

MINUTES

REGULAR MEETING DES MOINES CITY COUNCIL

February 10, 2011 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler called the meeting to order at 7:29 p.m.

PLEDGE OF ALLEGIANCE – The flag salute was led by Councilmember Sherman.

ROLL CALL

Present were Mayor Sheckler; Mayor Pro-Tem Kaplan; Councilmembers Scott Thomasson, Dan Sherman, 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; Interim Police Chief John O'Leary; Parks Recreation and Senior Services Director Patrice Thorell; Assistant Director of Transportation and Engineering Dan Brewer; Policy Analyst Sue Anderson; City Clerk Sandy Paul

CORRESPONDENCE

There was none.

COMMENTS FROM THE PUBLIC:

Vickie Daniels 1811 147th Place SW, read her comments about the *Rosie* incident. She will meet with Mayor Sheckler to discuss further questions that she has.

Cindy Ruud, 25814 17th Avenue South, spoke about the *Rosie* incident. She feels her questions about whether or not Des Moines policy was followed have not been answered.

Pete Daigle, 20131 Marine View Drive SW, spoke about the *Rosie* incident.

Lisa Meineke, Des Moines Rotary co-chair of Poverty Bay Wine Festival, spoke about the upcoming wine festival. She thanked the City for it's support of the Wine festival which has raised over \$200,000 for school programs. This year's festival will take place March 4-6 at Landmark Events Center serving local wines and Northwest cuisines. Patrons will be able to park at the Marina Parking lot and shuttle to the Landmark.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

Councilmember Scott reported:

- The Finance and Economic Development committee met this week to discuss a draft of the ordinance for development regulations in the downtown Marina District
- The Arts Commission met to discuss summer concerts, the native American flute fest in August, the completion of Beach Park this year so it can be used as a venue for musical programs
- The Seattle Southside group, which markets Des Moines and several other south county cities, had met. Between Sept 2009 and September 2010, their revamped and improved efforts increased hotel reservations by 114% and their website is now in six different languages. Discussed also was how to carry on without state funding. She mentioned increased use of Twitter and Facebook, which she said is indicative of how we reach people now.

Mayor Pro-Tem Kaplan reported:

- He attended the well attended Seattle Southside meeting and feels they have ramped up and improved the quality of their work. Because of scarce resources, tourism is working more in

coordination with each other, requiring commitment in picking up the slack in how visitors to the area are approached. A large part of what they do is to look at advertising in a much different way than in past generations, i.e., Twitter and Facebook

- Ricky Marohl was named outstanding Farmers Market Manager of the Year for the State of Washington and it was a well deserved honor which also speaks well of our market
- CM Piasecki spoke in Olympia on a bill that addressed changes to the interest arbitration statutes, an item on the City's list of intergovernmental policies
- Commented on the Rosie incident: He believes all the information needs to be reviewed before he offers an opinion

Councilmember Musser reported:

- The Highline Healthy Community Coalition meeting was held February 1 and welcomed a guest speaker from King County. King County will have their message ready in May but South King County participants must have theirs complete by March.
- She had the honor on February 8 to speak at the North Hill Community Center. She shared information with them from the Finance and Economic Development Committee meeting. They also discussed the potential impact of viaduct construction

Councilmember Pina reported:

- The Suburban Cities Association Public Issues Committee met and discussed its action items: the veterans and human services levy, binding interest arbitration legislation, public records reform legislation and leveling of pension contributions were topics of discussion. Binding interest arbitration had support but not enough for an emergency declaration.. Public record legislation was supported to move forward to the SCA Board because of the volume of public records requests and the cost of staff time to complete them.

Councilmember Sherman had no report.

Councilmember Thomasson reported:

- The Environment Committee met and provided comments about the Water Dist 54 Comprehensive Plan which the District will adopt in a few weeks. Council will review it in March.
- A meeting of the Transportation Benefit District (TBD) which is comprised of the City Council, but with different titles, was held. The agenda included a report of 2010 finances and approval of the 2011 budget in the amount of \$380,000. The money collected from a \$20 tax on each license tab sold is used by the City for arterial street maintenance.

PRESIDING OFFICER'S REPORT

Mayor Sheckler Commended Ricky Marohl for becoming the Farmer's Market Manager of the Year. This is amazing because the Farmer's Market has been in existence for only 5 years.

ADMINISTRATION REPORTS

Sue Anderson, Policy Analyst for the HEAL (Healthy Eating Active Living) grant, spoke about the initiative. She has a technical advisory committee including city staff. Goals and outcomes were listed in a handout, which she distributed. Fresh raspberries were distributed to City Councilmembers.

City Manager Piasecki reported on LEOFF1 Board which deals with medical issues of LEOFF 1 retirees. There are two vacancies for any two councilmembers. Mayor Pro Tem Kaplan and Councilmember Musser volunteered to serve on the Board.

Item #3 on the Consent agenda concerns the Gateway Project design, which is now complete, and he urged a positive vote to pass this resolution.

Mr. Don Harper passed away last week. He was very active in City activities over the years and he will be missed.

At the SCORE Board meeting last week and Mayor Sheckler was re-elected as Vice-Chair.

Interim Police Chief John O'Leary spoke about the 3rd Party Review from Pierce County. On December 29, 2010 the entire Rosie file was sent Pierce County Animal Control for a third party review. Tim Anderson, Manager of Pierce County Animal Control and President of Washington Animal Control Association (WACA) prepared a candid and objective review as requested by the City that would indicate changes that needed to be made to existing policy.

On February 4 the report recommended:

- Promoting pet licensing
- Training in animal handling and canine behavior in order that officers can understand dog behavior
- Availability of Animal control when appropriate, request Animal Control from Neighboring jurisdictions
- Capture poles should be used rather than tasers for routine capture. If tasers were used, an officer should be available to collar the incapacitated dog
- Recommended against using tranquilizing drugs
- No changes were recommended in the City's Animal Control Policies

What Des Moines is doing:

More training is being provided to officers in canine behavior. Larger and longer poles have been purchased by the City. A compressed air netting gun was acquired but proved to be ineffective. Des Moines reached out to surrounding cities for assistance with priority animal control calls. Jan Magnuson and Kory Batterman will attend the animal control workshop at the Police Academy Training Center in Normandy Park in March providing backup to Jan Magnuson as the City's Animal Control Officer. The entire police policy and procedure manual would be posted on the City's webpage.

Many pets and owners have been reunited in the past successfully employing processes that have proved successful.

CONSENT CALENDAR

Item 1: APPROVAL OF MINUTES

Motion is to approve minutes from the Regular Meetings of January 13 and 27, 2011. Please note that City Attorney Pat Bosmans was not in attendance at the January 13 meeting and that error in the minutes has been corrected for the record.

Item 2: Item 2: APPROVAL OF FINDINGS:

Motion is to approve 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, which have been recorded on a listing and made available to the City Council.

Claim checks \$788,422.36

Payroll fund transfers in the total amount of \$442,221.77

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are \$1,230,644.13

Item 3: Draft Resolution Accepting Completion of the Des Moines Gateway Project Design

Motion is to approve Draft Resolution No. 11-015, accepting that the Des Moines Gateway Project design, as described in the scope of work with the Washington State Public Works Trust Board, has been completed, and further, to authorize the City Manager to sign and certify the project completion report form.

Item 4: Mayor Sheckler Travel to Olympia to Attend AWC Legislative Action Conference

Motion is to authorize payment of travel expenses of approximately \$497 for Mayor Sheckler to attend the AWC Legislative Action Conference at the Red Lion Hotel in Olympia February 16 and 17, 2011.

Item 5: 2011 Des Moines Rotary Club Poverty Bay Wine Festival

Motion is to adopt Draft Resolution No. 11-020, authorizing the use of the Marina parking lot for the Rotary Club of Des Moines' Seventh Annual Poverty Bay Wine Festival event taking place on March 4-6, 2011; and, to direct the City Manager to execute the Agreement between the City of Des Moines and the Rotary Club of Des Moines for the 2011 Poverty Bay Wine Festival substantially in the form as attached.

ACTION/DIRECTION

Councilmember Pina moved approval of the Consent Agenda; Mayor Pro-Tem Kaplan, second; a unanimous vote approved the Consent Agenda.

EXECUTIVE SESSION

The City Council recessed to hold a thirty minute Executive Session at 8:35 p.m. for the purpose of discussing potential litigation per RCW 42.30.100 (A) and to discuss strategies as part of an ongoing collective bargaining process as provided in RCW 42.30.140(4)(b).

Present were Mayor Sheckler; Mayor Pro-Tem Kaplan; Councilmembers Scott Thomasson, Dan Sherman, Matt Pina, Melissa Musser and Carmen Scott; Staff present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Assistant City Manager Lorri Ericson. At 8:50 p.m. City Attorney Bosmans left the Executive Session and the topic of conversation was switched to labor relations.

The Executive Session ended at 9:00. The Council went immediately into a 10 minute break and reconvened at 9:10 p.m..

OLD BUSINESS

1. Revenue Stabilization Fund

Staff Presentation: Finance Director Paula Henderson

Councilmembers established a revenue stabilization fund in the past Ordinance #820. It laid out the methodology for accessing the revenue stabilization fund.

ACTION/DIRECTION

Councilmember Sherman moved to suspend Council Rule 26(a) in order to enact Draft Ordinance No. 10-128 on first reading. Mayor Pro-Tem Kaplan second. The motion was approved unanimously.

In Section 1 (3), the word 'reoccurring' was added between budgeted and general; in Section 1(3)(iii) the word 'no' was inserted between 'period' and 'longer'. The typo graphical error between sections was removed.

Councilmember Sherman moved to enact Draft Ordinance No. 10-128 relating to finance and revenue, establishing a General Fund Revenue Stabilization Account; adopting a new chapter in Title 3 DMMC; repealing DMMC 3.48.100 the 'Revenue Stabilization Cumulative Reserve Fund;' and codifying a new chapter in Title 3 DMMC entitled *General Fund Revenue Stabilization Account*. Mayor Pro-Tem Kaplan second. The motion passed unanimously.

OLD BUSINESS

2. City Council 2011 Vision, Mission Statement, Goals, and Strategic Objectives

Staff Presentation: City Manager Tony Piasecki

New Item #4, *Ensure that Water District #54 completes the Marina District water system improvement project by July 1, 2011*, was changed to read *September 1, 2011* and the Water District would ensure that any unfinished construction during that portion of July, when the Waterland parade was scheduled to take place, would be made safe.

ACTION/DIRECTION

Mayor Pro-Tem Kaplan moved to adopt the Vision, Mission Statement, Goals and Strategic Objectives as revised at the January 23, 2010 City Council retreat and revised this evening. Councilmember Pina, second. With the caveat that Councilmember Thomasson's vote would not include support for financial means to finish Beach Park, the City Council approved the motion unanimously.

NEXT MEETING DATE – The next regular meeting of the Des Moines City Council would be held on February 24, 2011.

ADJOURNMENT

Motion to adjourn was made by Councilmember Thomasson, second by Mayor Pro-Tem Kaplan, and approved unanimously. The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Sandy Paul CMC
City Clerk