16th Avenue South Project

Councilmember White noted the City has received positive feedback on the project and questioned when it may be completed.

Planning, Building and Public Works Director Fredricks reported we are ahead of schedule. He advised they are taking extra steps to ensure there are special flaggers for children going to and from school. He noted hot mix asphalt for the first lift should occur in the next 4 to 6 weeks.

Senior Services Advisory Committee

Councilmember White reported that Committee member Kaylene Moon has been appointed by the King County Council to be on the Seattle-King County Advisory Board on Aging and Disabilities.

Emergency Preparedness Seminar

Councilmember White reported attending the Seminar along with Councilmember Sherman. She stated citizens should go to the web site of rpin.org which is the Regional Public Information Network for all kinds of information, especially for handling emergencies.

Mt. Rainier High School Grand Opening

Councilmember Sherman reported attending, along with the rest of the Council the grand opening this week and received a tour of the new facility.

Consent Item - Reallocation of Funds

Councilmember Sherman referenced Consent Item #3 which was discussed at the last Human Services Advisory Committee, and expressed support for this item.

Municipal Facility Committee

Councilmember Sherman advised a meeting was held last week with discussion revolving around Parks and Recreation and the 2008 budget.

Elected Officials Readiness Seminar

Councilmember Sherman stated he attended the seminar with Councilmember White. He reported our area was well represented with members from Water District #54, South King Fire and Rescue, Lakehaven Sewer/Water District and our jointly shared Emergency Management Preparedness Coordinator. Issues discussed were emergency housing, cooling/warming centers, facilities for pets, putting together kits of three days of necessities, special needs citizens, debris disposal, etc. He expressed hope that we can have our Emergency Management Coordinator attend a future Council meeting to talk about these issues and answer some common questions.

Water District #54

Councilmember Thomasson noted that a while back Council received correspondence from the District regarding fire flow issues in the downtown area. He questioned when Council will discuss these issues.

City Manager Piasecki advised this is scheduled for the October 4th meeting.

Highway 99 - Storage Issues

Councilmember Thomasson stated he noticed this evening that the vacant lot next to Pete's Towing is being used for trailer storage and other things for which it is not permitted. He questioned if Code enforcement is involved or not, and if they only act on complaints, then consider this one.

City Manager Piasecki stated that staff will follow up on this item.

Motel Closure

Mayor Sheckler stated that last Friday, the City shut down the Three Bears Motel on Highway 99 and South 216th. He advised that the City put the former residents up for three days. He advised the motel was operating without a City business license and had numerous code violations and staff is working to determine when or if the facility may re-open and under what conditions.

City Attorney Bosmans asked Council for the authority to pursue a lawsuit to recover the City's costs for the relocation assistance that was provided as this should have been the obligation of the owner. She stated this amounts to slightly less than \$7,000.

Mayor Sheckler advised that Council's consensus is to proceed with this effort.

ADMINISTRATION REPORT

Des Moines Creek Dredging Project

City Manager Piasecki announced the project started today.

Historical Item

City Manager Piasecki reported that the City Manager of Clyde Hill presented him with a Analysis of Proposed Incorporation of Des Moines, dated around the late 40s or early 50s. He noted he will have it in his office for review. He noted it was estimated that if Des Moines incorporated the first years total cost for City operations would be \$10,880.

At 8:56 p.m. Mayor Sheckler called for a 10 minute break.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the regular and special minutes of July 19, and the regular minutes of August 2, 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 #110371 through #110974 & electronic fund transfers in the total amount of \$2,492,757.55

Payroll fund transfers in the total amount of \$667,787.38

3. Motion is to approve the Human Services Advisory Committee's recommendation to re-allocate \$1,000 from Highline Community College's Volunteer Literacy Program to the following three agencies serving Des Moines Residents: \$200 to Pregnancy Aid, \$350 to Hospitality House and \$450 to Salvation Army.

~~4. Draft Ordinance No. 07-141 Title: An Ordinance of the City of Des Moines, Washington, related to the mandatory parking requirements established for the Pacific Ridge by Chapter 18.44 of the Des Moines Municipal Code, and amending DMMC 18.44.050 and DMMC 18.44.060.~~

~~Motion is to approve Draft Ordinance No. 07-141 on second reading. [NOTE: Item removed by Mayor Sheckler.]~~

5. Motion is to award the contract for professional engineering services for the Barnes Creek Detention Facility design to Tetra Tech/KCM, Inc. in the amount of \$82,405 plus a 10% contingency, and to authorize the City Manager to sign the contract **substantially in the form as submitted** on the City's standard consultant form. [Amended language accepted.]

~~6. Motion is to authorize the City Manager or his designee to approve change orders to the contract with Scarsella Brothers Inc. up to 15% of the contract amount for Schedule A of the 16th Avenue South Improvement project. [NOTE: Item removed by Mayor Pro Tem Thomasson.]~~

7. Motion is to confirm the City Manager's appointment of Veronica Alicea-Galvan as the Municipal Court Judge, through December 31, 2009.

Mayor Sheckler announced he is removing Consent Item #4.

Mayor Pro Tem Thomasson advised that he does not want to remove it, but felt Consent Item #5 motion needs to be changed to reflect a "standard City consultant contract", not the Federal Aid Highway Contract that is in Council's packet.

Mayor Pro Tem Thomasson pulled Consent Item #6 as he feels it is not clear as to what it really is referring to.

Upon questioning by Councilmember Kaplan in regards to Consent Item #5, Planning Manager Lathrop stated that the scope of our consultants for the critical areas update was called a "wetlands inventory" and they are basing their work on previous delineations, but they did not categorize all of the wetlands.

MOTION was made by Councilmember Kaplan, seconded by Councilmember Pina, to approve the remainder of the Consent Calendar as read. Motion passed unanimously.

Removed Consent Item #4 - Draft Ordinance 07-141 [ASSIGNED ORDINANCE NO. 1409] Pacific Ridge Parking Requirements - 2nd Reading

MOTION was made by Mayor Sheckler, seconded by Councilmember Kaplan, to adopt Draft Ordinance 07-141 amending Chapter 18.44 DMMC reducing the required parking for multifamily developments in the Pacific Ridge Residential to 1.5 from 2.0 for one bedrooms and studios in order to be consistent with the Pacific Ridge Commercial parking requirements, and to allow the current joint-use parking provisions to apply to residential components of mixed-use buildings within the Pacific Ridge Neighborhood.

Mayor Pro Tem Thomasson felt this fails to take into consideration what was already granted and why 1.5 was set to begin with. He also felt that 20% reduction leaves a lot of opportunity for running out of parking as it does not take into consideration the required parking for the various components. Plus, if we allow a lot of units in tall buildings, there is not enough on-street parking to cover the shortage. He felt the original language dealt with the issues, and he does not want the numbers to be lower for mixed use and then add another 20% on top. If we leave it at 2.0 and then applied the 20% factor then he felt it might work better.

Councilmember Sherman questioned why we would change the language in 18.44.050(2) as he feels this makes it less clear. He expressed agreement with Mayor Pro Tem Thomasson the reduction in parking is too great. He noted on page 3 of the draft ordinance the second and third whereas, contains the "Des Moines Planning, Building and Public Works Director" and since we did not have such a position at that time, this should be corrected.

City Manager Piasecki suggested striking the title of the position. This was accepted by consensus.

Land Use Planner Sullivan stated you currently can have common parking in a mixed use building, however when you do the calculation, the commercial uses are added up and then you may reduce those by 20%, but the residential component is figured separately. He pointed out that this is only in the Pacific Ridge zone and the 1.5 stalls per unit is only for one bedrooms and studios, and 2 bedroom units still require 2 parking stalls per unit. He suggested that the 50% reduction should exclude all residential uses.

MOTION was made by Councilmember Sherman, seconded by Mayor Pro Tem Thomasson, to amend the draft ordinance under 18.44.050 and Section 3 to add under the reduction of up to 50%, that this does not include residential uses. Motion passed 5 to 2 with Councilmember White and Mayor Sheckler opposed.

MOTION was made by Mayor Pro Tem Thomasson, seconded by Councilmember Sherman to amend the draft ordinance Page 4, Section 1(2), second to last sentence to add the language after 18.31 DMMC: "as long as the reduction does not go below what would be required for the residential component". Motion passed 5 to 2 with Councilmember White and Mayor Sheckler opposed.

MOTION was made by Councilmember Sherman, seconded by Councilmember Pina that the ordinance be amended by adding a period at the end of the last amendment and the next sentence then start with the words "The residential allowance . . ." Motion passed unanimously.

VOTE ON MAIN MOTION: Motion passed 5 to 2 with Councilmember Sherman and Mayor Pro Tem Thomasson opposed.

Removed Consent Item #6 - 16th Avenue South Improvement Project

MOTION was made by Mayor Pro Tem Thomasson, seconded by Councilmember Kaplan to authorize the City Manager or his designee to approve change orders to the contract with Scarsella Brothers, Inc. up to 15% of the contract amount for Schedule A of the 16th Avenue South Improvement project, including the addition of the South 260th overlay project. Motion passed unanimously.

PUBLIC HEARING

Draft Ordinance No. 07-160 [ASSIGNED ORD. NO. 1410] Pacific Ridge Private Recreation Requirement Reduction - 1st Reading

Mayor Sheckler introduced the subject and inquired as to whether there is anyone in the audience who will wish to address Council, and there was no response. He declared the hearing open and requested administration describe the matter under consideration.

Land Use Planner II Sullivan stated the draft ordinance is a result of the work between Councilmembers and staff and a developers forum, where it was determined that oversized decks are not typically found in high rise construction. He noted staff is requesting a 20 foot reduction, still allowing for a 40 square foot deck.

Mayor Sheckler called for speakers three times. There was no response.

Upon questioning by Mayor Pro Tem Thomasson as to whether there are criteria to when reduced decks would be allowed, Land Use Planner II Sullivan suggested a small amendment to state "if you receive the condominium height bonus, then you are qualified for the reduction".

Councilmember Pina pointed out that this is a minimum requirement, but a developer can install bigger decks if they desire.

Upon questioning as to the definition of private recreational space, Land Use Planner II Sullivan responded that it is recreational space that is provided where only the person who lives in the unit can have access to it.

Councilmember Scott questioned whether there is any minimum depth requirement. The response was no.

Councilmember Pina felt a developer is going to build something that is saleable, so he will make it functional.

Mayor Pro Tem Thomasson pointed out that in Chapter 18.45 private recreation area is defined as: A minimum of 60 square feet of private outdoor recreation area provided for each dwelling unit. The minimum dimension of any private recreation area shall be six feet, and shall be adjacent to and directly accessible from the corresponding unit.

As there was no further discussion, Mayor Sheckler CLOSED the Public Hearing.

MOTION was made by Councilmember Kaplan, seconded by Councilmember White to suspend Council Rule 26(b) in order to enact the ordinance on first reading. Motion passed 5 to 2 with Councilmembers Pina and Sherman opposed.

MOTION was made by Councilmember Kaplan, seconded by Councilmember White to pass Draft Ordinance No. 07-160 amending Chapter 18.31 DMMC reducing the required private recreation area from 60 square feet to 40 square feet per dwelling unit within the Pacific Ridge Zone.

MOTION was made by Councilmember Pina, seconded by Councilmember Sherman to amend the ordinance by making it apply to buildings that are above 35 feet to be inserted in Section 1(d)(iii) at the end of the sentence. This was accepted as a FRIENDLY AMENDMENT by the maker and seconder of the motion. Land Use Planner II Sullivan felt this should also be added to page 7 at the end of sub-point (b).

VOTE ON MAIN MOTION: Motion approved unanimously.

PUBLIC HEARING

Draft Ordinance No. 07-159 Five Story Wood Frame Buildings - 1st Reading

Mayor Sheckler introduced the subject and opened the hearing.

Mayor Sheckler requested one individual who had signed up to speak to raise his right hand and affirm under penalty of perjury under State law, that his testimony would be true and accurate to the best of his knowledge. The response was in the affirmative.

Mayor Sheckler called on administration to describe the matter under consideration.

Planning, Building and Public Works Director Fredricks informed Council this is a result of numerous meeting with various groups over the last two years about ways to provide a little more flexibility in Des Moines Code to allow developers to provide a more affordable product to meet the demands of the market place. He advised that the International Building Code provides for approval of alternate methods of design construction and the allowance of an extra story of wood frame construction, and what is before Council tonight is modeled on what the Washington State of Building Officials has recommended that jurisdictions adopt.

Mayor Sheckler called for public speakers.

PUBLIC COMMENTS

Philip Johnson, 22555 10th Avenue South

Mr. Johnson informed Council he has been a resident of Des Moines since 1962. In reading through the Agenda Item under Background, 4th paragraph he expressed concern over the language "changes to the Pacific Ridge Zone and Downtown". He questioned why "and Downtown" was inserted as reading the ordinance downtown is not mentioned, however it does cover all of Des Moines. He expressed concern that it could circumvent of the 35 foot building limit anywhere in the City. While he felt this may not be Council's intent, it is his fear that the draft ordinance may allow this to happen. He suggested that words be added to the effect that it

is only for the Pacific Ridge and therefore not allowed in other areas in the City. He stated as a long time resident he does not want to see a "great wall on Marine View Drive" come to pass.

Mayor Sheckler questioned whether administration wishes to address any of Mr. Johnson's comments.

City Manager Piasecki acknowledged that this is a City-wide ordinance, and it will apply through out the City, but will only apply to the parts of the City where heights are allowed above 35 feet and there is only one area, Pacific Ridge.

Planning, Building and Public Works Director Fredricks called Council's attention to an error in the draft motion, noting that 'mixed use' should be struck as it applies to all buildings.

Mayor Sheckler called for additional speakers three times. There was no response.

Upon questioning about Section 1(8) Fire Department Access, Building Official Pickard noted this is required on 3 and 4 story buildings also. He noted that since some Fire Departments have different regulations, staff just wanted to make sure the Fire standards were included. Mayor Pro Tem Thomasson felt that this is covered within the whole building code so this is unnecessary. He also felt that (10) 'Maintenance of fire protection systems' is not necessary.

Upon questioning, Building Official Pickard noted that "height" is defined in our standard code for buildings where it lists maximum stories and maximum height, so it does leave the developer room to decide.

City Manager Piasecki pointed out that the limiting factor is the total number of 'wood frame' stories you can have in a building is five, but the ground floor must be made of a different material, concrete.

Building Official Pickard noted this legislation allows for an affordability factor to allow a 5th floor, with concrete parking or a business floor below which gives fire separation, and limits maximum stack on the concrete to five stories of wood frame.

City Manager Piasecki advised that he has been assured that this draft ordinance is in the standard language that has been adopted as the preferred language by the Building Council.

Mayor Pro Tem Thomasson questioned that if this legislation is adopted, does it need to go to the State for approval. Building Official Pickard responded that this language has been pre-approved therefore, we do not need to submit it to the State.

Upon questioning, Building Official Pickard noted right now you can build a four story wood structure, but with stairwells, elevators or shafts not pressurized, and the first story must be one hour structural components. With an extra wood story (making 5) we now include pressurizing shafts which adds additional elements of safety, and includes 2 hour structural on the first floor.

Mayor Sheckler CLOSED the Public Hearing.

MOTION was made by Councilmember Kaplan to suspend Council Rule 26(b) in order to enact the draft ordinance on first reading. Motion DIED for lack of a second.

MOTION was made by Councilmember Kaplan, seconded by Councilmember White, to pass Draft Ordinance 07-159 authorizing alternative methods of design and construction, adding a new chapter to Title 14 DMMC entitled Five-story Wood Frame Buildings, and codifying a new chapter in Title 14 to a second reading on September 27, 2007.

Councilmember Scott expressed concern that Council direction in the future may be ignored and she felt the draft ordinance should be explicit that it is limited to the Pacific Ridge area only, and not downtown commercial.

At 10:26 p.m. **MOTION** was made by Mayor Sheckler, seconded by Councilmember Kaplan to extend the meeting to 10:40 p.m. Motion passed 5 to 2 with Councilmembers Sherman and White opposed.

Councilmember Kaplan noted the term downtown is only contained within the background information. He pointed out that the ordinance only applies to buildings that are zoned in excess of 35 feet, which is only in Pacific Ridge. Unless Council changes the downtown building height, then this will never apply.

MOTION was made by Councilmember Sherman, seconded by Councilmember Scott, to amend the ordinance to restrict five story wood frame buildings to the Pacific Ridge Zone.

Councilmember Kaplan expressed disagreement with the amendment until Council has had an opportunity to discuss the downtown zoning. He felt this could bar applying it potentially to even a small portion of downtown.

Councilmember Sherman expressed agreement with Councilmember Scott that this should not be left to staff's discretion at a future time.

Mayor Pro Tem Thomasson felt there may be some cases on the west side of Marine View Drive where it might be possible to apply this new construction so he will support the amendment.

Councilmember Scott stated she agrees with Councilmember Sherman that until zones are addressed specifically she would prefer to make sure this type of construction is not allowed in the downtown zone.

VOTE ON AMENDMENT: Motion failed 4 to 3 with Councilmembers Sherman and Scott and Mayor Pro Tem Thomasson voting yes.

VOTE ON MAIN MOTION: Motion passed 6 to 1 with Councilmember Sherman opposed.

NEW BUSINESS

Des Moines Buildable Lands Analysis

MOTION was made by Mayor Pro Tem Thomasson, seconded by Mayor Sheckler and passed unanimously, to move this item to a future agenda to be determined.

NEXT MEETING DATE

Mayor Sheckler announced that the next regular meeting will be September 27, 2007.

ADJOURNMENT

At 10:40 p.m. **MOTION** was made by Councilmember Thomasson, seconded by Councilmember Kaplan and passed unanimously, to adjourn.

Respectfully submitted,

Denis Staab
City Clerk

ACTION ITEMS FROM MEETING OF 9/17/07

- Investigate potential illegal storage use of vacant lot next to Pete's Towing on Hwy 99