

MINUTES
REGULAR MEETING
DES MOINES CITY COUNCIL

January 5, 2012 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:34 p.m.

PLEDGE OF ALLEGIANCE Councilmember Scott led the flag salute.

ROLL CALL

Present were Mayor Sheckler; Mayor Pro-Tem Kaplan; Councilmembers Dan Caldwell, Jeanette Burrage, Matt Pina, Melissa Musser and Carmen Scott.

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson; Planning Building and Public Works Director Grant Fredricks; Harbormaster Joe Dusenbury; Parks Recreation and Senior Services Director Patrice Thorell; Planning Manager Denise Lathrop; Development Services Manager Robert Ruth; Senior Planner Jason Sullivan; CIP Project Manager Scott Romano; Policy Analyst Sue Anderson; City Clerk Sandy Paul

SWEARING IN COUNCIL MEMBERS

City Clerk Paul administered the oath of office to newly elected Councilmember Jeanette Burrage to City Council Position #2. Bob Sheckler and Dan Caldwell were sworn to office on Tuesday, January 2, 2012, in City Council Chambers.

ELECTION OF MAYOR

Bob Sheckler declined to accept another term as mayor. Councilmember Sheckler nominated Dave Kaplan as Mayor for 2012-2013. There were no further nominations. Dave Kaplan was unanimously elected Mayor.

ELECTION OF MAYOR PRO-TEM

Councilmember Musser nominated Councilmember Pina to serve as Mayor Pro-Tem for 2012-2013. There were no further nominations. Councilmember Pina was elected on a unanimous vote to serve as Mayor Pro-Tem.

COMMENTS FROM THE PUBLIC:

Sandra Higgins, 27421 8th Avenue South, spoke about the healthy and vibrant community of Des Moines, speaking especially about outdoors activities, the farmer's market, marina, and existing healthy programs.

Louie (no last name given), PO box 98078, Des Moines, spoke about safe routes to schools. He commented that walking along Kent Des Moines Road is not safe and he would like to see more sidewalks in town.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott

- January 7 is the Des Moines to Duwamish Head sailboat race beginning at the Des Moines Marina

Councilmember Musser

- Invited the council to the Highline Community Coalition Cities and Schools Summit from 6:00-8:00 p.m. on January 19 for healthy hors d'oeuvres to be held at the Puget Sound Skills Center on 188th Street

Mayor Pro-Tem Pina

- Referred to the Community Coalition Cities and Schools Summit as a tool for the cities to meet, recognize opportunities to capitalize on healthy activities throughout the region
- Reminded Council and the audience that the Destination Des Moines events calendar lists many and varied activities in and around the Des Moines area
- He took his work team the on Argosy Cruise through Des Moines on December 15 and wished there had been more in attendance
- Sweetheart ball is February 10 at Landmark on the Sound
- Thanked his colleagues at the dais for supporting him for Mayor Pro-Tem

Councilmember Burrage

- Mentioned the bonfire at the Beach Park during the Christmas holidays
- Thanked Councilmember Musser for taking on the HEAL Grant and encouraged her to keep the council on a healthy track

PRESIDING OFFICER'S REPORT

- Newly elected Mayor Kaplan thanked the Council for choosing him as Mayor for the next two years. Thanked Bob Sheckler for his service and called the last two mayors *tough acts to follow*, saying he will apply the best of what he learned from both (Sheckler and Thomasson)
- Requested preferences for committee assignments from Councilmembers. Assignments will be made within the week
- A retreat will be held at Founder's Lodge on January 14. He encouraged Councilmembers to come to the retreat with their ideas for a brainstorming session for solving long and short term issues and process issues. He will seek an early budget start this year to better consider the challenges and opportunities
- Said there would be number of retreats and single or double topic study sessions
- Council will actively solicit public opinion
- Asked councilmembers to be prepared for discussion by thoroughly reading and understanding packets, asking questions of staff prior to council meetings
- Acknowledged his family who was in attendance

ADMINISTRATION REPORTS

- City Manager Piasecki pointed out the new dais funded by a Court grant which provides added safety. The jury box is too heavy to move so it is now located permanently. New councilmember name plates would black with white lettering
- The fishing pier at the Marina is closed due to repair of the bases of the posts along the pier.

CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve minutes from the regular meetings of December 1, 8, and 13, 2011, and the Special Meeting to hold an Executive Session of December 8, 2011.

Item 2: Supplement to AMEC Consultant Contract for Public Works Yard Remediation Monitoring

Motion is to approve contract Supplement No. 3 for professional services with AMEC Earth and Environmental, Inc. for the groundwater remediation at the Public Works Yard in the amount of \$129,730.00, bringing the total amount for the contract to \$296,440.00, authorize the City Manager to approve additional supplements as necessary up to \$25,000.00 for the entire contract, and to authorize the City Manager to sign said supplement substantially in the form as submitted.

Item 3: Transportation Gateway Project: 24th Avenue South right-of-way acquisition: Swezea–Parcel #13.

Motion is to purchase 823 square feet of land from Bradford and Cynthia Swezea in the amount of \$7950.18; improvements at \$500.00 for *Just Compensation*; and an administrative settlement in the amount of \$790.00 for a grand total of \$9,240.00 (rounded to the nearest dollar) plus closing costs, and further to authorize the City Manager to sign the Statutory Warranty Deed, Construction Easement, and Real Property Voucher substantially in the form as submitted and accept the right-of-way on behalf of the City of Des Moines.

Item 4: Transportation Gateway Project: 24th Avenue South right-of-way acquisition: Prologis – Tax Parcel 092204-9059, Project Parcel #58; Tax Parcel 092204-9159, Project Parcel #59; Tax Parcel 092204-9412, Project Parcel #60.

Motion is to approve and accept three Construction Easements/Rights of Entry for Project Parcels Nos. 58, 59, and 60 granting permission from Prologis at no direct cost and further to authorize the City Manager to sign said documents substantially in the form as submitted on behalf of the City of Des Moines.

Item 5: Surplus of Property – Vehicles

Motion is to surplus the following 4 Police Crown Victoria vehicles, all of which are near or over 100,000 miles and further to authorize disposal of the equipment to FCI, Inc., for trade of services of setting up four new Police vehicles: 2007, 2FAHP71W77X148142; 2006, 2FAHP71W86X144485; 2005, 2FAHP71W15X147792; and another 2007, 2FAHP71W57X148141.

Item 6: Arts Commission Appointments

Motion is to confirm the Mayoral appointments of Jean Munro and Kathy Isaac to the Des Moines Arts Commission effective immediately, to fill two vacant three-year terms which will expire on December 31, 2014.

ACTION/DIRECTION

Councilmember Pina moved to adopt the Consent Agenda; Councilmember Musser, second. The motion passed, 7-0.

OLD BUSINESS

1. Draft Resolution No. 11-150 Public Records Indexing and Records Management Policy Pursuant to Chapter 42.56.RCW
Staff Presentation: City Attorney Pat Bosmans

ACTION/DIRECTION

Councilmember Sheckler moved to enact Draft Ordinance No. 11-135 repealing chapter 1.20 DMMC, *Public Records*; Councilmember Musser, second. The motion passed 7-0.

Councilmember Sheckler moved to adopt Draft Resolution No. 11-150, as amended, establishing the City's Public Records Policy to include indexing and a records management policy, and designating the City Clerk as the Acceptance Agent for Public Records Requests; Councilmember Musser, second. The motion passed, 7-0.

Mayor Kaplan read the ordinance into the record.

2. Reconsideration of Comprehensive Plan Amendments Ordinance No. 1528
Staff Presentation: Planning Manager Denise Lathrop

ACTION/DIRECTION

Councilmember Musser moved to suspend Council Rule 26 (a) to allow Ordinance No.12-001 to be considered on first reading; Mayor Pro-Tem Pina second. The motion passed 6-1. Councilmember Scott voted *no*.

Councilmember Musser moved to amend Ordinance No. 1528 by adopting the amendment language offered in Draft Ordinance no. 12-001; Councilmember Sheckler, second. Councilmember Burrage moved to amend the motion to delete *and rank* from section 3-0-04; Councilmembers Musser and Sheckler both accepted the friendly amendment. Councilmember Scott moved to further amend the motion to remove the words *mixed use zones within Des Moines neighborhoods*. The amendment died for lack of a second. The main motion, as amended, passed 4-3. Councilmembers Caldwell, Burrage, and Scott voted *no*.

NEW BUSINESS

1. Marina Development Process
Staff Presentation Harbormaster Joe Dusenbury

A list of possible stakeholders was presented to the City Council for selection to serve on a Marina Development Stakeholders Committee.

ACTION/DIRECTION

A committee of Stakeholder's was selected by the City Council consensus to create a Marina/Beach Park Business and Development Plan. Those citizens, Councilmembers and staff are as follows: Melissa Musser, Council representative; Lorri Ericson, Assistant City Manager, and Grant Fredricks, Planning Building Public Works Director, as staff representatives; Del Rivero as Marina Tenant Representative; Wayne Corey, as Condominium Representative (he is also president of the Farmer's Market); Charlene Shultz, Marina Business District Representative; and at-large Councilmember selection of Nussy Vorge, Cari Litowitz, Tony Hettler, Patricio Mendoza, Jim Melia, Shan Hoel, and Dave Markwell.

ADJOURNMENT

There being no further business to come before the City Council, Councilmember Pina moved to adjourn; Councilmember Scott, second. The vote was 7-0. The motion passed. The meeting was adjourned at 8:55 p.m.

NEXT MEETING DATE – January 12, 2012

January 14, 2012, City Council Goal Setting Retreat, Founder's Lodge at
Beach Park, 22030 Cliff Avenue South, Des Moines

Respectfully submitted,

Sandy Paul CMC
City Clerk