

## AGENDA

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

November 8, 2012 - 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 Mayor Pro-Tem Pina.

#### ROLL CALL

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

Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Attorney Tim George; Assistant City Manager Lorri Ericson; Planning Building and Public Works Director Grant Fredricks; Police Chief George Delgado; Finance Operations Manager Cecilia Pollock; Parks Recreation and Senior Services Director Patrice Thorell; Assistant Director of Transportation and Engineering Dan Brewer; Sergeant Bob Bohl; Assistant Director of Utilities and Environmental Engineering Loren Reinhold; Planning Manager Denise Lathrop; Development Services Manager Robert Ruth; City Clerk Sandy Paul; Associate Transportation Engineer Brandon Carver, Judge Veronica Alicea-Galvan

#### COMMENTS FROM THE PUBLIC:

Mike Merryfield, 28529 10<sup>th</sup> Avenue South, spoke about trimming trees in Redondo Heights. The Home Owner's Association has been given permission by the Redondo Heights Condominium, and pledged to apply for all the proper City permits to trim trees that obscure views. Recently the City has held the HOA to codes that apply to new construction whereby the soils are disturbed.

#### BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

##### Mayor Pro-Tem Pina

- Reported on Finance and Economic Development Committee meeting of October 30
- Reported on the Public Safety and Transportation (PS&T) meeting on November 1
- Reported on the Highline Communities Coalition meeting of November 3
- Reported on the TBD meeting on November 8

##### Councilmember Musser

- Reported on the PIC meeting at SCA. The SCA name would change to the 'Sound' Cities Association and not 'suburban'; a new SCA committee would be developed to address the issues of smaller cities.
- SCA Networking dinner and Annual Meeting is November 14. Councilmember Musser will vote on behalf of Des Moines.

#### PRESIDING OFFICER'S REPORT

- AWC Municipal Award of Excellence went to the SCORE member cities at the June Conference. The video that was used in the winning presentation was shown to the City Council.
- Mayor Kaplan mentioned that a number of small business openings had taken place in the City - one a jewelry shop, another a gourmet popcorn shop.

- Spoke today to three Highline Community College classes, followed by a Veteran's Day celebration at Huntington Park.
- Attended a Sound Transit open house at Highline Community College and reported that the letter sent by the Des Moines Council had obviously been read. Sound Transit takes all comments and gives them appropriate consideration.
- The Spirit of Des Moines Awards committee will meet Tuesday November 13. Anyone may nominate an individual they think is worthy of an award.
- Tuesday's election gave us a new president, a new governor, and a new opportunity to deal with a budget deficit. Representatives Orwall and Upthegrove were both reelected. I-502 appears to be passing, which legalizes marijuana. Referendum 74, providing marriage equality, seems also to be passing.

#### ADMINISTRATION REPORT

- Judge Veronica Alicea-Galvan gave the annual State of the Court report. She addressed topics including school zone cameras, the court security construction project completed in 2012, e-tickets, SCORE, prosecution impacts, and future projects.
- Bids were received for the 216<sup>th</sup> Street Project, 8<sup>th</sup> to 24<sup>th</sup> Avenues. The low bid was \$5.1 million.
- Thursday, November 15, is Grant Fredrick's last day of work before his retirement. He addressed the Council, staff, and community.

#### CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve the minutes of October 18 and 25, 2012 City Council meetings and the Special Meeting to Hold an Executive Session on October 18.

Item 2: APPROVAL OF VOUCHERS

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

Claim checks \$251,241.30

Payroll fund transfers in the total amount of \$445,058.49

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are \$696,299.79

Item 3: MOTION TO CANCEL THE NOVEMBER 29, 2012 PUBLIC HEARING ON  
LAND USE REVIEW PROCEDURES OF THE ZONING CODE

Motion is to cancel the November 29, 2012 public hearing regarding Land Use Review Procedures by rescinding Resolution No. 1207.

#### **ACTION/DIRECTION**

Mayor Pro-Tem Pina moved to adopt the Consent agenda; Councilmember Caldwell, second. The motion passed 7-0.

#### EXECUTIVE SESSION

Mayor Kaplan recessed the City Council meeting at 8:15 p.m. for the purpose of holding an Executive Session to discuss a potential acquisition of real estate pursuant to Title 42.30.110 (1)(b) RCW. The Executive Session would last for 15 minutes. Present were Mayor Dave Kaplan; Mayor Pro-Tem Matt Pina; Councilmembers Dan Caldwell, Melissa Musser, Jeanette Burrage, Bob Sheckler and Carmen Scott. Also Present were Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson; Planning Building and Public Works Director Grant Fredricks; Parks Recreation Senior Services Director Patrice Thorell; Assistant Director of Transportation and Engineering Dan Brewer Associate Transportation Engineer Brandon Carver.

The Executive Session was adjourned at 8:25 p.m. The City Council meeting was reconvened at 8:30 p.m.

#### OLD BUSINESS

2. Adoption of 2013-2018 CIP Resolution

This item was address ahead of the public hearings to accommodate Councilmember Scott who needed to leave the meeting.

City Manager Piasecki called attention to specific budget items, including the keyless entry system, which is DOS based and can no longer be repaired and has no funding for replacement. If it stops working, he will find money somewhere to replace it. The banners and reader boards item has no funding unless donations are received and fundraising can be accomplished. In the transportation CIP, specifically, the project at 24<sup>th</sup> Avenue, the City has applied for a grant, but there are doubts at this time if money will be available in the Public Works Trust Fund. Should the grant be realized, any funding associated with this project would be used to kick start another project.

#### **ACTION/DIRECTION**

Councilmember Sheckler moved to adopt draft Resolution No. 12-194 approving the City of Des Moines 2013-2018 Capital Improvement Plan; Mayor Pro-Tem Pina, second.

Mayor Kaplan moved to amend the motion to remove five projects from the CIP: Des Moines Beach Park Sun Home Lodge rehabilitation; Carlson house rehabilitation; roadside cabin rehabilitation; sports cabin rehabilitation; caretakers cabin rehabilitation; second by Councilmember Musser. Additionally, Mayor Kaplan suggested that the motion include direction to staff to bring best estimates for demolition of the buildings, which was accepted as a friendly amendment by Councilmember Musser. The motion passed, 6-1. Councilmember Scott voted *no*.

The main motion as amended passed, 6-1. Councilmember Scott voted no.

Mayor Kaplan read the title of the resolution into the record.

Councilmembers Scott and Sheckler left the meeting at 9:20 p.m.

#### OLD BUSINESS

1. SCHOOL ZONE SPEED ENFORCEMENT – PILOT PROJECT EVALUATION

Sergeant Bob Bohl showed a power point presentation and provided an evaluation of the school zone speed enforcement program, implemented following a speed study showing up to 230 vehicles per day drive over the speed limit in the Woodmont School zone on 16<sup>th</sup> Avenue South. Since implementation of the ATS Speed Cameras, violations have been reduced to an average of 17 per day. That success encouraged the expansion of the program to the Midway School zone.

#### **ACTION/DIRECTION**

There was no action taken. The presentation was for information only.

#### PUBLIC HEARING

1. 2013 PROPERTY TAXES

Mayor Kaplan opened the public hearing at 9:35 p.m.

City Manager Tony Piasecki explained the allowable tax levy and the maximum revenue allowed for 2013 by statute. The City will lose an additional \$300,000 in the coming year for a total loss exceeding \$1,000,000 annual revenue since the economic downturn began.

Mayor Kaplan asked that those wishing to speak please do so at this time. No one had signed up to speak. Mayor Kaplan called three times for anyone else wishing to speak.

The City Council had no questions.

Mayor Kaplan closed the Public Hearing at 9:40 p.m.

#### **ACTION/DIRECTION**

Councilmember Musser moved to suspend Rule 26a in order to enact Draft Ordinance No. 12-193 on first reading; Mayor Pro-Tem Pina, second. The motion passed, 5-0.

Councilmember Musser moved to enact Draft Ordinance No. 12-193, determining the amount of funds to be raised by ad valorem taxes for the year 2013 for general City expenditures; Mayor Pro-Tem Pina, second. The motion passed, 5-0.

Mayor Kaplan read Draft Ordinance No. 12-193 into the record as approved.

#### **2. ADOPTION OF 2013 BUDGET**

Mayor Kaplan opened the public hearing at 9:42 p.m.

City Manager Tony Piasecki referenced meetings he was scheduling with individual Councilmembers, the discussed open positions that would and would not be filled. He then turned comment over to the public. No one had signed up to speak.

Mayor Kaplan asked that those wishing to speak please do so at this time. Mayor Kaplan called three times for anyone else wishing to speak.

Mayor Kaplan closed the Public Hearing at 9:45 p.m.

#### **ACTION/DIRECTION**

Mayor Pro-Tem Pina moved to pass Draft Ordinance No. 12-192 to a second reading for enactment at the November 29, 2012 City Council meeting; second by Councilmember Musser. The motion passed, 5-0.

Mayor Kaplan read the Draft Ordinance into the record as approved.

NEXT MEETING DATE                      November 15, 2012, City Council Study Session

ADJOURNMENT - There being no further business to come before the City Council, Councilmember Musser moved to adjourn; Councilmember Caldwell, second. The motion passed, 5-0. The meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Sandy Paul MMC  
City Clerk