

## MINUTES

### DES MOINES CITY COUNCIL REGULAR MEETING City Council Chambers 21630 11<sup>th</sup> Avenue South, Des Moines

September 26, 2013 – 7:00 p.m.

#### CALL TO ORDER

Mayor Kaplan called the meeting to order at 7:00 p.m.

#### PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Sheckler.

#### ROLL CALL

Council present: Mayor Dave Kaplan; Mayor Pro Tem Pina; Councilmembers Jeremy Nutting, Melissa Musser, Jeanette Burrage, Bob Sheckler and Carmen Scott.

Staff present: City Manager Tony Piasecki; City Attorney Pat Bosmans; Public Works Director Dan Brewer; Parks, Recreation & Senior Services Director Patrice Thorell; Finance Director Paula Henderson; City Clerk Bonnie Wilkins.

#### CORRESPONDENCE

City Manager Piasecki distributed to Council the results of the audit done by the state auditor's office.

#### COMMENTS FROM THE PUBLIC

Mayor Kaplan invited Vic Pennington, President of Water District 54 to speak to the community about the recent boil water advisory. Those wishing to file claims can do so through the Water District 54 office.

Bob Pond, 23116 20<sup>th</sup> Avenue S, would like the City to look into putting a street lights in front of his house, which is the largest "non-lit" area on his block.

#### BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Scott:

- Farmer's Market:
  - Great weather.
  - Continuing through October.
  - Gross revenue has already exceeded last year's revenue.
- Commented on Vic Pennington's comments about patronizing the restaurants in downtown to help with the weekend closure.

#### **Direction/Action**

**Motion** made by Councilmember Scott that the City draft a letter, to be signed by the Mayor and the City Manager's of the Cities surrounding the airport, noting that we are in favor of a hush house enclosure, but not if it impacts or removes the "quiet time" program; seconded by Councilmember Musser.

Mayor Pro Tem recused himself due to his profession in the airline industry.  
The motion passed 6-0.

Councilmember Sheckler:

- Also spoke about patronizing the businesses that were affected by Water District 54's recent boil water advisory.

**Direction/Action**

**Motion** made by Councilmember Sheckler to reconsider the motion described on p. 5 of the September 12, 2013 minutes for reconsideration at the meeting of October 3, 2013, amending Draft Ordinance 13-108 (Ordinance No. 1577 to become effective October 12, 2013); specifically Section 3 of the Ordinance amending DMMC 18.44.070(1) and (3) regarding the number of compact stalls allowed and the dimension of compact stalls; seconded by Mayor Kaplan. The motion passed 6-1.

**For:** Mayor Kaplan, Mayor Pro Tem Pina, Councilmembers Nutting, Musser, Burrage and Sheckler.

**Against:** Councilmember Scott.

Councilmember Burrage:

- Will be joining the effort in patronizing the restaurants in the Marina District.

Mayor Pro Tem Pina:

- Finance & Economic Development Committee:
  - Revisiting several projects happening in Des Moines:
    - Artemis Hotel.
    - Things being considered on the Marina floor.
    - Discussions over the new Health Point Facility.
    - SeaMar Development and many more.
  - Introduction of policy ideas around Pacific Highway Corridor, from Midway Crossing to 272<sup>nd</sup>.
  - Workplan:
    - What our plan was when we started this year.
    - Come back to show what has been done this year.
    - Come back and show the work that has been done.
      - Shift the focus/deal with certain issues.
  - Marina District has suffered from the water issue, all businesses not just restaurants.
    - Economic Development Manager Yoshino is working on a program to get everyone out to get to know the businesses in Des Moines.

Councilmember Musser:

- Thanked Wesley Homes and Wesley Gardens for the invitation to speak to their residents.
  - Great questions asked.
  - Lots of interest and great questions about the work on 216<sup>th</sup>.
  - Dispelled rumors of an underground Walmart going in.
  - Kudos to the volunteers that put together the Tuesday night program for the residents at Wesley.
- Healthier community in Des Moines grants received:
  - Five for Life Training held on Saturday, September 21, 2013:
    - Before & After School Leaders.
    - Camp KHAOS Leaders.
    - Recreation Leaders.
    - Recreation Attendants.
- Municipal Facilities Committee Meeting:
  - CIP Capital Project/Future Project Funding.
  - Paid parking in the Marina and Beach Park.
    - Public outreach program in December.
- Has dined in Des Moines 3 times on Thursday and echo's what the other Councilmembers said about getting out and patronizing the businesses in Des Moines.

Councilmember Nutting:

- PTSA Movie Night @ North Hill Elementary, Friday @ 6:30.
  - Popcorn and licorice for sale, movie is free.
- Urged the community to get out and show your support for the businesses in Des Moines.

**PRESIDING OFFICER'S REPORT**

- Met with local business people who have expressed interest in starting a local Chamber of Commerce or business association.
  - Meeting to be held on Tuesday, November 5, 2013 @ 11:00 a.m. in the Police Department meeting room. All business owners will be invited.
- There is interest in expanding Waterland to be more than just a parade.
- Highline Forum and Sound Side Alliance met in the Police Department meeting room to discuss economic development.
- Spoke to the Boy Scouts from Troup 714.
- Community Network Council is holding a Sound Transit meeting at the Woodmont Library from 1:00 to 4:00 p.m.
- Community Against Trafficking conference will be held at Seattle Pacific University from 8:00 to 3:00 a.m. in effort to try to stop human trafficking.
- Wesley Homes open house, Sunday, September 29, 2013 from 1:00 to 4:00 p.m.
- Pleased with a clean audit report.
- Commander Sellers recently put out information for whom to call 206-878-2121 for non emergency issue. Continue to call 911 for emergency related issues.
- Spoke about the water district's boil water advisory.
  - Support the businesses.
  - Emergency preparedness.
  - Communication.
  - Add as an Agenda item on a Study Session to discuss specifically Emergency Communication.

**ADMINISTRATION REPORT**

City Manager Piasecki publically thanked the Maintenance workers who stayed late on short notice to help deliver notices throughout Water District 54's service area that the all clear had been sounded.

- PUBLIC HEALTH-SEATTLE & KING COUNTY OUTREACH AND ENROLLMENT CAMPAIGN "COVERAGE IS HERE KING COUNTY"
  - Karen Adams, Public Health King County gave a brief power point presentation on the Affordable Care Act.
- CRIME STATISTIC BRIEFING
  - Chief Delgado started out by acknowledging Boy Scout Troup 714 and then gave a brief power point presentation on crime statistics.
- SOUNDERS SPONSORED TURF WAR CHALLENGE
  - John Nelson presented to Council a proposed event for June 21, 2014; Turf War Challenge, sponsored by the Seattle Sounders FC.

At 8:40 p.m. Council took a break and resumed the meeting at 8:45 p.m.

**CONSENT CALENDAR**

- Item 1: APPROVAL OF VOUCHERS  
Motion is to approve for payment vouchers and payroll transfers included in the attached list and further described as follows:  
Claim Checks: \$579,592.16  
Payroll Fund Transfers: \$840,432.57  
Total Certified Wire Transfers, Voids, A/P and Payroll Vouchers: \$1,420,024.73
- Item 2: NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT PHASE II APPEAL  
Motion is to approve the first Amendment to the August 13, 2012 ILA between the Coalition Cities amending Paragraph 4.1 to contribute an additional \$7,500.00 to the NPDES Coalition Fund for the City's share of continued litigation costs and expenses in the appeal of the NPDES Phase II Permits; to authorize a contingency in the amount of \$7,500.00; and to authorize the City Manager to sign the First Amendment to the August 13, 2012 ILA reflecting the City's additional contribution to the litigation expenses, substantially in the form as attached.
- Item 3: AMENDMENT TO CITY MANAGER'S EMPLOYMENT AGREEMENT  
Motion is to approve the amendment to the City Manager's Employment Agreement, suspending the cost of living (COLA) formula contained in section 7 for 2013 and providing a COLA formula for 2013 equal to that provided to all other City employees.

**Direction/Action**

Motion made by Councilmember Musser to approve the consent agenda; seconded by Councilmember Councilmember Nutting.  
The motion passed 6-0.

Mayor Pro Tem Pina resumed the meeting at 8:49 p.m.

Councilmember Sheckler asked that Item 3 be put ahead of the rest of the New Business items; Mayor Kaplan agrees.

**NEW BUSINESS**

- Item 3: AMENDMENTS TO TITLES 12 DMMC  
Staff Presentation: City Attorney Pat Bosmans

City Attorney Bosmans gave a quick overview of the changes to Title 12. Planning, Building and Public Works Director Dan Brewer commented that standards should be part of the street development standards.

**Direction/Action**

First Motion made by Councilmember Burrage to suspend Rule 26(a) in order to enact Draft Ordinance No. 13-166 on first reading; seconded by Councilmember Sheckler.  
The motion passed 7-0.

Second Motion made by Councilmember Burrage to enact Draft Ordinance No. 13-166, repealing and replacing Title 12 DMMC, entitled *Streets, Sidewalks, and Public Places*; seconded by Councilmember Musser.

Councilmember Sheckler offered a friendly amendment to amend p. 29 line 37, p. 66 line 1, and p. 68 line 35 which reads: chapter 35.23 RCW and 35.63 RCW shall be amended to read: Title 35A RCW and p. 61, line 2 which reads chapter 18.40 shall be amended to read: Chapter 18.43 RCW; seconded by Councilmember Nutting and is acceptable to both the maker and seconder of the original motion.

Councilmember Burrage moved to remove the wording in 12.10.050 (1) "All streets or alleys that have been part of a dedicated public right-of-way" for 25 years or more."

Motion fails for lack of a second.

The original motion as amended passed 7-0.

Mayor Kaplan read Draft Ordinance No. 13-166 into the record.

Item 1: GENERAL AND STREET FUNDS 2013 YEAREND/2014 PROPOSED REVENUE ESTIMATES

Staff Presentation: Finance Director Paula Henderson

Finance Director Henderson gave a power point presentation.

At 9:30 p.m. Councilmember Sheckler left the meeting.

Item 2: 2014 PRELIMINARY BUDGET OVERVIEW – GENERAL & STREET FUNDS

Staff Presentation: Finance Director Paula Henderson

Finance Director Henderson gave a brief power point overview of the 2014 General and Street Funds budget.

**NEXT MEETING DATE**

October 3, 2013, Regular City Council Meeting.

**ADJOURNMENT**

Motion made by Mayor Pro Tem Pina to adjourn; seconded by Councilmember Musser.  
The motion passed 6-0.

The meeting was adjourned at 9:41 p.m.

Respectfully submitted,  
Bonnie Wilkins  
City Clerk

