

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

February 26, 2009

The regular minutes of the Des Moines City Council was called to order at 7:33 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, Mayor Pro Tem Dan Sherman, Councilmembers Dave Kaplan, Ed Pina, Carmen Scott, Scott Thomasson and Susan White. Also in attendance were City Manager Tony Piasecki, City Attorney Pat Bosmans, Planning, Building and Public Works Director Grant Fredricks, Police Chief Roger Baker, Harbormaster Joe Dusenbury, and Clerk Kendra Johnson.

COMMENTS FROM THE PUBLIC:

Cheryl Birdsong-Juneau, 19818 3rd Pl. S.

Ms. Birdsong-Juneau noted she does not favor the Multi-Family Tax Exemption (MFTE).

Vernnena Staab, 21628 28th Ave. S.

Ms. Staab stated she opposes the MFTE. In addition, she shared her opinion on watercraft fueled by ethanol and discussed park fencing.

Mysty Beal, 22628 16th Ave. S.

Ms. Beal requested an independent financial assessment on the impact of the MFTE and requested the Council not proceed on a vote on this issue until they have the opportunity to study the aforementioned assessment.

Nadine Byers, 26241 13th Pl. S.

Ms. Byers noted she is representing the Human Services Advisory Committee. She requested the Council support Item #5 on the Consent Calendar and thanked the Council for their continued support.

Florence McMullin, 1018 S. 246th Pl.

Ms. McMullin stated she does not favor the MFTE. She would like the City to initiate collaborative discussion before making a final decision on this ordinance.

Dan Caldwell, 19547 2nd Ave. S.

Mr. Caldwell does not support the MFTE and referred to emails he had sent to Council regarding this matter.

PRESIDING OFFICER'S REPORT

Mayor Sheckler noted the 2009 federal government budget has passed the House of Representatives. The Bill, which was created and recommended by a Conference Committee, is expected to pass the Senate then on to the President for signature without any changes. In this budget, Congressman Adam Smith requested an appropriation for improvements on the Downtown Water District System on the City's behalf. The City was informed \$500,000 was included in the budget for these improvements. Mayor Sheckler thanked Congressman Smith for his assistance, along with Councilmembers Pina and White for their lobbying efforts on the

City's behalf, lobbyist Dale Learn, City staff for their hard work on the submittal and the Council for their support.

BOARD & COMMITTEE REPORTS & COUNCILMEMBER COMMENTS

2009 State Budget & Tourism, Des Moines 50th Birthday and Economic Development

Councilmember Scott reported that she, Mayor Sheckler and City Manager Piasecki met with Representatives last week in Olympia. They were informed that an additional 720 million dollars is being cut from the current year budget that ends on June 30, 2009. It does not include the 8.5 million dollar budget deficit for the next budget year. Councilmember Scott stated she also is working on Historic displays for the 50th Birthday Party and coordinating with Ralph Nichols and others on creating items concerning economic development, awareness and tourism.

Environment Committee

Councilmember Thomasson noted at this evening's committee meeting that the Midway Sewer District had a presentation concerning their recently approved sewer plan. The Council is the legislative authority and needs to ultimately approve that plan.

Passenger Ferry, Economic Development and Multi-Family Tax Exemption

Councilmember White is in support of passenger ferry service and encouraged Ralph Nichols in his public relation role on this matter. She also commented that information was provided by Finance Director Paula Henderson as to the City's financial situation. She noted it was not favorable but felt the City should maintain a focus and move forward. In addition, she stressed that the Council would be extremely diligent in gathering information on the MFTE before any action is undertaken.

Human Services

Mayor Pro Tem Sherman voiced his support of the Consent Calendar items Nadine Byers discussed earlier. He encouraged administration to keep Council abreast of the City's financial situation.

ADMINISTRATION REPORTS

City Manager Piasecki stated Mayor Sheckler has scheduled a discussion of City finances on the March 12th agenda. In addition, he noted that several weeks ago he, Mayor Sheckler, Parks & Recreation Human Services Director Patrice Thorell met with Normandy Park (per Council direction) to discuss the Mt. Rainier pool. The consensus was that each individual Council designates three councilmembers to meet and discuss what could be achieved jointly by way of a ballot measure. Normandy Parks City Manager informed him that they have already designated three councilmembers and are ready to meet with the Des Moines designated councilmembers to move forward on this issue.

CONSENT CALENDAR was read by Clerk Johnson.

1. Motion is to approve the regular minutes of January 22, 2009.

~~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 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 # through # & electronic fund transfers in the total amount of \$~~
~~Payroll fund transfers in the total amount of \$~~ [ED NOTE: Item pulled by Mayor Sheckler.]

3. Draft Resolution No. 09-027 [ASSIGNED NO. 1094] - Title: A Resolution of the City Council of the City of Des Moines, Washington, authorizing the Rotary Club of Des Moines to conduct the "Fireworks Over Des Moines" fireworks event on July 4, 2009 at the Des Moines Marina and Fishing Pier and listing conditions under which such permission is granted.
MOTION is to approve Draft Resolution No. 09-09-027.
4. Draft Resolution No. 09-026 [ASSIGNED NO. 1095] - Title: A Resolution of the City Council of the City of Des Moines, Washington, approving Highline Water District's 2008 Comprehensive Water System Plan.
MOTION is to approve Draft Resolution No. 09-09-026.
- 5.A Motion is to approve the 2009 Human Services allocations shown as Attachment A as recommended by the City of Des Moines Human Services Advisory Committee, and
- 5.B Motion is to approve the 2009 Interlocal Agreement for the Joint Human Services Funding Program between the Cities of Auburn, Burien, Covington, Des Moines, Federal Way, Kent, Renton, SeaTac and Tukwila and authorize the City Manager to sign the agreement substantially in the form as submitted.
6. Motion is to cancel the March 12, 2009 public hearing regarding the Zoning Code Update, by revoking Draft Resolution No. 07-122.

Mayor Sheckler requested Item #2 be pulled until figures arrive.

City Manager Piasecki read figures for Item #2. Claim checks #118609 – 118307 and electronic fund transfers in the total amount \$510,244.63. Payroll fund transfers in the total amount \$437,974.80.

MOTION was made by Mayor Sheckler, seconded and passed unanimously, to approve Item #2.

MOTION was made by Mayor Sheckler, seconded and passed unanimously, to approve the remainder of the Consent Calendar as read.

At 8:04 p.m., Mayor Sheckler announced a 10-minute break followed by a 10-minute executive session regarding pending litigation.

Executive Session

Mayor Sheckler called the Executive Session to order at 8:04 p.m. in the City Hall Conference Room.

Present: Mayor Sheckler, Mayor Pro Tem Sherman, Councilmembers Kaplan, Pina, Scott, Thomasson, and White. Also in attendance were City Manager Piasecki, City Attorney Pat Bosmans, and Assistant City Manager Lorri Ericson.

At 8:13 p.m., Assistant City Manager Ericson announced a 5-minute extension for the executive session.

At 8:19 p.m., Assistant City Manager Ericson announced an additional 5-minute extension for the executive session.

No formal action was taken.

At 8:24 p.m., regular meeting reconvened.

Agenda revision

Mayor Sheckler announced a change in agenda order and the next item discussed would be New Business Item #1 Draft Ordinance No. 09-202 SCORE Condemnation.

NEW BUSINESS

Draft Ordinance No. 09-020 SCORE Condemnation - 1st Reading

MOTION was made by Mayor Sheckler, and seconded, to accept Draft Ordinance No. 09-020 SCORE Condemnation for a 2nd reading on March 12, 2009. VOTE ON MOTION: Passed 6 to 1 with Councilmember Thomasson opposed.

CONTINUED PUBLIC HEARING

Draft Ordinance No. 08-163 Multi-Family Tax Exemption - 1st Reading

Mayor Sheckler invited Councilmember Scott to begin with the Q & A discussion concerning the MFTE. Councilmember Scott advised that PBPW Fredricks had some comments he wished to make and she would follow him with her questions. PBPW Fredricks then distributed a packet to Council of Q & A's that were in response to questions previously emailed from Councilmember Scott to staff. He summarized the information for Council and gave a PowerPoint presentation. Discussion followed. Police Chief Roger Baker responded to questions from Council about the impact this ordinance would have on the police department.

At 10:18 p.m., **MOTION** was made by Councilmember Kaplan, seconded by Councilmember Pina, to extend the meeting to 11:00 p.m. Motion failed 3 to 4.

MOTION was made by Councilmember Kaplan, seconded by Councilmember Thomasson and passed unanimously, to extend the hearing to March 26, 2009.

OLD BUSINESS

Draft Resolution No. 09-028 [ASSIGNED NO. 1096] - Adding Seasonal Moorage Rates for 20' and 24' Slips

Harbormaster Dusenbury explained the new rates would apply to new tenants who entered the Marina 20' and 24' moorage after March 31, 2009. The rate reduces to the regular rate after October 31, 2009. Any tenant remaining after that date would pay the regular rate from that point forward. City Manager Piasecki added staff would come to Council in the fall with a new rate resolution because the last adopted resolution expires on December 31, 2009. In addition, Councilmember Thomasson requested a minimum six-month stay requirement be added to the ordinance.

MOTION was made by Councilmember Pina, seconded by Councilmember Kaplan, to adopt Draft Resolution 9-028 which would add seasonal rates for the 20 and 24 foot slips to the Marina's rate schedule.

AMENDED MOTION add "as established by Council".

VOTE ON MOTION: Passed unanimously.

NEXT MEETING DATE - Study Session March 5, 2009.

ADJOURNMENT

At 10:30 p.m., **MOTION** was made by Mayor Pro Tem Sherman, seconded by Councilmember Kaplan and passed unanimously, to adjourn.

Respectfully submitted,

Autumn Lingle
Clerk