

## **MINUTES**

**DES MOINES CITY COUNCIL  
REGULAR MEETING  
City Council Chambers  
21630 11th Avenue S, Des Moines, Washington  
Thursday, October 19, 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 Mayor Matt Mahoney.

### **ROLL CALL**

#### **Council Present:**

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

#### **Council Absent:**

Councilmember Vic Pennington

#### **Direction/Action**

**Motion** made by Councilmember Jeremy Nutting to excuse Councilmember Vic Pennington; seconded by Councilmember Harry Steinmetz.

Motion passed 6-0.

#### **Staff Present:**

City Manager Michael Matthias; City Attorney Tim George; Assistant City Attorney Matt Hutchins; Assistant City Manager Adrienne Johnson-Newton; Director of Community/Administrative Services Bonnie Wilkins; Finance Director Jeff Friend; Harbormaster Scott Wilkins; Assistant Police Chief Patti Richards; Judge Lisa Leone; Director of Court Administration Melissa Patrick; Director of Emergency Management and Workplace Safety Shannon Kirchberg; Community Development Director Denise Lathrop; Planning & Development Services Manager Laura Techico; Public Works Director Andrew Merges; City Engineer Tommy Owen; Civil Engineer I Mike Kwispond; Civil Engineer I Khai Le; and Communications Director Nicole Nordholm

## CORRESPONDENCE NOT PREVIOUSLY RECEIVED BY COUNCIL

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

## COMMENTS FROM THE PUBLIC

- Luisa Bangs; General Statement
- Chuck Coleman; Coffee with a Cop
- Rick Johnson; General Statement
- Norma Kelsey; Adrianna Senior Apartments

## COMMITTEE CHAIR REPORT

- Mayor Matt Mahoney gave Council an update on the South King County Mayors and Governor Meeting regarding transportation.

## CITY MANAGER REPORT/PRESENTATIONS/BRIEFINGS

- City Manager Michael Matthias gave Council an update on the Marina Bond.
- Public Works Director Andrew Merges gave Council an update on the Marina Steps process.
- City Manager Michael Matthias gave Council and update on the Speed Reduction on Pac Hwy.
- Director of Emergency Management and Workplace Safety Shannon Kirchberg introduced the recent Community Emergency Response Team Graduates.
- Director of Emergency Management and Workplace Safety Shannon Kirchberg gave Council an update on the Great Washington Shakeout.
- City Manager Michael Matthias gave Council an update on the Hydrofoil Ferry demonstration project.

[CERT Photos](#)

## CONSENT AGENDA

Item 1: APPROVAL OF VOUCHERS

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

|                  |                |                |
|------------------|----------------|----------------|
| EFT Vendor       | #8982-9079     | \$ 509,737.17  |
| Payments         |                |                |
| Wires            | #2336-2360     | \$2,492,417.59 |
| Accounts Payable | #165303-165323 | \$ 69,857.83   |

Regular Meeting Minutes  
October 19, 2023

|                |              |               |
|----------------|--------------|---------------|
| Checks         |              |               |
| Payroll Checks | #19752-19755 | \$ 2,200.39   |
| Direct Deposit | #7026-7197   | \$ 449,682.43 |

Total Checks and Wires for A/P & Payroll: \$3,523.895.41

Item 2: APPROVAL OF MINUTES

**Motion** is to approve the September 28, 2023 City Council Regular Meeting Minutes.

Item 3: 2023-2025 RECYCLING PROGRAM FUNDING

**Motion** is to authorize the City Manager to sign the 2023-2025 Local Solid Waste Financial Assistance Grant agreement between the City of Des Moines and the Washington State Department of Ecology, substantially in the form as attached.

Item 4: INTERLOCAL AGREEMENT WITH CITY OF NORMANDY PARK FOR MUNICIPAL COURT SERVICES

**Motion** is to approve the Interlocal Agreement between the City of Normandy Park and the City of Des Moines for Municipal Court Services for the years 2024-2028 and authorize the City Manager to sign the Interlocal Agreement substantially in the form as submitted.

Item 5: HEARING EXAMINER APPOINTMENT

**Motion** is to confirm the appointment of Alex Sidles as the City's Hearing Examiner and to authorize the City Manager to sign the professional services agreement with the Law Offices of Alex Sidles, PLLC substantially in the form as attached.

Item 6: 2024-2025 ON-CALL CONSULTANT AGREEMENTS FOR CIVIL ENGINEERING SERVICES

**Motion** is to approve the Consultant Services Contract for On-Call Civil Engineering Services (2024-2025) with Exeltech Consulting Inc., EBA Inc., KPFF Consulting Engineers., KPG PSOMAS, NV5, Parametrix, Perteet, and SCJ Alliance each up to \$1,250,000.00, and authorize the City Manager to sign the Consultant Services Contract substantially in the form as submitted.

Item 7: BLUEBERRY LANE III MODIFIED SHORT SUBDIVISION - FINAL PLAT

**Motion** is to concur with City staff approval of the final plat entitled "Blueberry Lane III", City File No. LUA2018-0067.

Item 8: DRAFT RESOLUTION 23-0061 SETTING A DATE FOR PUBLIC HEARING FOR VACATION OF RIGHT-OF-WAY KNOWN AS 10TH AVE SOUTH

**Motion** is to adopt Draft Resolution No. 23-061 setting a public hearing

on November 16, 2023, for a street vacation request relating to public right-of-way within the City of Des Moines.

Item 9: NORTH HILL ELEMENTARY WALKWAY IMPROVEMENTS PROJECT

**Motion 1** is to approve the Local Agency A&E Professional Services Consultant Agreement with Parametrix Inc. to provide engineering design and right-of-way acquisition services for the North Hill Elementary Walkway Improvements Project in the amount of \$723,704.24, and further authorize the City Manager to sign said Agreement substantially in the form as submitted.

**Motion 2** is to accept the 2023-25 WSDOT Safe Routes to School Program grant for the North Hill Elementary Walkway Improvements project in the amount of \$3,000,000, and authorize the City Manager to sign the Local Programs State Funding Agreement and Project Prospectus substantially in the form as submitted.

**Motion 3** is to direct staff to have all of the existing overhead utilities relocated aurally as needed for construction of the North Hill Elementary Walkway Improvements Project, waiving the requirement for undergrounding of utilities in accordance with DMMC 12.25.110.

**Direction/Action**

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

Councilmember JC Harris pulled Consent Agenda Item #5 and #7.

The remainder of the Consent Agenda passed 6-0.

Council discussed Consent Agenda Item #5.

**Motion** made by Councilmember Jeremy Nutting to approve the Consent Agenda Item #5 as presented; seconded by Deputy Mayor Traci Buxton.

Motion passed 6-0.

Council discusses Consent Agenda Item #7.

**Motion** made by Councilmember Jeremy Nutting to approve the Consent Agenda Item #7 as presented; seconded by Deputy Mayor Traci Buxton.

Motion passed 6-0.

## **PUBLIC HEARING/CONTINUED PUBLIC HEARING**

SECOND READING OF DRAFT ORDINANCE NO. 23-042: PUBLIC HEARING ON PROPOSED LAND USE AND TEXT CODE AMENDMENTS FOR THE BUSINESS PARK MORATORIUM AREA AND ADOPTING FINDINGS OF FACT

Staff Presentation by Community Development Director Denise Lathrop

At 6:35 p.m. Mayor Matt Mahoney opened the Public Hearing.

- Community Director Denise Lathrop gave Council a PowerPoint Presentation related to the Land Use and Zoning Amendments in the Moratorium Study Area.

Mayor Matt Mahoney called those who signed up to speak.

- Simon Uppal

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

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

At 6:56 p.m. Mayor Matt Mahoney closed the Public Hearing.

### **Direction/Action**

**Motion** made by Councilmember Jeremy Nutting to enact Draft Ordinance No. 23-042 adopting comprehensive plan and text code amendments and findings of fact for the moratorium area; seconded by Deputy Mayor Traci Buxton.

**Amended Motion** made by Councilmember JC Harris to postpone the item to the next Council meeting on October 26, 2023; seconded by Councilmember Gene Achziger.

Amended Motion failed 1-5

**For:** Councilmember JC Harris

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

**Motion 1** made by Councilmember Jeremy Nutting to include proposed Amendment 1 to Draft Ordinance No. 23-042; seconded by Deputy Mayor Traci Buxton.

Motion 1 passed 5-1.

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

**Against:** Councilmember JC Harris

**Motion 2** made by Councilmember Jeremy Nutting to include proposed Amendment 2 to Draft Ordinance No. 23-042; seconded by Deputy Mayor Traci Buxton.

Motion 2 passed 5-1.

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

**Against:** Councilmember JC Harris

**Motion** made by Councilmember Jeremy Nutting to enact Draft Ordinance No. 23-042 adopting comprehensive plan and text code amendments and findings of fact for the moratorium area as amended in Amendments 1 and 2; seconded by Councilmember Harry Steinmetz.  
Motion passed 6-0.

## **NEW BUSINESS**

- Item 1: NEW AGENDA ITEMS FOR CONSIDERATION – 10 Minutes
- There were no new items for future consideration.

## **COUNCILMEMBER REPORTS**

(4 minutes per Councilmember) - 30 minutes

### **COUNCILMEMBER GENE ACHZIGER**

- No Report

### **COUNCILMEMBER JEREMY NUTTING**

- No Report

### **COUNCILMEMBER JC HARRIS**

- Candidate Forums
- MRSC Seminar
- Commented on the Press Release

## **COUNCILMEMBER HARRY STEINMETZ**

- Candidate Forums
- Council Protocols

## **DEPUTY MAYOR TRACI BUXTON**

- Participated in 25 engagement with the community
- Council Protocol
- Proposition 1 in King County Crisis Care Centers
- 2024 Session
  - Public Safety
  - Housing Requirements
  - Behavioral Health and Mental Health Issues
- Domestic Violence Awareness Month Events

## **PRESIDING OFFICER'S REPORT**

- Councilmember Oath of Office

## **EXECUTIVE SESSION**

## **NEXT MEETING DATE**

October 26, 2023 City Council Regular Meeting

## **ADJOURNMENT**

### **Direction/Action**

**Motion** made by Councilmember Jeremy Nutting to adjourn; seconded by Councilmember Harry Steinmetz.  
Motion passed 6-0.

The meeting adjourned at 7:13 p.m.