

**MINUTES
REGULAR MEETING
DES MOINES CITY COUNCIL**

June 30, 2011 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE – The flag salute was let by Councilmember Sherman

ROLL CALL

Present were Mayor Sheckler; Mayor Pro-Tem Kaplan; Councilmembers Scott Thomasson, Dan Sherman, Matt Pina, Melissa Musser and Carmen Scott.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson; Planning Building and Public Works Director Grant Fredricks; Planning Manager Denise Lathrop; Development Services Manager Robert Ruth; Senior Planner Jason Sullivan; Associate Transportation Engineer Brandon Carver; Temporary Economic Development Manager Marion Yoshino; City Clerk Sandy Paul

CORRESPONDENCE

There was no correspondence to report.

COMMENTS FROM THE PUBLIC

There were no public comments.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- Katherine Kurtzman of Seattle Southside made a presentation at the Finance/Economic Development Committee meeting
- The Finance/Economic Development Committee discussed a work plan for next year

Mayor Pro-Tem Kaplan

- Mayor Pro-Tem Kaplan had no report

Councilmember Musser

- Councilmember Musser had no report

Councilmember Pina

- Reported being invited to attend a community roundtable with citizens of Des Moines

Councilmember Sherman

- Councilmember Sherman had no report

Councilmember Thomasson

- Councilmember Thomasson had no report

PRESIDING OFFICER'S REPORT

- The SCORE facility is opening and an open house will be held July 28, 2011. Alternative dates can be arranged if necessary to accommodate individual Councilmember schedules.

AMINISTRATION REPORTS

- A temporary Certificate of Occupancy was issued today by the Building Official for the SCORE facility in order to facilitate the purchase of supplies and training of staff

CONSENT AGENDA

Item #1. APPROVAL OF MINUTES

Motion is to approve the June 23, 2011 City Council meeting minutes.

Item #2. Draft Resolution No. 11-129, Interfund Loan from the Equipment Rental Replacement Fund to the Municipal Capital Improvements Fund.

Motion is to adopt draft Resolution No. 11-129 approving an interfund loan in an amount not to exceed \$500,000 from the Equipment Rental Replacement Fund at an interest rate equivalent to the Washington State Local Government Investment Pool rate with interest to be paid monthly to the lending fund and with principal loan repayments to occur prior to December 31, 2011.

Councilmember Scott moved approval of the consent agenda as presented; second by Mayor Pro-Tem Kaplan. The vote to approve the motion was 7-0.

OLD BUSINESS

1. Draft Ordinance No. 11-011 Downtown Commercial Zone Amendments

Senior Planner Jason Sullivan presented an updated staff report, highlighting the most recent Amendments, changes numbered 1-10, as requested by Councilmembers.

Mayor Pro-Tem Kaplan moved to approve Draft Ordinance No. 11-011; second by Councilmember Musser. Discussion followed.

ACTION/DIRECTION

Mayor Pro-Tem Kaplan moved to approve Amendment 1, on light green paper establishing a base building height of 55 feet for the QFC block; second by Councilmember Musser. Following discussion, the motion was approved by a 5-2 vote, Councilmembers Sherman and Thomasson voting *no*.

Mayor Pro-Tem Kaplan moved to approve Amendment 2, on yellow paper removing the height bonus for the QFC block, reducing the height bonus along 7th Avenue from 65 to 55 feet, and reducing the size of the height bonus area along Marine View Drive; second by Councilmember Musser. Following discussion, an amendment to the original motion, approved by both the maker and seconder of the original motion removed language in section 2(a) and 2(d)(i) thereby deleting the height bonus area along Marine View Drive and Section (2)(c)(i) modifying the public benefit system table accordingly. The amended motion was approved by a 5-2 vote. Councilmembers Thomasson and Sherman voted *no*.

Councilmember Pina moved to approve Amendment 3, on light blue paper, which exempts elevator access to rooftop gardens from building height measurement; Councilmember

Musser; second. Following discussion, the motion passed 6-1. Councilmember Sherman voted *no*.

Amendment 4, on lime green paper, which would modify the Public Benefit Incentive System table to reflect improved connections to the Marina was moved by Councilmember Musser, second by Mayor Pro-Tem Kaplan. Councilmember Thomasson suggested clarifying that any 'additional roadway improvements' that are considered under the Public Benefit Incentive System, must exceed what is required in Chapter 12.28 DMMC, approved by both maker and seconder of the original motion. Column 3 would be eliminated. In addition to other revisions to the table, the phrase *or water features* would be added to *every \$1000 spent on public art*, also approved by both maker and seconder. The motion passed 6-1. Councilmember Sherman voted *no*.

Mayor Sheckler recessed the meeting at 8:45 p.m. for ten minutes. The Council meeting was reconvened at 8:55 p.m.

Mayor Pro-Tem Kaplan moved to approve Amendment 5D, on golden paper to change the point at which building height is measured from the mean sidewalk grade in front of a building to the highest sidewalk grade, and also maintain consistency with Amendments 1 and 2, passed earlier. He removed Sections 2(a) and 2(c)(i), also to be consistent with previous votes. Renumbering would take place accordingly. Councilmember Scott, second. The motion was passed by a 5-2 vote. Councilmembers Thomasson and Sherman voted *no*.

Mayor Pro-Tem Kaplan moved to approve Amendment 6B, on salmon colored paper, reconfiguring the height bonus area along 7th Avenue, and to be consistent with previous votes; second by Councilmember Scott. The motion failed 5-1. Councilmember Thomasson abstained. Councilmember Scott voted in favor of the motion.

Mayor Pro-Tem Kaplan moved to approve Amendment 7, on purple paper to add a building setback for building stories above the third floor along South 227th and South 223rd Streets; Councilmember Pina, second. The vote was 7-0. The motion passed.

Councilmember Musser moved approval of Amendment 8B, on the buff-colored paper; second by Mayor Pro-Tem Kaplan. This amendment would provide that height would not be measured from 8th Avenue or alleyways for the properties on the east side of Marine View Drive. Alleyways are not considered roadways for this section, but this clarifying language was added to each sentence. The motion passed on a 7-0 vote.

No motion was made to move Amendment 9.

Mayor Pro-Tem Kaplan moved to approve Amendment 10d, removing the requirement that a building must be a mixed use building to qualify for a height bonus and also removing sections 2(a), 2(b), and 2(c)(i) to make the motion consistent with earlier Council actions; Councilmember Musser, second. The approving vote was 5-1. Councilmember Thomasson abstained and Councilmember Sherman voted *no*.

Mayor Pro-Tem Kaplan moved to adopt Draft Ordinance No. 11-011, amending the text of the Downtown Commercial Zone codified as Chapter 18.27 DMMC, with applicable sections and maps as amended, and renumbered to conform to Council-approved amendments. Councilmember Musser second. The vote to approve the motion was 5-2. Councilmembers Thomasson and Sherman voted *no*.

NEXT MEETING DATE: Regular Meeting July 14, 2011.

ADJOURNMENT

Councilmember Pina moved to adjourn; Mayor Pro-Tem, second. The vote to adjourn was 7-0. The motion passed.

Respectfully submitted,

Sandy Paul CMC
City Clerk