

MINUTES

**DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue S, Des Moines, Washington
Thursday, December 8, 2022 - 6:00 PM**

CALL TO ORDER

Mayor 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:

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; Executive Director of Marina Redevelopment Dan Brewer; City Attorney Tim George; Chief Administrative Officer Bonnie Wilkins; Human Resources Director Adrienne Johnson-Newton; Harbormaster Scott Wilkins; Judge Lisa Leone; Court Administrative Services Manager Melissa Patrick; Finance Director Beth Anne Wroe; Finance Director Jeff Friend; Community Development Director Denise Lathrop; Public Works Director Andrew Merges; Civil Engineer II Tyler Beekley; Director of Parks, Recreation and Senior Services Nicole Nordholm; Director of Emergency Management and Workplace Safety Shannon Kirchberg; Police Chief Ken Thomas; Assistant Police Chief Patti Richards; Sergeant Eddie Ochart; Officer Johnny Tyler; Officer Chase Ochart; Officer Eric Morris; Police Officer Courtney Duncan; Police Officer Abram English; Police Officer Make Hake; Police Officer Nate Chevallier; and City Clerk Taria Keane

CORRESPONDENCE

There was no addition correspondence outside of the emails already received by Council.

COMMENTS FROM THE PUBLIC

- Charlene Bacalzo; Hotel
- Jim Wilson; Hotel
- Robert Whelon; Pacific Highway Crime and Vagrancy
- Christine Tollefson; Hotel and Public Spaces

CITY MANAGER REPORT

COMMUNITY EMERGENCY RESPONSE TEAM (CERT) GRADUATES

- Director of Emergency Management and Workplace Safety Shannon Kirchberg gave Council a PowerPoint and introduced the CERT Graduates.
 - Kay Fletcher
 - Mark Duncan
 - Natasha Sokolan
 - Alda Vavra
 - Kelleen Silveira
- Police Chief Ken Thomas presented Luisa Bangs with the Chief's Award.
- Police Chief Ken Thomas informed Council about creating a program to support local businesses in our community who fall victim to property crime.

City Manager commented on the Collective Bargaining Agreement with the Des Moines Police Guild

MARK EVERTON, SEATTLE SOUTHSIDE

- CEO of Seattle Southside Regional Tourism Authority Mark Everton gave a PowerPoint Presentation to Council.

DES MOINES FARMERS MARKET

- Des Moines Farmers Market President Kim Richmond and Des Moines Farmer Market Manager Susie Novak gave Council an update on the Des Moines Farmers Market.

CONSENT CALENDAR

Item 1: APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers through November 23, 2022 in the attached list and further described as follows:

EFT's Vendor Payments	#7538-7573	\$842,373.58
Wires	#2077-2091	\$721,650.23

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Accounts Payable Checks	#164492-164520	\$ 64,328.69
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Total Checks and Wires for A/P and Payroll: \$1,628,352.50

- Item 2: CITY MANAGER 2022 PERFORMANCE REVIEW
Motion is to approve a 5% pay increase for the City Manager effective January 1, 2023.
- Item 3: 2023-2028 STREET SWEEPING SERVICES
Motion is to award McDonough and Sons Inc. the 2023-2028 Street Sweeping Services Contract in an amount not to exceed \$695,926.08, and authorize the City Manager to sign substantially in the form as submitted.
- Item 4: CONSULTANT CONTRACT AMENDMENT #4 FOR SERVICES BETWEEN THE CITY OF DES MOINES AND JOSEPH DUSENBURY
Motion is to approve Contract Amendment #4 with Joseph Dusenbury to continue to provide consulting services to the City through 2023 in an amount not to exceed \$30,000, and authorize the City Manager to sign the Amendment substantially in the form as attached.
- Item 5: COMMERCE GMA UPDATE GRANT AGREEMENT FOR THE CITY OF DES MOINES
Motion is to authorize the City Manager to sign the GMA Update Grant Agreement (Contract No. 23-63210-010) between the City of Des Moines and the Washington State Department of Commerce, substantially in the form as attached, and to sign subsequent contract amendments for the remaining grant funds.
- Item 6: S. 223rd STREET GREEN STREET PLANNING PROJECT
Motion 1 is to approve the 2022-2023 On-Call General Civil Engineering Task Assignment W5 with KPG PSOMAS that will provide design services for the S. 223rd Street Green Street Planning Project in the amount of \$299,812.00 and authorize the City Manager to sign said Formal Task Assignment substantially in the form as submitted.

Motion 2 is to authorize the acceptance of the Washington State Department of Commerce 2022 Supplemental State Capital Budget Appropriation in the amount of \$299,730.00 and further authorize the City Manager to sign the Washington State Department of Commerce Local Government Division General Grant Contract 22-96515-036 substantially in the form as submitted.
- Item 7: MASSEY CREEK POCKET ESTUARY PROJECT: ENGINEERING SERVICES AGREEMENT

Motion is to approve the 2022-2023 On-Call General Civil Engineering Task Assignment 2022-06 with Parametrix, Inc., to provide preliminary engineering and permitting services for the Massey Creek Pocket Estuary Project in the amount of \$201,816.84, and further authorize the City Manager to sign said Task Assignment substantially in the form as submitted.

Item 8: CONTRACT WITH JAYMARC AV FOR COURT ROOM AUDIO SYSTEM

Motion is to approve the contract with Jaymarc AV in the amount of \$67,070.26 for the purposes of improving the audio system within the courtroom of the City of Des Moines Municipal Court and authorize the City Manager to sign the Contract substantially in the form as attached.

Item 9: COLLECTIVE BARGAINING AGREEMENT - DES MOINES POLICE GUILD

Motion is to approve the attached Collective Bargaining Agreement between the City of Des Moines and the Des Moines Police Guild and to authorize the City Manager to sign the Agreement substantially in the form as attached.

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 #2, and #3.

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 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.

Council discussed Consent Calendar Item #3.

Motion made by Councilmember Jeremy Nutting to approve the Consent Calendar Item #3 as presented; seconded by Deputy Mayor Traci Buxton.
Motion passed 7-0.

Council discussed Consent Calendar Item #4.

Councilmember Gene Achziger recused himself as he sits on the Des Moines Pool Metropolitan Park District Board.

Motion made by Councilmember Jeremy Nutting to approve the Consent Calendar Item #4 as presented; seconded by Deputy Mayor Traci Buxton.
Motion passed 6-0.

At 8:11 p.m. Council took a 9 minute break and resumed the meeting at 8:20 p.m.

PUBLIC HEARING/CONTINUED PUBLIC HEARING

DRAFT ORDINANCE NO: 22-070: 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

At 7:33 p.m. Mayor Matt Mahoney opened the Public Hearing.

Community Development Director Denise Lathrop gave Council a PowerPoint Presentation.

Mayor Matt Mahoney called for those that wished to speak:
Robert Bonds; Des Moines
Gary Malcolm; Des Moines

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

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

At 7:59 p.m. Mayor Matt Mahoney closed the Public Hearing.

Direction/Action

Motion 1 made by Deputy Mayor Traci Buxton to suspend Rule 26(a) in order to enact Draft Ordinance No. 22-070 on first reading; 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 enact Draft Ordinance No. 22-070 adopting findings of fact to support the moratorium instituted through Ordinance 1761.

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.

At 8:11 p.m. Council took a 9 minute break and resumed the meeting at 8:20 p.m.

NEW BUSINESS

- Item 1: **2022 ANNUAL BUDGET AMENDMENTS**
Staff Presentation by Finance Director Beth Anne Wroe

Finance Director Beth Anne Wroe gave an update to Council on the 2022 Annual Budget Amendments.

Direction/Action

Motion made by Councilmember Jeremy Nutting to suspend Rule 26(a) in order to enact Draft Ordinance No. 22-074 of first reading; seconded by Councilmember Harry Steinmetz.

Motion passed 7-0.

Motion made by Councilmember Jeremy Nutting to enact Draft Ordinance No. 22-074 relating to municipal finance, amending the 2022 Annual Budget adopted in Ordinance No. 1753 and amended in Ordinance No. 1765; seconded by Councilmember Harry Steinmetz.

Motion passed 7-0.

Item 2: 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 GENE ACHZIGER

- Commented on 1st year on Council

COUNCILMEMBER JEREMY NUTTING

- Thanked Public and Staff
- Wished Everyone Happy Holidays

COUNCILMEMBER JC HARRIS

- Wished Everyone Happy Holidays
- Thanked Engineering Staff
- Santa at North Hill Espresso
- Thanked Public Comments
- MRSC Workshop on Land Use

COUNCILMEMBER VIC PENNINGTON

- Thanked Community and Staff

COUNCILMEMBER HARRY STEINMETZ

- Des Moines Marina Tenants Appreciation Party
- Wished Everyone Happy Holidays
- Marina Redevelopment

DEPUTY MAYOR TRACI BUXTON

- Community Holiday Gatherings
- Legislative Breakfast
- Merry Christmas

PRESIDING OFFICER'S REPORT

- Commented on 1st year as Mayor

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- Have a safe Holiday

NEXT MEETING DATE

January 12, 2023 City Council Regular Meeting

ADJOURNMENT

Direction/Action

Motion made by Councilmember Vic Pennington to adjourn; seconded by Councilmember Harry Steinmetz.

Motion passed 7-0.

The meeting adjourned at 8:42 p.m.

Minutes approved at the February 02, 2023 Council Meeting.

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