

STUDY SESSION DES MOINES CITY COUNCIL – September 2, 2010 - 7:30 p.m.

MINUTES

CALL TO ORDER - Mayor Pro-Tem Dave Kaplan called the meeting to order at 7:37 p.m.

PLEDGE OF ALLEGIANCE Councilmember Pina led the flag salute.

ROLL CALL

Present Mayor Pro-Tem Kaplan; Councilmembers Dan Sherman, Matt Pina, and Melissa Musser.

Mayor Sheckler and Councilmember Scott were absent. Councilmember Pina moved to excuse Mayor Sheckler and Councilmember Scott; Councilmember Thomasson, 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; Harbormaster Joe Dusenbury; Parks Recreation and Senior Services Director Patrice Thorell; Planning Manager Denise Lathrop; Development Services Manager Robert Ruth; City Clerk Sandy Paul

COMMENTS FROM THE PUBLIC

There were no public comments.

Discussion Item 1. 1st Reading, Continued Public Hearing: Ordinance Amending Downtown Commercial Chapter of Zoning Code

Mayor Pro-Tem Kaplan opened the Public Hearing at 7:42 p.m. for the purpose of continuing the Council question and answer period. The Public Comment portion of the Public Hearing had been closed at the August 5 meeting.

Development Services Manager Robert Ruth presented a brief update of issues since the last discussion including talking points on 'legal non-conforming' status of properties that might be a result of zoning code changes. Following discussion and comments, the Public Hearing was closed at 8:23 p.m.

ACTION/DIRECTION

Councilmember Sherman made a motion directing staff to prepare a new ordinance with a section that would control the number of establishments selling liquor in downtown Des Moines; Councilmember Musser, second. Following discussion, the motion failed 4-1, Councilmember Sherman voted yes.

Councilmember Pina moved to suspend Council Rule 26b enabling Council to take action on Draft Ordinance No. 10-129 on first reading; Councilmember Musser, second.

Following discussion, Councilmember Pina withdrew his motion and Councilmember Musser withdrew her second.

Mayor Pro-Tem Kaplan moved the Ordinance Amending the Downtown Commercial Chapter of the Zoning Code to a second reading to take place on October 14; Councilmember Pina, second. Councilmember Thomasson wanted Section 9 moved to the unclassified use section. Both Mayor Pro-Tem Kaplan who had made the original motion and Councilmember Pina, who seconded the original motion accepted the change as a friendly amendment.

Councilmember Sherman moved, Councilmember Pina, second, to strike Section 5(f). By removing prescriptive language regarding driveways from the code, regulation would then fall to Engineering Standards for streets and general transportation safety. Both Mayor Pro-Tem Kaplan who had made the original motion and Councilmember Pina, who seconded the original motion accepted the change as another friendly amendment.

Councilmember Sherman moved to amend Section 1 of Draft Ordinance No. 10-129 to reinstate Automotive Dealers as a permitted use. The motion died for lack of a second.

Councilmember Sherman moved to amend Section 2 of Draft Ordinance No. 10-129 to reinstate manufacturing of ceramic wall and floor tiles as a permitted use. There was no second and the motion died.

Councilmember Musser moved to allow the manufacturing of glass art tiles; Councilmember Sherman, second. When Councilmember Musser realized that Section 1 of the Draft Ordinance covered what she was trying to say, she withdrew her motion and Councilmember Sherman withdrew his second.

Councilmember Sherman moved to allow horticultural specialties; Councilmember Musser seconded, but specified that those horticultural specialties be 'pea patches'. Both Mayor Pro-Tem Kaplan who had made the original motion and Councilmember Pina, who seconded the original motion accepted the change as another friendly amendment.

Councilmember Sherman moved to reinstate allowing the manufacture of leather goods. His motion died for lack of a second.

Councilmember Pina moved to remove the word 'behind' on page 11 of the Draft Ordinance. After discussion, he withdrew the motion.

Councilmember Sherman moved to remove the section limiting automobile parking to municipal or business neighborhood association owned lots; Councilmember Thomasson, second. The amendment to the motion failed on a 3-2 vote. Councilmembers Sherman and Thomasson voted yes.

Councilmember Sherman moved to transfer the section on automobile parking to an unclassified use in the code; Councilmember Thomasson, second. The question was called and failed on a 4-1 vote. Councilmember Sherman cast the single approving vote.

Councilmember Thomasson moved that the control of parking to be consistent with zoning code section 18.44; Councilmember Musser, second. Both Mayor Pro-Tem Kaplan who had made the original motion and Councilmember Pina, who seconded the original motion accepted the change as another friendly amendment.

Councilmember Thomasson asked staff to work out some specific language on possible grandfathering.

The main motion, as amended, to move the 2nd reading of the Ordinance Amending the Downtown Commercial Chapter of the Zoning Code to a second reading to take place on October 14 was unanimously approved.

Discussion Item 2. HEAL Grant

This grant is an initiative of the Seattle and King County Communities Public Health Healthy Living Active Living (HEAL) program Putting Prevention to Work (CPPW) in collaboration with the Cities of Burien, SeaTac and Normandy Park and Highline School District and includes a 20-month full-time Policy Analyst Position to support the project.

Councilmember Pina moved to authorize entering into a contract with Seattle-King County Public Health for Americans Recovery and Reinvestment Act – Communities Putting Prevention to Work (ARRA – CPPW) Healthy Eating and Active Living (HEAL) Grant Services in the amount of \$180,000 and to authorized the City Manager to sign said contract substantially in the form as submitted. Councilmember Sherman seconded the motion. The approving vote was 4-1. Councilmember Thomasson’s vote was the single opposing vote.

Councilmember Pina moved to authorize the creation of the full-time twenty-month position of Policy Analyst for the Highline Healthy Communities Coalition project; Councilmember Sherman, second. The approving vote was 4-1, with Councilmember Thomasson’s vote the single opposing vote.

Discussion Item 3. Amending Ordinance No. 1460, ‘Recordation’ Provision

This amendment to a previous ordinance allows for the resolution of real property issues arising out of the settlement of the claims involving the Port of Seattle and the City in a matter now pending under King County Superior Court Cause Number 09-2-09463-2-KNT.

Councilmember Thomasson moved to suspend Rule 26 (b) in order to enact Draft Ordinance No. 10-149 on first reading; Mayor Pro-Tem Kaplan, second. The approving vote was unanimous.

Councilmember Thomasson moved to enact Draft Ordinance no. 10-149 amending section 5 of Ordinance No. 1460; Councilmember Musser, second. The approving vote was unanimous.

NEXT MEETING DATE: Regular Meeting September 9, 2009.

ADJOURNMENT

Councilmember Musser moved to adjourn; Councilmember Pina, second; all the votes were ayes. The meeting was adjourned at 9:50 p.m.

Sandy Paul CMC, City Clerk