REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES May 1, 2003

The regular study session of the Des Moines City Council was called to order at 7:00 p.m. by Mayor Steenrod in the Council Chambers, 21630 11th Avenue South, Suite B.

PLEDGE OF ALLEGIANCE to the Flag was led by Councilmember Thomasson.

ROLL CALL - Present: Mayor Maggie Steenrod, Mayor Pro Tem Richard Benjamin, Councilmembers Gary Petersen, Bob Sheckler, Scott Thomasson and Susan White. Also present were City Manager Tony Piasecki, Assistant City Manager Corbitt Loch and City Clerk Denis Staab.

DISCUSSION ITEMS:

Council Candidate Interview Process

Mayor Steenrod read Council Rule 33 into the record as follows: "If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 35A.13.020. In order to fill the vacancy with the most qualified person available until an election is held, the Council will widely distribute and publish a notice of the vacancy, the procedure and any application form for applying. The Council will draw up an application form which contains relevant information to answer set questions posed by the Council. The application forms will be used in conjunction with an interview of each candidate to aid the Council's selection of the new Councilmember."

After a brief discussion, it was determined the following interview process will be followed:

- Each candidate will be given 3 minutes to introduce themselves.
- Each Councilmember will be allowed to ask one question, in rotating order, and the applicant shall have a 2 minute time limit to respond to the question.
- In deference to being former Councilmembers and their experience in addressing the Council, Dave Kaplan and Dan Sherman will be interviewed first followed by the other candidates in alphabetical order.

It was also determined that after all interviews have been concluded, Council will hold an Executive Session (date to be determined) to evaluate the candidates and narrow the applicants for further interviews at another open Council meeting.

Draft Resolution No. 03-088 2003 Waterland Festival

Ed Coumou, past President of the Chamber of Commerce, addressed Council advising that Chamber members met with City staff earlier in the week to discuss measures to help reduce the cost to the City in conducting the Waterland Festival. He informed Council that the Chamber has agreed to do their own litter pick-up which should result in a savings to the City around $6,000. He noted that the main goal is to have a successful Festival to raise funds for year-round Chamber activities. He advised that a reduction in hours of operation is possible, but not by much, as most activity at the Festival occurs after 9 p.m. He reminded Council that the Chamber has negotiated in good faith with the condo owners. He advised that in the last 43 years of the Festival there have been minimal problems. He stated that the Chamber began negotiations and signing of contracts in January so event planning must move forward now or not at all. In regards to cutting out the beer garden, he informed Council that there has been no outcry from the public and no complaints from the City's Police department. He concluded by stating that he felt it was unfair that only the Chamber was being asked to be more efficient and not the City.

Upon questioning by Mayor Pro Tem Benjamin, Mr. Coumou stated that the City Manager indicated during the earlier meeting that City staff were reviewing the option of the City running Waterland.

City Manager Piasecki stated that he did not indicate that the City was working to take over Waterland. He noted he felt there was a possibility that Council may not approve the Festival and in anticipation of that, he requested staff look at possibilities of what the City could do in the event that Council asked for such information. He reiterated there was no attempt by City Administration to assume responsibility for Waterland.

Mr. Coumou also noted that the City's Finance Director was invited to look over the Chambers' financial records.

Mayor Pro Tem Benjamin reported that it appears that costs could be reduced by using other security than Des Moines Police officers. However he felt that it is the City's responsibility to provide citizens essential services, which includes security at Waterland.

Councilmember White remarked that there is a need to trim all expenses city-wide. She felt that if the Festival is truly a family event, there is no need for a beer garden, and security costs could be reduced accordingly.

Mr. Coumou stated that he has been advised by the Police Department that eliminating the beer garden would not make any impact on Police costs.

City Manager Piasecki remarked that staff time is also spent in helping to set-up, clean-up and install and remove parade day barricades. He stated that he has requested staff to review ways to reduce costs and has asked the Police Department to use more reserve officers when possible. However, he informed Council that the reserve police staff has decreased in recent times.

Councilmember Thomasson noted that Council did not want to see the Chambers' entire financial records, but only requested a detail of the expenses and revenues as related to Waterland. He advised that he has asked staff to prepare an alternative resolution, Draft Resolution No. 03-088-B.

MOTION was made by Councilmember Thomasson, seconded by Councilmember Sheckler, to approve Draft Resolution No. 03-088-B.

Councilmember Thomasson detailed the changes in the new draft as follows:

- Page 2, (6)(c) - Hours of operation reduced from Midnight to 10 p.m. on Wednesday, from 11 p.m. to 9 p.m. on Thursday, Friday & Saturday.
- Page 3 (6)(d) - There shall be no Waterland Pub or other beer garden.
- Page 3 (6)(g) - Requiring $10,000 payment towards police security and any remaining sum to be paid directly to the City.
- Page 3 (6)(j) - Provision for a walking path outside fenced festival area.

Mayor Pro Tem Benjamin stated that he could see no reason not to have a beer garden. He felt it is well-run and presents no problems. He further felt it hypocritical to not allow the been garden when the City is holding a sports auction where alcohol will be served. He also noted that some Councilmembers are willing to spend $150,000 to fight the 3rd runway, but not to fund security for a community event.

Councilmember Petersen stated that he felt it is a little late for Council to start changing the Festival, noting that the Chamber already has signed contracts for various activities. He felt the Chamber should be allowed to conduct the Festival under the original resolution and plan to address the issues in detail with Council early next year.

MOTION was made by Councilmember Petersen, seconded by Mayor Pro Tem Benjamin, to replace Draft Resolution No. 03-088-B, with the original Draft Resolution No. 03-088.

Councilmember Thomasson stated that the last several years Council has asked the Chamber to come sooner with their Festival plans. He noted that it is a historical fact that for the past five years he has raised the question over the need for a beer garden at a family oriented event. He further stated that the upcoming Sports Auction is sponsored by the Legacy Foundation a private group, and they are not asking for the Police Department to provide security. Without the Chamber providing any financial details he is reluctant to approve the original resolution. He stated that shorter hours will save on Police costs.

Councilmember Sheckler remarked that the late hour of negotiation is not the City's fault. If the Chamber proposes to use City property, they must obtain the City's permission. He questioned Mr. Coumou as to why the Chamber has not furnished the Council with a revenue and expense record of the Festival as requested.

Mr. Coumou stated that the Chamber is a private company and it is not appropriate to set precedent by allowing the financial records of the Chamber to be reviewed for political reasons. He reminded Council that the Chamber had only been asked to request permission to conduct the Festival 90 days in advance.

Mayor Steenrod commented that not allowing a beer garden is a major change to the Festival. She advised that she has helped with children's day at the Festival. The activities have been held next to the beer gardens and she has never seen a problem. She felt that elimination of the beer garden would create a significant reduction in the Chamber's revenues from the Festival.

She requested that the draft resolution also include the language to ensure a walking path and an additional sub-section to require that the Chamber furnish the Council with a detailed expense and revenue sheet within 90 days of the conclusion of the Festival. This was accepted as a FRIENDLY AMENDMENT.

VOTE ON MOTION: Motion failed 3 to 3 with Councilmembers Sheckler, Thomasson and White voting NO.

A FRIENDLY AMENDMENT was accepted to amend Draft Resolution No. 03-088-B to change the closing hours on Thursday, Friday and Saturday from 9 p.m. to 10 p.m.

VOTE ON MOTION: Motion failed 3 to 3 with Councilmember Petersen, Mayor Pro Tem Benjamin and Mayor Steenrod voting NO.

MOTION was made by Mayor Steenrod, seconded by Mayor Pro Tem Benjamin, to direct the City Manager to look into the City sponsoring Waterland. Motion failed unanimously.

8:18 p.m. Mayor Steenrod called for a 12 minute break.

Interviews of Candidates for Vacant, Unexpired Council Position #2

Mayor Steenrod thanked the candidates for their time and effort involved regarding their interest to be appointed to the vacant Council seat.

The following individuals, in the order listed, were given 3 minutes for an introductory statement and then were interviewed by Councilmembers:

Dave Kaplan
Dan Sherman
Rob Back
Gary Kennedy
William Kennedy
James Kenney

At 9:30 p.m. Mayor Steenrod called for a 10 minute break.

Edwina Martin-Arnold
Scott McCarty
J. Scott McFarlane
Dave Petrie
Brenda Siegrist
Thomas Sitterley

At 10:25 p.m. **MOTION** was made by Councilmember Thomasson, seconded by Councilmember Petersen and passed unanimously, to extend the meeting until 11 p.m.

Michael Spear

[ED NOTE: James Sundin who had applied, was not available to be interviewed and later formally withdrew his application.]

NEXT MEETING DATE

Mayor Steenrod advised that the next regular meeting will be May 8, 2003.

ADJOURNMENT

At 10:46 p.m. **MOTION** was made by Councilmember White, seconded by Councilmember Thomasson and passed unanimously, to adjourn.

Respectfully Submitted,

Denis Staab, City Clerk