

## MINUTES

### REGULAR MEETING DES MOINES CITY COUNCIL

November 3, 2011 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:32 p.m.

PLEDGE OF ALLEGIANCE – The flag salute was led by Councilmember Pina.

#### ROLL CALL

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

Councilmember Melissa Musser was absent. Councilmember Scott moved to excuse Councilmember Musser; Mayor Pro-Tem Kaplan, second. All the votes were *ayes*.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson; Planning Building and Public Works Director Grant Fredricks; Interim Police Chief John O'Leary; Finance Director Paula Henderson; Finance Operations Manager Cecilia Pollock; Harbormaster Joe Dusenbury; Parks Recreation and Senior Services Director Patrice Thorell; Assistant Director of Transportation and Engineering Dan Brewer; Assistant Director of Utilities and Environmental Engineering Loren Reinhold; Associate Transportation Engineer Brandon Carver; City Clerk Sandy Paul

#### COMMENTS FROM THE PUBLIC

Dennis Steussy, 11912 South 254<sup>th</sup> Place, updated the Council about the Arts Commission activities and hoped for continued City support.

Luisa Bangs, 22605 12<sup>th</sup> Avenue South, spoke about the work the Arts Commission does as a tool to bring visitors to Des Moines. She hoped the City would continue its administrative support of the Arts Commission.

#### BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Mayor Pro-Tem Kaplan

- PS&T touched on medical marijuana legislation issues; the projects at 24<sup>th</sup> and 28<sup>th</sup> and the City of SeaTac's expectation of support on those projects; and various other transportation projects ongoing in the City.

Councilmember Pina

- The Suburban Cities Association (SCA) Public Issues Committee (PIC) met and he was not able to attend. He seldom misses a meeting, but he expressed a desire for a backup.

Councilmember Sherman

- If the Federal Government reclassified marijuana as a Class II scheduled substance it could be controlled. A new state centralized system of prescription monitoring for controlled substances will begin operation in January 2012.

## PRESIDING OFFICER'S REPORT

- Governor Gregoire has asked to eliminate revenue sharing of liquor profits and some sales taxes after over 70 years of continued sharing with cities. The City of Des Moines signed a letter with many other of the states' leaders in opposition of this suggestion.

## ADMINISTRATION REPORTS

- City Manager Piasecki asked the Council to note a reversal of two agenda packet items
- Cleanscapes began picking up on Tuesday, November 1. There were some small glitches but otherwise the transition is going very smoothly.

## EXECUTIVE SESSION

The City Council recessed for a 10-minute Executive Session at 7:52. The meeting reconvened at 8:05 p.m.

## CONSENT AGENDA

Item 1. APPROVAL OF MEETING MINUTES

Motion is to approve the meeting minutes and Special Meeting minutes of October 20, 2011.

Item 2. AMENDING STATE INTERAGENCY AGREEMENT NO. 2010-SP-033 SURPLUS PROPERTY SERVICES

Motion is to approve Amendment # 1 Interagency Agreement No. 2010-SP-033 with the State Department of Enterprise Services to provide surplus property services to the City, and further to authorize the City Manager to sign the amended Agreement substantially in the form as submitted.

Item 3. MAYORAL APPOINTMENT TO THE ARTS COMMISSION

Motion is to confirm the Mayoral reappointment of James D. Langston to the Des Moines Arts Commission effective January 1, 2012, to fill a second three-year term which expires on December 31, 2014.

Item 4. APPROVAL OF CR 2A SETTLEMENT AGREEMENT WITH WSDOT FOR SCORE PROPERTY AND DISMISSAL OF KING COUNTY SUPERIOR COURT CAUSE NO. 09-2-09463-2KNT

Motion is to approve the Settlement Agreement between the City of Des Moines, the South Correctional Entity, and the Department of Transportation (WSDOT) and to dismiss the King County Superior Court Cause No. 09-09463-2-KNT

## **DIRECTION/ACTION**

Councilmember Pina moved adoption of the Consent Agenda; Mayor Pro-Tem Kaplan, second. The approval vote was unanimous.

## PUBLIC HEARING

1. Draft Ordinance No. 11-172, Amendment to Transportation Impact Fee Phase-in Schedule

Mayor Sheckler opened the public hearing at 8.08 p.m.

Assistant Director of Transportation and Engineering Dan Brewer gave the staff presentation showing 'quick facts' and giving a chronology of events to date.

Mayor Sheckler asked that those wishing to speak please do so at this time.

No one came forward.

Mayor Sheckler called three times for anyone wishing to speak.

No one came forward.

Councilmembers were invited to ask questions.  
Mayor Sheckler closed the Public Hearing at 8:21 p.m.

#### DIRECTION/ACTION

Councilmember Pina made a motion to suspend City Council Rule 26(a) in order to enact Draft Ordinance No. 11-172 on first reading; Mayor Pro-Tem Kaplan, second. The approving vote was unanimous.

Councilmember Pina moved to enact Draft Ordinance No. 11-172 amending DMMC 12.56.040(6) relating to the phase in schedule of the City's Transportation Impact Fee Program; Mayor Pro-Tem Kaplan, second. The vote was 6-0. The motion passed.

Mayor Sheckler read the Ordinance into the record.

#### NEW BUSINESS

1. Arts Commission Presentation on Beyer Art (Carved Wood Panels)

Parks Recreation and Senior Services Director Patrice Thorell introduced Nancy Steppan who spoke about the importance of public art and, specifically, the reinstallation of the Byer bas-relief panels in order for the public to enjoy them.

#### DIRECTION/ACTION

Mayor Pro-Tem Kaplan made a motion to approve the installation of the Richard Beyer bas-relief panels on an exterior wall at Des Moines City Hall; Councilmember Scott, second. The vote was 6-0 to approve the motion.

The panels will be placed on the west facing wall of City Hall on the northernmost building in the City Hall complex.

#### OLD BUSINESS

1. 2012-2017 Transportation & Surface Water Management (SWM) Capital Improvement Plans

Assistant Director of Utilities and Environmental Engineering Loren Reinhold presented the SWM CIP and outlined stormwater projects planned for 2012.

BREAK - Mayor Sheckler called for a break in the City Council meeting at 8:55 p.m. The meeting resumed at 9:05 p.m.

Assistant Director of Transportation and Engineering Dan Brewer presented the Transportation CIP.

#### DIRECTION/ACTION

No action was required. This topic was for information and discussion only.

#### OLD BUSINESS

2. 2012 Budget Balancing Strategies

Finance Director Paula Henderson led the discussion on budget balancing strategies.

#### DIRECTION/ACTION

No action was required. This topic was for information and discussion only.

3. MCI & Marina 2012-2017 Capital Improvement Plans

Harbormaster Joe Dusenbury presented the Marina Capital Improvement (MCI) Plan and outlined projects planned for 2012, including reconfiguration of D, E, and F Docks to accommodate larger boats, leaving both open and covered slots for the smaller boats.

Councilmember Thomasson moved to extend the meeting for 10 minutes. The motion died for lack of a second.

Time ran out prior to Parks Recreation and Senior Services Director Patrice Thorell's presentation of the Parks Municipal Capital Improvement Plan.

DIRECTION/ACTION

No action was taken. The presentation of this information was for discussion only.

ADJOURNMENT

Next meeting is November 10, 2011. The meeting was adjourned at 10:33 p.m.

Respectfully submitted,

Sandy Paul CMC  
City Clerk