

MINUTES

DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue S, Des Moines, Washington
Thursday, June 22, 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; Assistant Police Chief Mark Couey; Chief Administrative Officer Bonnie Wilkins; Harbormaster Scott Wilkins; Human Resources Director Adrienne Johnson-Newton; Finance Director Jeff Friend; Public Works Director Andrew Merges; Civil Engineer I Khai Le; Management Analyst Rochelle Caton; Recreation Manager Kyle Ehlers; and City Clerk Taria Keane.

Mayor Matt Mahoney made a statement regarding the Water District 54 water contamination.

Direction/Action

Motion 1 made by Deputy Mayor Traci Buxton to set up a meeting with Water District 54 and have Councilmember Vic Pennington act as a liaison for the Council; seconded by Councilmember Jeremy Nutting. Vic Pennington recused himself.
Motion passed 5-1.

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

Against: Councilmember JC Harris.

Motion 2 made by Councilmember JC Harris to explore the opportunities to help compensate the severe losses some of our businesses incurred through grants or other programs; seconded by Councilmember Gene Achziger.

Motion passed 7-0.

Motion 3 made by Councilmember Jeremy Nutting to hire an Outside Agency to do an after event review Water District 54 agrees; seconded by Mayor Matt Mahoney.

Motion passed 4-3.

For: Mayor Matt Mahoney; Councilmember Jeremy Nutting, and Councilmember Harry Steinmetz.

Against: Deputy Mayor Traci Buxton; Councilmember Gene Achziger, and Councilmember JC Harris.

Mayor Matt Mahoney made a statement regarding the Cancellation of the Passenger Ferry.

CORRESPONDENCE

There were no additional correspondence outside of the emails already received by Council.

COMMENTS FROM THE PUBLIC

- Chuck Coleman, Thanks to the City
- Victoria Andrews, City Manager Performance Review
- David Emery, Redondo Traffic
- Gary Peterson Jr., 5th Ave
- Michael Rhoads, Marina Safety

CITY MANAGER REPORT

~~SOUTH KING COUNTY COMMUNITY IMPACT FUND~~ - Rescheduled to July 13th

1st QUARTER FINANCIAL REPORT

Finance Director Jeff Friend gave Council a PowerPoint Presentation on the 1st Quarter Financial Report.

City Manager Michael Matthias announced the hiring of the new Chief of Police Tim Gately.

CONSENT CALENDAR

Item 1: APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers through June 09, 2023 and payroll transfers through June 05, 2023 in the attached list and further described as follows:

EFT Vendor Payments	#8415-8542	\$ 928,134.64
Wires	#2222-2252	\$1,206,699.41
Accounts Payable Checks	#164938-165017	\$ 267,097.70
Payroll Checks	#19681-19686	\$ 1,677.65
Direct Deposit	#5599-5776	\$ 501,339.65

Total Checks and Wires for A/P and Payroll: \$2,904,949.05

Item 2: 2023 LODGING TAX ADVISORY COMMITTEE SPENDING RECOMMENDATIONS

Motion is to approve the recommendations as submitted by the Lodging Tax Advisory Committee for the expenditure of Lodging Tax funds.

Item 3: 24TH AVE S IMPROVEMENTS PROJECT– RIGHT-OF-WAY ACQUISITION

Motion is to approve and accept a fee simple acquisition of 987 SF and a temporary construction easement of 905 SF on Tax Parcel# 162204-9144, owned by Corenia C. Wood, as well as provide compensation to the owners in the amount of \$40,484.00 for said Right-of-Way acquisition as well as damages in the amount of \$25,150.00 for a total of \$65,634.00 (rounded), and further authorize the City Manager to sign the fee simple acquisition, the temporary construction easement and Real Property Voucher Agreement substantially in the form as submitted.

Item 4: FIELD HOUSE PLAYGROUND EQUIPMENT UPGRADE: CONSTRUCTION CONTRACT AND CONSULTANT AGREEMENT

Motion 1 is to direct administration to bring forward a budget amendment to the 2023-2028 Capital Improvement Plan and the 2023 Capital Budget to include the amended Field House Playground Equipment Upgrade Project as shown in (Attachment 1) and as

described herein, and include such amendment in the next available budget amendment ordinance.

Motion 2 is to approve the Public Works Contract with PMOW LLC (Contractor), for Field House Playground Equipment Upgrade Project Base Bid + Bid Additive #1 Proposal, in the amount of \$520,525.28, authorize a project construction contingency in the amount of \$47,500.00, and further authorize the City Manager to sign said Contract substantially in the form as submitted.

Motion 3 is to approve the 2022-2023 On-Call General Civil Engineering Services Task Assignment 2022-03 with Perteet Inc. for the Field House Playground Equipment Upgrade Project in the amount of \$23,724.00 for Construction Administration Services, and further authorize the City Manager to sign said Agreement substantially in the form as submitted.

Direction/Action

Motion made by Councilmember Jeremy Nutting to approve the Consent Calendar; seconded by Councilmember Vic Pennington.

Councilmember JC Harris pulled Consent Calendar Item #2.

Councilmember Gene Achziger pulled Consent Calendar Item #4.

The remainder of the Consent Calendar passed 7-0.

Council discussed Consent Calendar Item #2.

Motion made by Councilmember Jeremy Nutting to approve the Consent Calendar Item #2 as presented; seconded by Councilmember Harry Steinmetz.

Motion passed 7-0.

Council discussed Consent Calendar Item #4.

Motion 1 made by Councilmember Jeremy Nutting to approve the Consent Calendar Item #4 as presented; seconded by Deputy Mayor Traci Buxton.

Motion passed 7-0.

Motion 2 made by Councilmember Jeremy Nutting to approve the Consent Calendar Item #4 as presented; seconded by Deputy Mayor Traci Buxton.

Motion passed 7-0.

Motion 3 made by Councilmember Jeremy Nutting to approve the Consent Calendar Item #4 as presented; seconded by Deputy Mayor Traci Buxton.

Motion passed 7-0.

OLD BUSINESS

Motion made by Mayor Matt Mahoney to continue with Council Rules and have a hard stop at 8:45 p.m. to allow time to go into Executive Session; seconded by Councilmember Jeremy Nutting.

Motion passed 7-0.

CITY OF DES MOINES CITY COUNCIL PROTOCOL MANUAL ADOPTION - THIRD READING

Continued Motion from the July 08, 2023 Meeting.

Motion made by Councilmember JC Harris in 8.06(k) add that all Ordinances passed by the City Council will require a 2nd reading; seconded by Gene Achziger.

Motion failed 2-5.

For: Councilmember Gene Achziger, and Councilmember JC Harris

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

Motion made by Councilmember JC Harris to strike section 8.08(b)
Motion dies for a lack of second.

Motion made by Deputy Mayor Traci Buxton to change the original B "Actions" to become C and have B say all writings distributed for discussion or consideration at a public meeting or public records. To that end except for emergencies and technical issues, Council members shall not communicate digitally in forms such as, but not limited to calls, text, chat, or social media posting during a council meeting; seconded by Councilmember Vic Pennington.

Motion passed 7-0.

Motion made by Councilmember JC Harris to add that the City Attorney shall assist all Councilmembers to section 9.03; seconded by Councilmember Gene Achziger.

Motion fails 2-5.

For: Councilmember Gene Achziger, and Councilmember JC Harris

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

Motion made by Deputy Mayor Traci Buxton amended 11(d) to say For Business Council Meetings and Representation Assignments, Councilmember shall adhere to a business casual attire and allowing for appropriate cultural expectations; seconded by Councilmember Harry Steinmetz.

Motion passed 4-3.

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

Against: Councilmember Gene Achziger, Councilmember JC Harris, and Councilmember Jeremy Nutting.

Motion made by Councilmember JC Harris to strike the last line in section 11.04(a); seconded by Councilmember Gene Achziger.

Motion failed 2-5.

For: Councilmember Gene Achziger, and Councilmember JC Harris

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

Motion made by Councilmember JC Harris to strike section 12.02.
Motion dies for a lack of second.

Motion made by Councilmember JC Harris to strike section 11.04(d); seconded by Councilmember Gene Achziger.
Motion failed 2-5.

For: Councilmember Gene Achziger, and Councilmember JC Harris

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

Direction/Action

Motion made by Deputy Mayor Traci Buxton to pass Draft Resolution No. 23-031, adopting the City of Des Moines City Council Protocol Manual as amended by Council; 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

Direction/Action

Motion made by Councilmember Jeremy Nutting to extend the Council Meeting no later than 9:30 p.m.; seconded by Councilmember Vic Pennington.

Motion passed 7-0.

EXECUTIVE SESSION

At 8:50 p.m. Mayor Matt Mahoney called the Executive Session to order.

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

Others Present:

City Manager Michael Matthias; City Attorney Tim George; Assistant Police Chief Mark Couey; Chief Administrative Officer Bonnie Wilkins; Human Resources Director Adrienne Johnson-Newton.

Regular Meeting Minutes
June 22, 2023

PURPOSE

The purpose of the Special meeting was to hold an Executive Session to discuss the Performance of a Public Employee under RCW 42.30.110(1)(g). The Executive Session was expected to last 40 minutes.

No formal action was taken.

The Executive Session lasted 33 Minutes

The meeting adjourned at 9:23 p.m.

NEXT MEETING DATE

July 13, 2023 City Council Regular Meeting.

Minutes approved at the September 07, 2023 Council Meeting.

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