

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

May 25, 2006

The regular meeting of the Des Moines City Council was called to order at 7:31 p.m. by Mayor Sheckler in the Council Chambers, 21630 11th Avenue South, #B.

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

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Scott Thomasson, Councilmembers Dave Kaplan and Carmen Scott. Absent: Councilmember Ed Pina, Dan Sherman, and Susan White. Also in attendance were City Manager Tony Piasecki, Assistant City Attorney Richard Brown, Recreation Manager Bob Houston, Commander John O'Leary, Master Police Officer Barry Sellers, and Deputy City Clerk Angela Chaufy.

MOTION was made by Councilmember Kaplan, seconded by Councilmember Scott and passed unanimously to excuse Councilmembers Pina, Sherman and White.

COMMENTS FROM THE PUBLIC

Florence McMullin, P.O. Box 98567

Ms. McMullin thanked Council, voters, and volunteers for their support of the levy lid lift measure.

Alli Larkin, 21937 7th Avenue South, #210

On behalf of the Beach Naturalist Program, Ms. Larkin invited Council and the public to participate in the May 27, 2006 Mayor's Day at the Beach event. She distributed pocket guides to the Puget Sound beaches.

BOARD & COMMITTEE REPORTS and COUNCILMEMBER COMMENTS

Passage of Levy Lid Lift

Councilmember Scott thanked the people who worked to pass the levy lid lift. In particular, she recognized the efforts of Wayne Cory and Florence McMullin. Councilmember Scott said that Council was doing their best to put the City in its best position.

Councilmember Kaplan and Mayor Pro Tem Thomasson agreed with Councilmember Scott's comments.

Mayor Sheckler invited the levy lid lift committee to attend the Council meeting on June 1, 2006 as Council wished to formally recognize their efforts.

PRESIDING OFFICER'S REPORT

Port of Seattle Environmental Trust Fund Grant

Mayor Sheckler announced that the Des Moines Creek Basin Planning Committee had been awarded \$150,000 from the Environmental Trust Fund Grant for the design and construction of the Des Moines Creek Restoration Project.

ADMINISTRATION REPORTS

Levy Lid Lift

City Manager Piasecki thanked the Chief of Police and police employees for their availability to present factual information regarding the levy lid lift. He also commented that several people had voiced their appreciation for the "Thank You" signs posted on the campaign signs.

Health of King County

Mayor Sheckler introduced King County Councilmember Julia Patterson.

As chair of the King County Board of Health, Councilmember Patterson informed Council that south King County residents experience higher rates of health disparities, obesity, and chronic health problems than other County residents. She felt poverty was a key contributor to the issue. Councilmember Patterson urged Council support for policies being put forth by the County and State to address health issues. She introduced Seattle/King County Health Department Regional Health Educator Caren Adams.

Ms. Adams presented a PowerPoint presentation highlighting the County-wide health survey's key findings, trends, health disparities, and suggestions for improving health. She noted that there were large and persistent disparities in health status and access to health care across racial/ethnic groups, income groups, areas of the County, and sexual orientation. Ms. Adams informed Council that South King County has the highest number of uninsured individuals in the County. Suggestions for improving the health of King County include

- Make healthy food more readily accessible in schools, worksites, and communities.
- Address social factors (employment, wages, educational attainment, early childhood education, and discrimination) that affect health.
- Assure universal health insurance coverage and access to health care.
- Support people with chronic diseases through self-management education and support.
- Build homes and communities which support physical activity and provide healthy indoor environments.

Councilmember Patterson complimented Council for promoting the Des Moines Creek Trail. She encouraged citizens to continue to use the trail. She said that policymakers should pay attention and address factors that are making people less healthy.

CONSENT CALENDAR was read by Deputy City Clerk Chaufy.

1. Motion is to approve the special minutes of May 2, and the regular minutes of May 4, 2006.
2. 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: As of this date the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks #104125 through #104342 & electronic fund transfers in the total amount of \$367,840.24

Payroll fund transfers in the total amount of \$367,840.24

3. Draft Resolution No. 05-124 [Assigned Res. No. 1011] - Title: A resolution of the City Council of the City of Des Moines, Washington, amending Rule 8 of the Des Moines City Council Rules of Procedure to provide that notice of special meetings may be delivered by electronic mail.

MOTION is to approve Draft Resolution No. 05-124 on second reading.

4. Motion is to authorize payment of registration and travel expenses for Mayor Sheckler and Councilmember White to attend the Association of Washington Cities Annual Conference in Spokane June 20-23, 2006.

MOTION was made by Councilmember Kaplan, seconded by Councilmember Scott, and passed unanimously to approve the consent calendar as read.

In regard to Item No. 3, Mayor Pro Tem Thomasson asked that Council be queried regarding their contact preferences.

NEW BUSINESS

Des Moines Criterium Bicycle Race

Recreation Manager Houston introduced the subject. He displayed a map of the proposed route and introduced Rob Anderson of the Union Bay Cycle Club.

Mr. Anderson informed Council of the background for the event. The proposed plan sought to minimize impact to residents in the area while creating a safe route for the participants. He had consulted with the Police Department regarding signage, routing, and traffic impacts. Mr. Anderson hoped that the event would be supported by entry fees but noted that Police costs had been estimated to be \$3,900. He said that the criterium bicycle race would feature several local businesses, draw approximately 500 people to the City and create excitement in the area.

City Manager Piasecki asked Council for direction regarding conceptual support for the event and staff's involvement level. He asked whether the City should co-sponsor the event.

As special events often involved an investment of city resources, both financial and staff time, Mayor Pro Tem Thomasson recommended that Council adopt criteria to provide guidance to staff regarding them.

Mayor Sheckler agreed with Mayor Pro Tem Thomasson's recommendation. He voiced support for the event.

In response to Mayor Sheckler's questioning, City Manager Piasecki confirmed that the sponsors were unable to cover the estimated cost for police services. He said that staff would develop a budget and propose a draft resolution for the event. The material would be presented to Council at the June 8, 2006 Council meeting.

Councilmember Scott recommended that Council adopt a separate line item in the budget to provide limited funding for special events.

Draft Ordinance No. 05-187 [Assigned Ord. No. 1379] Amending City's False Alarm Ordinance

Commander O'Leary reviewed the background of the subject. The proposed ordinance would add a penalty provision for operating a non-registered alarm system, revise the 2006 schedule of

finer, add requirements for alarm companies, clarify the penalties and appeal procedures for alarm company violations, and add a provision for collection of fines and penalties by civil action. Commander O'Leary said that the number of false alarm calls had reduced significantly due to the existing alarm ordinance.

MOTION was made by Councilmember Kaplan and seconded by Councilmember Scott to suspend Rule 26(b) in order to enact Draft Ordinance No. 05-187 on first reading. **VOTE ON MOTION**: Motion passed, 3 – 1, with Mayor Pro Tem Thomasson opposed.

MOTION was made by Councilmember Kaplan and seconded by Councilmember Scott to enact Draft Ordinance No. 05-187.

Mayor Pro Tem Thomasson stated that Council took deliberate action rather than overlooked certain provisions while discussing and adopting Ordinance No. 1360. He said that the City could require the violators to pay for the program rather than the one's who were not causing the problem. He asked the following questions:

- How much money has been generated through the registration fees?
- How much money has been generated through false alarms?
- How many first alarms have there been?
- How many second alarms have there been?
- How many third alarms have there been?
- How many fourth alarms have there been?

Commander O'Leary said that, as of April 30, 2006, four systems had experienced four or more false alarms. The vast majority of offenders had 2 or 3 false alarms.

Master Police Officer Sellers informed Council that 781 of the estimated 1,500 alarm systems in the City were currently registered.

Councilmember Kaplan said that some of the absent Councilmembers had expressed concern with charging a penalty for the second false alarm.

Councilmembers Kaplan and Scott, the maker and seconder of the main motion, **accepted** amending Section 2's fine for the second false alarm to \$0 **as a friendly amendment**.

Mayor Pro Tem Thomasson said that he preferred leniency for the well-intentioned homeowner rather than for the alarm company.

Councilmember Scott agreed.

Commander O'Leary explained that Section 1(4d) required alarm companies to attempt two calls to verify an alarm prior to requesting police response. He noted that the ordinance provided the alarm administrator with discretion to review each incident.

Mayor Pro Tem Thomasson recommended that Council clarify the period in Section 2, DMMC 9.10.090 (1).

Assistant City Attorney Brown noted that the \$200 fine was not classified as an infraction. Without further language, the \$200 fine would be payable every year subject to appeal to the hearing examiner.

Commander O'Leary explained that it would be difficult to classify alarm fines according to type (residential, commercial, etc.) as other factors, such as location, also determined the level of police response.

In response to Mayor Sheckler's questioning, Assistant City Attorney Brown said that the City Manager and Chief of Police collaboratively set the fine amounts.

Mayor Pro Tem Thomasson recommended Section 2(6) state that the fine is per event.

MOTION was made by Councilmember Kaplan, seconded by Councilmember Scott, and passed unanimously to amend Section 2(6) by adding the words "per event" after the word "fine".

Councilmember Kaplan said that Councilmember Sherman had concerns regarding privacy issues.

In response to Mayor Pro Tem Thomasson's questioning, Assistant City Attorney Brown said that he could not provide a complete answer at this time but he believed the information would be subject to redaction rules.

City Manager Piasecki said that a legal opinion regarding the issue could be done.

VOTE ON MOTION: Motion passed unanimously.

Mayor Sheckler read the title of the ordinance into the record.

NEXT MEETING DATE - Study Session June 1, 2006

ADJOURNMENT

At 9:32 p.m. **MOTION** was made by Councilmember Scott, seconded by Councilmember Kaplan and passed unanimously to adjourn.

Respectfully submitted,

Angela M. Chaufy
Deputy City Clerk

ACTION ITEM FROM 5/25/06 MEETING

- Query Council regarding their contact preferences.
- Legal opinion regarding whether the information collected in keeping with the alarm ordinance will be subject to public disclosure.