

**AGENDA  
REGULAR MEETING  
DES MOINES CITY COUNCIL**

**November 18, 2010 - 7:30 p.m.**

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:31 p.m.

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

ROLL CALL

Present at roll call were Mayor Sheckler; Mayor Pro-Tem Kaplan; Councilmembers Scott Thomasson, Dan Sherman, Matt Pina, and Carmen Scott. Councilmember Musser arrived later, following another meeting.

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; Parks Recreation and Senior Services Director Patrice Thorell; Assistant Director of Transportation and Engineering Dan Brewer; Planning Manager Denise Lathrop; Development Services Manager Robert Ruth; Associate Transportation Engineer Brandon Carver; City Clerk Sandy Paul

CORRESPONDENCE

There was no correspondence to report.

COMMENTS FROM THE PUBLIC:

Preceding Pubic Comment, Mayor Sheckler read a prepared statement regarding the shooting of Rosie, the Newfoundland dog, assuring the public a thorough investigation was being conducted.

Richard Jack, 4556 Terrace Way SE in Port Orchard; Pete Dagle, 20131 Marine View Drive SW, Normandy Park; Tracy Gitzman, 29231 59<sup>th</sup> Place South in Des Moines; Ali Larkin, 21937 7<sup>th</sup> Avenue South, Des Moines; and Bernice Bellamy, Medina, shared their comments about the death of Rosie.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott had no report.

Mayor Pro-Tem Kaplan had no report.

Councilmember Musser was not present for this portion of the meeting.

Councilmember Pina

- Attended the Suburban Cities Association (SCA) Public Issues Committee (PIC) meeting.
- Reported an Association of Washington Cities (AWC) update on the impact of the failure of liquor initiatives on the recent ballot
- Attended a Destination Des Moines meeting and commented that the volunteers were really working hard.

Councilmember Sherman

- Reported that he supports the City’s approach in its handling of the ‘Rosie’ event
- Attended the SCA business meeting with Councilmember Pina and City Manager Piasecki
- Commented on a letter from Lakehaven Utility regarding shared costs for fire hydrants

Councilmember Thomasson reported that the Transportation Benefit District (TBD) had met prior to the City Council meeting and had approved the allocation of \$380,000 of TBD funds to the City's budget for street work

### PRESIDING OFFICER'S REPORT

Mayor Sheckler presented an award and certificate to Pastor Fuga and the Samoan Christian Church for their contributions to the City of Des Moines.

Spirit of Des Moines Awards were presented

- Des Moines Rotary Club, accepted by President Al Isaac, for Outstanding Community Achievement
- Wayne Correy, Farmer's Market, Spirit of Des Moines Annual Award
- Lifetime Achievement Award to Earleen Byers
- Lifetime Achievement Award to Clark Snure

A special note was added that no City money was spent on these first awards. They were funded by Mayor Sheckler and Mayor Pro-Tem Kaplan.

### ADMINISTRATION REPORTS

City Manager Piasecki reported

- Consent Item #3 was pulled for additional information
- Consent Item #6 would be clarified as a 5-day ordinance at approval of the Consent Agenda
- The September 30 minutes would be pulled for further editing and clarification
- Mayor Sheckler completed an advanced course as Certified Municipal Leader and was presented a certificate by City Manager Piasecki
- Dennis Ducey, Nancy Steppan and Jean Munro presented a report on the activities of the Arts Commission

### CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve the September 30, October 14, 21, and 28 meeting minutes and the minutes of the Special Meeting to hold an Executive Session October 28, 2010.

Item 2: APPROVAL OF 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 is to approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks \$1,322,984.59

Payroll fund transfers in the total amount of \$442,040.16

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are \$1,765,024.75

Item 3. The Item *Emergency Generator Easement* will appear on the agenda of the December 2, 2010 meeting.

Motion is to grant an easement to Midway Sewer District for the installation, operation and maintenance of an emergency back-up generator on the Marina floor and to authorize the City Manager to sign the easement substantially in the form as attached.

Item 4. Resolution Recognizing Samoan Christian Fellowship Church

Motion is to approve the Draft Resolution No. 10-189 acknowledging the contributions of the Samoan Christian Fellowship Church congregation and Pastor Fuga.

Item 5. City Council Support of SKCEDI/Highline Forum & SCATBd Legislative Positions

Motion is to approve the 2011 Legislative positions of the Southwest King County Economic Development Initiative (SKCEDI), Highline Forum and the South King County Area Transportation Board (SCATBd) and authorize Des Moines City Council representatives to those bodies to represent these positions as those of the Des Moines City Council as well as those of the respective groups.

Item 6. Surface Water Management (SWM) Utility Rate Ordinance

Motion 1 is to suspend Rule 26 (b) in order to enact Draft Ordinance No. 10-184 on the first reading.

Motion 2 is to enact Draft Ordinance No. 10-184 revising the annual inflation index calculation so that the minimum rate adjustment would be zero percent.

Item #7. Motion is to Ratify Agreement with Contractors Bonding and Insurance Company for completion of Des Moines Beach Park Auditorium Rehabilitation Project (Project #310.050.100.594.76.62.00) and partial settlement of related claims.

#### **ACTION/DIRECTION**

Councilmember Thomasson moved to reschedule approval of the September 30 minutes for the next available City Council meeting; second by Mayor Pro-Tem Kaplan; all the votes were *ayes*. Councilmember Thomasson moved to reschedule Consent Item #3 to the December 2, 2010 meeting; second by Mayor Pro-Tem Kaplan; approved unanimously. Councilmember Thomasson clarified in Consent Item #6 that the ordinance will go into effect five days after passage rather than the thirty days as stated in the *effective date* section of the ordinance.

Motion to adopt the Consent Agenda as amended made by Councilmember Thomasson; second by Mayor Pro-Tem Kaplan. Motion was approved by a 6-0 vote.

#### **PUBLIC HEARING**

1. 2011 Property Tax

Mayor Sheckler opened the Public Hearing at 8:45 p.m. No one signed up to speak. Finance Director Paula Henderson outlined the Ordinance regarding the 2011 General Property Tax Levies.

Following the presentation, Mayor Sheckler asked three times in succession if there were any individuals who wished to address the 2011 property tax levy. None responded. Mayor Sheckler closed the Public Hearing at 8:50 p.m.

There was no Council discussion

#### **ACTION/DIRECTION**

Mayor Pro-Tem Kaplan moved to suspend Rule 26(b) in order to enact Draft Ordinance No. 10-196 and Draft Ordinance No. 10-197 on first reading; Councilmember Scott, second. The motion passed with a 6-0 vote.

Mayor Pro-Tem Kaplan moved to enact Draft Ordinance No. 10-197, determining the amount of funds to be raised by ad valorem taxes for the year 2011 for general City expenditures, including levy lid-lift ad

valorem taxes to provide funds to restore police department staffing to previous years' levels per Ordinance No. 1375; Councilmember Scott, second. The motion was approved unanimously.

Mayor Pro-Tem Kaplan moved to enact Draft Ordinance No. 10-196, authorizing the decrease in as valorem taxes for the year 2011 for general City expenditures; Councilmember Scott, second. The motion was approved by a vote of 6-0.

It was noted that Councilmember Musser, not present at roll call was now present.

#### PUBLIC HEARING

##### 2. 2011 Budget

Mayor Sheckler opened the second public hearing, the Public Hearing on the 2011 Budget, at 8:54 p.m.

City Manager Piasecki made introductory comments.

Mayor Sheckler, seeing that no one had signed up to speak, asked three times in succession if there were any individuals who wished to speak. There were none.

City Councilmembers commented.

Mayor Sheckler closed the Public Hearing at 9:01 p.m.

#### **ACTION/DIRECTION**

Mayor Pro-Tem Kaplan moved to pass Draft Ordinance No. 10-198 to a second reading for enactment at the December 2, 2010 City Council meeting; Councilmember Pina, second. The vote was unanimous to approve the motion.

Mayor Sheckler recessed the meeting for a ten minute break at 9:05 p.m.. The meeting reconvened at 9:15 p.m.

#### PUBLIC HEARING

##### 3. Comprehensive Plan Amendments

Mayor Sheckler opened the Public Hearing on the Comprehensive Plan Amendments at 9:16 p.m.

Planning Manager Denise Lathrop provided an informational presentation on the Comprehensive Plan Amendment Process and the six proposed amendments, numbered 2010-1 through 6.

Mayor Sheckler asked three times if there were any in the audience who wished to speak. None responded. Mayor Sheckler closed the public hearing.

#### **ACTION/DIRECTION**

Mayor Pro-Tem Kaplan moved to suspend City council Rule 26(b) in order to adopt Draft Ordinance No. 10-172 on first reading; Councilmember Pina, second. The motion passed 6-1. Councilmember Sherman voted *no*.

Councilmember Thomasson moved, as an amendment to the main motion, to change the word *commercial* to *neighborhood* (amendment to Chapter 10 to change the Downtown District to the Marina District); Councilmember Pina second. The motion passed 4-3. Mayor Sheckler and Councilmembers Kaplan and Scott voted *no*.

Mayor Pro-Tem Kaplan moved to adopt Draft Ordinance No. 10-172 amending the Comprehensive Plan; Councilmember Pina, second. The motion passed on a 7-0 vote.

## OLD BUSINESS

### 1. Municipal Capital Improvement Plan (MCI)

Parks Recreation Senior Services Director Patrice Thorell resumed her presentation from a previous meeting. Projects listed in the MCI Plan were presented. The list must be prepared in spite of lack of funds to finish the projects in order to qualify for grants, to satisfy the Comprehensive Plan, and to know what projects to pick from should money become available.

### **ACTION/DIRECTION**

Councilmember Thomasson moved to eliminate the City Hall Customer Service Center from the list; Mayor Pro-Tem Kaplan, second. The motion was approved unanimously.

At 10:26 p.m. Mayor Pro-Tem Kaplan moved to continue the meeting to 10:45 p.m.; Councilmember Scott, second. The motion failed 4-3 for a lack of 60% yes vote.

Councilmember Thomasson moved to reschedule the two remaining agenda items (Beach Park Projects Councilmanic Bonds and Adoption of CIP Resolution) to future meetings; Mayor Pro-Tem Kaplan, second. The vote to approve the motion was unanimous.

Councilmember Thomasson moved to adjourn; Councilmember Pina, second. All the votes were ayes.

NEXT MEETING DATE – December 2, 2010.

ADJOURNMENT – The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Sandy Paul CMC  
City Clerk