

MINUTES

DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue S, Des Moines, Washington
Thursday, April 13, 2023 - 6:00 PM

CALL TO ORDER

Mayor Matt Mahoney called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Jeremy Nutting.

ROLL CALL

Council Present:

Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Gene Achziger; Councilmember JC Harris; Councilmember Jeremy Nutting; Councilmember Vic Pennington; and Councilmember Harry Steinmetz

Staff Present:

City Manager Michael Matthias; City Attorney Tim George; Assistant City Attorney Matt Hutchins; Police Chief Ken Thomas; Finance Director Jeff Friend; Community Development Director Denise Lathrop; City Engineer Tommy Owen; Civil Engineer II Tyler Beekley; Assistant Harbormaster Katy Bevegne; Events and Facilities Manager Ashley Young; and City Clerk Taria Keane

PRESIDING OFFICER'S REPORT

Mayor Matt Mahoney read a statement regarding the SEA Stakeholder Advisory Round Table (StART) meeting in Washington, DC.

Mayor Matt Mahoney ask members (Pastor Shawnda Taylor, Pastor Kelly Crow, Lakisha Perry, and Paul Myer) from the organization Praisealujah to come tell Council about their organization.

Direction/Action

Motion made by Mayor Matt Mahoney to donation \$500 from the Council Hearts & Mind Fund to the Praisealujah organization; seconded by Councilmember Harry Steinmetz.

Motion passed 6-1.

For: Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Gene Achziger, Councilmember Jeremy Nutting, Councilmember Vic Pennington, and Councilmember Harry Steinmetz.

Against: Councilmember JC Harris.

CORRESPONDENCE

- There was no other correspondence outside the emails already received by Council.

COMMENTS FROM THE PUBLIC

- Stephanie Harris, Cecil Powell Park
- Victoria Andrews, Questions
- Bill Linscott, Marina Development
- Michael Rhoads, Financials

CITY MANAGER REPORT

~~SR3 – SeaLife Response, Rehabilitation and Research~~ - Moved to the May 11, 2023 City Council Regular Meeting.

City Manager Michael Matthias updated Council on Steven J Underwood Memorial Park and Cecil Powell Park.

City Manager updated Council on the Consent Calendar Item #6: 4th of July Drone Show.

Chief of Police Ken Thomas updated that Council on the Vandalism Case in Downtown Des Moines.

City Manager Michael Matthias gave Council an update on the Citizens Advisory Committee Communications Consultant.

City Manager Michael Matthias gave Council an update on the delivery of the Passenger Ferry Boat and the signing of the Operating Agreement.

CONSENT CALENDAR

Item 1: APPROVAL OF VOUCHERS

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Motion is to approve for payment vouchers through March 31, 2023 and payroll transfers through April 05, 2023 in the attached list and further described as follows:

EFT Vendor Payments	#8007-8169	\$ 975,282.64
Wires	#2139-2171	\$1,501,517.35
Accounts Payable Checks	#164743-164851	\$ 463,534.43
Payroll Checks	#19649-19655	\$ 1,430.50
Direct Deposit	#4707-4872	\$ 540,315.56
Payroll Checks	#19656-19658	\$ 16,462.57
Direct Deposit	#4873-4902	\$ 347,538.65
Payroll Checks	#19659-19666	\$ 8,935.96
Direct Deposit	#4903-5075	\$ 447,747.54

Total Checks and Wires for A/P and Payroll: \$4,302,492.20

Item 2: APPROVAL OF MINUTES

Motion is to approve the February 02, February 23, and March 09, 2023 City Council Regular Meeting minutes, and the March 02, 2023 City Council Study Session Minutes.

Item 3: MENTAL HEALTH AWARENESS MONTH PROCLAMATION

Motion is to approve the Proclamation recognizing May as Mental Health Awareness Month.

Item 4: AFFORDABLE HOUSING WEEK PROCLAMATION

Motion is to approve the Proclamation recognizing May 7-13, 2023 as Affordable Housing Week.

Item 5: ARTS COMMISSION APPOINTMENT

Motion is to confirm the Mayoral appointment of Benjamin Pierson to a 3 year term on the City of Des Moines Arts Commission effective immediately and expiring on December 31, 2026.

Item 6: 4TH OF JULY DRONE SHOW

Motion is to approve the proposed agreement from Sky Elements Drone Shows for 2023 4th of July Celebration and authorize the City Manager to sign the agreement substantially in the form as submitted.

Item 7: WASHINGTON STATE OPIOID SETTLEMENTS

Motion is to approve the City of Des Moines' participation in the Washington State Opioid Settlement Agreement and to direct the City Manager to sign the attached Allocation Agreement and Settlement Participation Forms substantially in the form as attached.

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- Item 8: 24TH AVE S IMPROVEMENT PROJECT - PUGET SOUND ENERGY EASEMENT
Motion is to approve the Puget Sound Energy Easement on Tax Parcel No. 0922049018, and further authorize the City Manager to sign said easement substantially in the form as submitted.
- Item 9: 24TH AVE S IMPROVEMENTS PROJECT - RIGHT OF WAY DEDICATION
Motion is to authorize and approve the dedication of a portion of City owned property, Tax Parcel No. 0922049018, for right-of-way purposes and authorize the City Manager to execute documents for this transaction substantially in the form as submitted.
- Item 10: KING COUNTY FLOOD REDUCTION GRANT AWARD
Motion is to accept the King County Flood Control District Flood Reduction Grant Award for the Des Moines Creek Estuary Project and Kent-Des Moines Road/16th Avenue South Pipe Replacement Project and authorize the City Manager to sign the Grant Agreement substantially in the form as submitted.

Direction/Action

Motion made by Councilmember Jeremy Nutting to approve the Consent Calendar; seconded by Deputy Mayor Traci Buxton.

Councilmember JC Harris pulled Consent Calendar Item #6.

The remainder of the Consent Calendar passed 7-0.

Council discussed Consent Calendar Item #6.

Motion made by Councilmember Jeremey Nutting to approve the Consent Calendar Item #6 as presented; seconded by Councilmember Vic Pennington.

Amended Motion made by Councilmember Gene Achziger to conduct a formal pole to engage the public.
Amended Motion died for the a lack of second.

Main motion passed 6-1.

For: Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Gene Achziger, Councilmember Jeremy Nutting, Councilmember Vic Pennington, and Councilmember Harry Steinmetz.

Against: Councilmember JC Harris.

Mayor Matt Mahoney read the Mental Health Awareness Month Proclamation into the record.

Mayor Matt Mahoney read the Affordable Housing Week Proclamation into the record.

PUBLIC HEARING/CONTINUES PUBLIC HEARING

DRAFT ORDINANCE NO: 23-021: PUBLIC HEARING ON CONTINUING MORATORIUM FOR NEW DEVELOPMENT IN THE BUSINESS PARK AREA AND ADOPTING FINDINGS OF FACT
Staff Presentation by Community Development Director Denise Lathrop

Mayor Matt Mahoney opened the Public Hearing at 7:08 p.m.

Community Development Director Denise Lathrop gave Council a PowerPoint Presentation.

Mayor Matt Mahoney called for those that wished to speak:
Joel Mensonides, Des Moines, Asked a Question

Mayor Matt Mahoney asked 3 times if anyone else wished to speak.

Seeing none, Mayor Matt Mahoney asked the Council if they had any questions.

Mayor Matt Mahoney closed the Public Hearing at 7:17 p.m.

Direction/Action

Motion 1 made by Councilmember Jeremy Nutting to suspend Rule 26(a) in order to enact Draft Ordinance No. 23-021 on first reading; seconded by Councilmember Vic Pennington.
Motion passed 5-2.

For: Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Jeremy Nutting, Councilmember Vic Pennington, and Councilmember Harry Steinmetz.

Against: Councilmember Gene Achziger, and Councilmember JC Harris.

Motion 2 made by Councilmember Jeremy Nutting to enact Draft Ordinance No. 23-021 adopting findings of the fact to support the extension of the moratorium to October 26, 2023; seconded by Councilmember Harry Steinmetz.
Motion passed 7-0.

NEW BUSINESS

- Item 1: MARINA DOCK REPLACEMENT AND MARINA REDEVELOPMENT REIMBURSEMENT
Staff Presentation by Finance Director Jeff Friend

City Manager Michael Matthias along with Finance Director Jeff Friend updated the Council on the Marina Dock Replacement and Marina Redevelopment Reimbursement.

Direction/Action

Motion made by Councilmember Jeremy Nutting to adopt Draft Resolution No. 23-022, declaring the City's intent to reimburse itself for expenditures incurred with respect to the Marina Dock Replacement and Marina Redevelopment Project; seconded by Councilmember Vic Pennington.
Motion passed 6-1.

For: Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Gene Achziger, Councilmember Jeremy Nutting, Councilmember Vic Pennington, and Councilmember Harry Steinmetz.

Against: Councilmember JC Harris.

- Item 2: MARINA STEPS PROJECT - DESIGN AND PERMITTING
Staff Presentation by City Engineer Tommy Owen

City Manager Michael Matthias along with City Engineer Tommy Owens gave Council an update on the Marina Steps Project - Design and Permitting.

Direction/Action

Motion made by Councilmember Jeremy Nutting to approve the 2022-2023 On-Call General Civil Engineering Task Assignment #07 with KPFF, Inc. that will provide design and permitting services for the Marina Steps Project in the amount of \$785,827.58 and authorize the City Manager to sign said Formal Task Assignment substantially in the form as submitted; seconded by Deputy Mayor Traci Buxton.
Motion passed 5-2.

For: Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Jeremy Nutting, Councilmember Vic Pennington, and Councilmember Harry Steinmetz.

Against: Councilmember Gene Achziger, and Councilmember JC Harris.

Item 3: CITIZENS ADVISORY COMMITTEE APPOINTMENTS

Mayor Matt Mahoney made a statement regarding the Citizens Advisory Committee Appointments.

Direction/Action

Motion 1 made by Deputy Mayor Traci Buxton to confirm the Mayoral appointments as shown on Exhibit A to be the primary representatives on the Citizens Advisory Committee, effective immediately and expiring on the date listed; seconded by Councilmember Jeremy Nutting.
Motion passed 6-1.

For: Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Gene Achziger, Councilmember Jeremy Nutting, Councilmember Vic Pennington, and Councilmember Harry Steinmetz.

Against: Councilmember JC Harris.

Motion 2 made by Deputy Mayor Traci Buxton to confirm the Mayoral appointments as shown on Exhibit B to be the alternate representatives on the Citizens Advisory Committee, effective immediately and expiring on the date listed; seconded by Councilmember Jeremy Nutting.
Motion passed 6-1.

For: Mayor Matt Mahoney; Deputy Mayor Traci Buxton; Councilmember Gene Achziger, Councilmember Jeremy Nutting, Councilmember Vic Pennington, and Councilmember Harry Steinmetz.

Against: Councilmember JC Harris.

Item 4: INTRODUCTION OF ITEMS FOR FUTURE CONSIDERATION – 10 Minutes

There was no new items for future consideration introduced.

BOARD & COMMITTEE REPORTS/ COUNCILMEMBER COMMENTS

(4 minutes per Councilmember) - 30 minutes

COUNCILMEMBER JEREMY NUTTING

- Des Moines Arts Commission
- Environment Committee Meeting
- Commented on Consent Calendar Items #8, #9, and #10
- Mount Rainier High School Auction

COUNCILMEMBER JC HARRIS

- SEA Stakeholder Advisory Round Table (StART) meeting in Washington, DC

COUNCILMEMBER VIC PENNINGTON

- Thanked Citizens for attending meeting
- Citizens Advisory Committee
- Environment Committee Meeting
- Cecil Powell Park

COUNCILMEMBER HARRY STEINMETZ

- Citizens Advisory Committee
- Sound Cities Association Public Issues Committee

COUNCILMEMBER GENE ACHZIGER

- Citizens Advisory Committee

DEPUTY MAYOR TRACI BUXTON

- Participated in 30 engagements with colleagues, staff, and citizens
- Public Safety/Emergency Management Committee Meeting
- Tour with Leaders and Electives for Middle Housing
- SEA Stakeholder Advisory Round Table (StART) meeting in Washington, DC.

PRESIDING OFFICER'S REPORT

- SEA Stakeholder Advisory Round Table (StART) meeting in Washington, DC.
- Coffee with the Mayor
- Eggstravaganza
- Mayors Meeting

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- Transportation Committee Meeting
- Mayors Article in City Currents Magazine

NEXT MEETING DATE

May 04, 2023 City Council Regular Meeting

ADJOURNMENT

Direction/Action

Motion made by Councilmember Vic Pennington to adjourn; seconded by Councilmember Jeremy Nutting.
Motion passed 7-0.

The meeting adjourned at 8:28 p.m.

Minutes approved at the May 04, 2023 Council Meeting.

A handwritten signature in black ink, appearing to be 'JK' or similar initials, located at the bottom right of the page.