

## POULSBO CITY COUNCIL MEETING OF MAY 4, 2011

### MINUTES

**PRESENT:** Mayor Erickson (Not voting), Berry-Maraist, Bauman, Henry, Lord, McGinty, Musgrove, Stern.

Staff: Berezowsky, Boltz, Booher, Kasiniak, Kingery, Loveless, McCluskey, Stephens, Swiney

### MAJOR BUSINESS ITEMS

- \* \* \* Budget Amendment, BA#11-0203, Fjord Drive Water Main
- \* \* \* Minutes of April 6, 2011 City Council Meeting
- \* \* \* Minutes of April 13, 2011 City Council Meeting
- \* \* \* 7:15PM Public Hearing: Concomitant Agreement Release/Ordinance Adoption – Bannon
- \* \* \* Ordinance No. 2011-08, 1st Quarter Budget Amendments
- \* \* \* Finn Hill Public Land Sale
- \* \* \* Final Plat Approval Liberty Hill (aka Urdahl Meadows)
- \* \* \* Resolution No. 2011-06, Public Notification

### 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Erickson called the meeting to order in the Council Chambers at 7:00 PM and led the Pledge of Allegiance.

Mayor Erickson stated Council seating will change once a month, from this point forward.

### 2. COMMENTS FROM CITIZENS

- a. Jan Wold commented on the Urdahl Meadows (Liberty Hill) subdivision final plat approval and expressed concern with a the lack of a fence to buffer Johnson Creek, proposed trail across the creek and the impact to the salmon stream.

### 3. ► MAYORS REPORT AND COUNCIL COMMENTS

**a.** Mayor Erickson reported:

- a. Fishline is in need of peanut butter this week.
- b. The North Kitsap Herald website has a poll regarding downtown parking; and encouraged everyone to participate.
- c. An addition to agenda item, 5a - Bannon property survey and clarification.

**b.** Agreements signed by the Mayor:

- 03/08/2011 JTM Construction – Change Order No. 12\$43,165.00
- 03/18/2011 29 Sign & Display – Park Signs\$ 8,945.00

**c.** Councilmember Musgrove encouraged the public to shop for Mothers Day in downtown Poulsbo.

**d.** Councilmember Stern commented on Marine View Beverage opening in May, Council tours will be given next week.

### 4. ► CONSENT AGENDA

Councilmember Musgrove requested a correction to the minutes of April 13, 2011.

**Motion:** Move to approve Consent Agenda items a and b.

**Action:** Approve, **Moved by** Musgrove, **Seconded by** Berry-Maraist.

Motion passed unanimously.

The items listed are:

**a.** Budget Amendment BA#11-0203, Fjord Drive Water Main

**b.** Minutes of April 6, 2011 City Council Meeting

**c.** Minutes of April 13, 2011 City Council Meeting

**Motion:** Approve the minutes of April 13, 2011 City Council Meeting, as amended.

**Action:** Approve, **Moved by** Henry, **Seconded by** Berry-Maraist.

Motion passed unanimously.

### 5. BUSINESS AGENDA

**a. ► Ordinance No. 2011-08, 1st Quarter Budget Amendments**

Mayor Erickson requested public comments; no comments were received.

**Motion:** Move to adopt Ordinance No. 2011-08, an ordinance of the City of Poulsbo, Washington, amending the 2011 budget adopted by Ordinance No. 2010-28 to revise the revenues to and appropriations from certain funds and approving an ordinance summary for publication.

**Action:** Approve, **Moved by** McGinty, **Seconded by** Stern.

Motion passed unanimously.

**b.  Finn Hill Public Land Sale**

Senior Engineering Technician Groh stated David Milne owns a small lot (5,663 sq ft) adjacent to City property off of Finn Hill Road and wishes to build a single family home. However, without additional land he cannot meet setback requirements. Mr. Milne has offered to purchase the thirty foot strip of City owned property for \$1.00 per square foot. The City Engineer sees no value in the City holding this detached section of property, which is outside the City limits and the Urban Growth Area.

Councilmember Berry-Maraist reported on the Public Works Committees recommendation of approval, with a counter offer of \$1.50 per square foot.

**Motion:** Move to approve the valuation and sale of Finn Hill land by Quit Claim Deed to David Milne, Bell Point LLC for the offered amount of \$3,715.50.

**Action:** Approve, **Moved by** McGinty, **Seconded by** Musgrove.

Motion passed unanimously.

**c.  7:15 PM Public Hearing: Concomitant Agreement Release/Ordinance Adoption – Bannon.**

Mayor Erickson opened the public hearing at 7:24 PM.

Associate Planner Nelson reported the Bannons have requested the City Council release the concomitant agreement on their property at 390 NE Hostmark. The property was initially rezoned from residential to commercial. Nelson outlined the history of the property and proposed project.

Mayor Erickson requested public testimony.

i. Ryan Vancil, representative for the Bannons, commented on the Councils first type 5 permit process and explained the reason for the original

concomitant agreement, with the residential unit on the second floor and commercial on the first floor. The current zoning of the area is commercial.

The Bannons want to use the second floor as commercial use, and have a tenant waiting to occupy the second floor. Vancil further explained the request does meet current zoning and Comprehensive Plan goals.

- ii. David Bannon, property owner, commented when he and his wife began the project, they were unaware the property had a concomitant agreement. They would like to use the property based on the City's Comprehensive Plan, which they are unable to do until the concomitant agreement is released.

Council discussion included:

- New type 5 permit process to release concomitant agreements
- Current conditions would be void if the concomitant agreement is released.
- Intended use of the commercial space
- Parking provisions and access if fully developed
- Concern of access on Fjord Drive; which is a residential area.

Mayor Erickson closed the public hearing at 7:41 PM.

**Motion:** Approve the Bannon Concomitant Agreement Release, Planning File 12-21-09-1. In support of this decision, the City Council shall adopt an ordinance approving the concomitant agreement release and adopting the staff reports finding and conclusions.

**Action:** Approve, **Moved by** McGinty, **Seconded by** Lord.

Motion passed unanimously.

**Motion:** Move to adopt Ordinance No. 2011-09, an ordinance of the City of Poulsbo, Washington adopting findings and conclusions; approving the Bannon concomitant agreement release, Planning File 12-21-09-1; authorizing the Mayor to execute and record an instrument releasing the concomitant; providing severability and establishing an effective date.

**Action:** Approve, **Moved by** Berry-Maraist, **Seconded by** Lord.

Motion passed unanimously.

d.  **Bannon property survey and clarification**

Associate Engineer Bateman reported as part of the site plan for the Bannon property it was recommended a correction to the property lines and legal

descriptions to accurately reflect the current conditions to the satisfaction of both the City and the Bannons.

**Motion:** Move to approve authorizing the Mayor to have the City Attorney draft an agreement regarding the Bannon site property lines, sign said agreement on behalf of the City and record the agreement, survey and legal description once signed by both parties.

**Action:** Approve, **Moved by** Lord, **Seconded by** Berry-Maraist.  
Motion passed unanimously.

e.  **Final Plat Approval Liberty Hill (aka Urdahl Meadows)**

Senior Engineering Technician Groh provided an overview of the punch-list items continuing the progress and needing to be completed, on the Liberty Hill development; provided a history of the project; and the final plat conditions of approval.

**Motion:** Move to approve the Final Plat for Liberty Hill, subject to the following conditions:

Condition #1: The Final Plat will not be recorded until:

- (a) Punch-list items are completed to the satisfaction of the City Engineer; and
- (b) All required documents are submitted to the City Engineer and determined to be Satisfactory; and
- (c) All required fees are paid; and
- (d) A maintenance bond for the plat infrastructure is submitted in an amount satisfactory to the City Engineer, with a maintenance period of 2 years commencing upon recording of the Final Plat; and
- (e) The City Engineer shall be provided with written evidence of payment or a payment method agreement acceptable to the School District for impact fees identified in SEPA.

Condition #2: All Park and Traffic impact fees identified in SEPA shall be paid prior to issue of the recording of the final plat.

Condition #3: A performance bond for landscaping and street trees shall be submitted to the City in an amount acceptable to the Planning Director prior to final plat recording. Completion of landscape Construction except for street trees shall be required prior to receiving a Certificate of Occupancy (CO) from the City for any home within the plat. The City will allow street trees to be

installed lot by lot, tied to individual lot CO. A maintenance bond period of 2 years commencing upon construction acceptance of the last street tree shall be required for all landscaping.

Condition #4: The City of Poulsbo and Quadrant Corporation accept the "Development Agreement" for water system improvements and reimbursement as presented in this Plat review package. Entry of this motion serves as City Council acceptance of the "Agreement".

**Action:** Approve, **Moved by** Musgrove, **Seconded by** McGinty.

Motion passed unanimously.

**f. ► Resolution No. 2011-06, Public Notification**

City Clerk Boltz stated the amended resolution updated the address of City Hall as well as provides the additional resource of the City's website for posting notices and notification of meeting agendas.

**Motion:** Move to adopt Resolution No. 2011-06, amending the procedures for public notification.

**Action:** Approve, **Moved by** Lord, **Seconded by** Henry.

Motion passed unanimously.

**6. ► COUNCIL COMMITTEE REPORTS**

**a.** Councilmember Berry-Maraist reported on:

- Request that the City pressure wash the sidewalks for Viking Fest
- Request to add a speed bump on Fjord Drive
- Tourism Roundtable held at City Hall

**b.** Councilmember Bauman reported:

- PHS Open House on Pacific Coast Codfish Company Centennial Celebration on May 14th at 5:00 PM.
- The Marine Science Center will reopen May 14th at 11:00 AM.
- Attendance at the Parks & Recreation Commission meeting and adoption of their work plan.

**c.** Finance/Administration Committee: Councilmember Lord reported on Marine Science Foundation lease agreement update; and review of the monthly sales tax, Real Estate Excise Tax and 1st Quarter variance reports.

**d. Economic Development Committee:** Councilmember Stern reported on the review of the business license fee with an increase in the renewal fee for Kitsap Economic Development Alliance (KEDA) support, support from the Suquamish Tribe for 3rd of July, Farmers Market, Lindvig Bridge beautification, Tourism Summit, and parking enforcement in Anderson Parkway.

## **7. DEPARTMENT HEAD COMMENTS**

None.

## **8. CONTINUED COMMENTS FROM CITIZENS**

None.

## **9. COUNCILMEMBER COMMENTS/BOARD/COMMISSION REPORTS**

**a.** Councilmember Berry-Maraist reported on a proposed Local Integrating Coordination group and her attendance at a Puget Sound Partnership special meeting.

**b.** Councilmember Henry reported on his attendance at the Suquamish Tribe Museum Board meeting.

**c.** Councilmember McGinty commented on the success of the Muriel Iverson Williams Park Dedication last weekend.

**d.** Mayor Erickson reported on the Poulsbo Historical Society discussion on hanging a boat in the atrium of City Hall; the Marine Science Center has agreed to pay \$15,000 toward maintenance of the building; and the City budget process will begin in June, as it did last year.

**e.** Councilmember Lord commented on the dedication of the Muriel Iverson Williams Park and was a great event.

**f.** Councilmember Stern also commented on the Muriel Iverson Williams Park dedication and the Iverson/Williams family in attendance.

**10.ADJOURNMENT**

**Motion:** Move to adjourn at 8:53 PM., **Moved by** Stern, **Seconded by** McGinty.  
Motion passed unanimously.

Rebecca Erickson, Mayor  
ATTEST:

Jill A. Boltz, City Clerk, CMC