

**MINUTES  
STUDY SESSION  
DES MOINES CITY COUNCIL  
February 4, 2010 - 7:30 p.m.**

CALL TO ORDER -The Study Session Meeting of the Des Moines City Council was called to order at 7:42 p.m.

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

ROLL CALL - Present were Mayor Sheckler; Mayor Pro-Tem Dave Kaplan; Councilmembers Matt Pina, Dan Sherman, Carmen Scott, Scott Thomasson, Melissa Musser. Staff present were City Manager Tony Piasecki, Assistant City Manager Lorri Ericson, City Attorney Pat Bosmans; Assistant City Attorney Susan Mahoney; Planning Building and Public Works Director Grant Fredricks; Planning Manager Denise Lathrop; Interim Economic Development Director Marion Yoshino; City Clerk Sandy Paul

PRESENTATION

At the January 28, 2010 City Council meeting, Resolution No. 1116 was approved recognizing Councilmember Carmen Scott as the City's official photographer. A special copy of the resolution was prepared and framed to present to her to keep.

COMMENTS FROM THE PUBLIC:

Arlene Knight, 22222 Dock Avenue South, #2B, spoke about noise levels in the Marina during the time when pile drivers were working.

DISCUSSION ITEMS:

Ethics Code

The Ethics Code was previously discussed at the April 24, 2008 and September 24, 2009 City Council meetings and information was prepared for Council review and additional discussion.

MOTION was made by Mayor Sheckler to establish an ad hoc committee to revise the City Council Rules by the end of May; Councilmember Scott, second. Discussion followed.

VOTE ON THE MOTION was all ayes except for Councilmember Sherman, who voted *no*, calling an ad hoc committee on revision of the Council Rules premature.

City Attorney Pat Bosmans pointed out that there was a two-fold issue: the ordinance establishing an Ethics Policy and the City Council Rules. The discussion at this meeting would refer only to the Ethics Policy. Discussion followed. Many cities rely on the state ethics rules. Very large cities have complicated ethics rules.

Councilmember Kaplan moved to suspend City Council Rule 26(b), allowing adoption of Draft Ordinance No. 09-137, establishing a standard of behavior policy for public officials, board members, commissioners, and City personnel and providing for disciplinary action and on 1<sup>st</sup> reading. Councilmember Scott, second.

VOTE ON MOTION: Passed 5-2, with Councilmembers Musser and Thomasson voting *no*.

The ordinance presented to the Council is identical to the City of Lakewood's ethics rules. Councilmembers raised concerns about what was meant by *value* and *minimal*, which was defined by the ability to accept gifts up to \$50 in value, a minimal amount.

MOTION was made by Mayor Pro Tem Kaplan to approve Ordinance 09-137; Councilmember Scott, second. A 'friendly' amendment was offered by Councilmember Pina, agreed to by Councilmembers (makers of the motion) Kaplan and Scott, to be certain in the final ordinance all references to *value* were clarified.

AMENDMENT TO THE MOTION was made by Councilmember Pina to delete subparagraph 4 of Section 10 relating to removing a Councilmember from office for misconduct; Councilmember Sherman, second.

VOTE ON AMENDMENT TO THE MOTION was 4-3, Councilmembers Sherman, Thomasson, Pina and Musser voting *yes* and Mayor Scheckler, Mayor Pro Tem Kaplan and Councilmember Scott voting *no*.

VOTE ON MOTION AS AMENDED was a unanimous *yes* vote to approve Ordinance No. 09-137 establishing a Code of Ethics.

#### Zoning Code Rewrite

The purpose of the agenda item was to reintroduce the reorganized zoning code and associated text amendments previously brought before the Council, to discuss a proposed approach for obtaining developer input, and alternative ways to adopt the reorganized code starting with the downtown priorities identified by Council.

The City Council provided direction on proceeding with revising the Downtown Zoning Code. They reached consensus that the Downtown Code and the Sign Code could be revised at the same time. The Downtown Code includes height, setbacks, parking elements and most zoning issues. The Sign segment could be reviewed separately but concurrently. Once completed, staff focus would return to rewriting the rest of the code.

BREAK - A break was called for 20 minutes at 9:10 p.m. The meeting reconvened at 9:30.

#### City Council Goals and Strategic Objectives – 2010

The purpose of this agenda item was to provide the City Council the opportunity to formally adopt its Vision, Mission Statement, Goals, and Strategic Objectives, as discussed and revised at the January 23, 2010, Council Retreat.

MOTION was made by Mayor Pro Tem Kaplan to adopt of the Mission and Vision Statements and Attachment #2 of the Strategic Goals and Objectives; Councilmember Sherman, second.

VOTE ON MOTION was unanimously *yes*.

NEXT MEETING DATE: Regular Meeting February 11, 2010

ADJOURNMENT Councilmember Pina moved to adjourn at 9:55 p.m.; Councilmember Thomasson, second; all the votes were *ayes*.