

POULSBO CITY COUNCIL MEETING OF JUNE 8, 2016

MINUTES

PRESENT: Mayor Erickson; Councilmembers Henry, Lord, McGinty, Musgrove, Nystul, Stern, Thomas.

Staff: Finance Director Booher, City Clerk Fernandez, City Engineer Kasiniak, Planning Director Berezowsky, Public Works Superintendant Lund, Human Resources Manager Kingery, Senior Engineer Bateman, IT Manager Stenstrom.

MAJOR BUSINESS ITEMS

- * * * ~~Minutes of April 27, 2016, Council Meeting~~
- * * * ~~MIW Waterfront Park Restroom Replacement Workshop~~
- * * * Public Hearing on Resolution No. 2016-__, 6-Year TIP
- * * * Public Hearing for Disposal of the Marine Science Center Building
- * * * Ordinance No. 2016-__, Establishing Biennial Budget
- * * * 2016 Mid-Year Personnel Adjustment Requests
- * * * Resolution No. 2016-__, Salaries and Wages
- * * * AHERA Survey Contract
- * * * Right of Way Procedures

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.

2. AGENDA APPROVAL

Mayor Erickson pulled Consent Agenda Item 5a and Business Item 6A. She also moved Business Items 6E and 6F to the beginning of the Business Agenda.

Motion: Move to approve agenda as amended.

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

Motion carried.

3. COMMENTS FROM CITIZENS

Jim Almond invited the Mayor and Council to the North Kitsap High School graduation. He reported that Councilmember Nystul attended the last school board meeting and discussed certain projects. He asked when the City could have a joint meeting with the

District. Mayor Erickson said she will work with Superintendent Page to find a date this summer for a joint meeting.

4. **MAYOR'S REPORT AND COUNCIL COMMENTS**

Councilmember Stern congratulated Mayor Erickson for being honored by AWC as an advocacy all star for her work with the legislature for body camera legislation.

Mayor Erickson announced the Poulsbo Twilight Criterium is happening this Saturday. Councilmember Lord shared the route that the participants will be using for the race.

Councilmember Musgrove asked that the City pay extra attention to keep some parking for families going downtown to restaurants after graduation.

Mayor Erickson informed the Council that she signed a check for \$126,176 for health insurance.

Mayor Erickson presented the Kitsap County Human Services 1/10th of 1% Mental Health, Chemical Dependency, and Therapeutic Courts Contract for Council approval. The amount is for \$332,497.70 and she needs authorization to execute the contract. City Prosecutor/Risk Manager Foster has reviewed the contract. It becomes effective July 1, so it needs Council approval tonight.

Motion: Move to authorize the Mayor to sign the Kitsap County Human Services 1/10th of 1% Mental Health, Chemical Dependency, and Therapeutic Courts Contract.

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

Motion carried.

Mayor Erickson noted three items in the Council's teal folder: 1) the agenda summary for the Marine Science Center was updated to provide clearer language regarding the value of the building, 2) there is an updated resolution for the salaries and wages, and 3) a revised contract for the AHERA survey for hazardous substances.

5. **CONSENT AGENDA**

~~a. Minutes of the April 27, 2016, City Council Meeting (Fernandez)~~

6. **BUSINESS AGENDA**

~~a. MIW Waterfront Park Restroom Replacement Workshop~~

b. **2016 Mid-Year Personnel Adjustment Requests**

Human Resources Manager Kingery presented the agenda summary, noting with carryover complete and revenue projections meeting/exceeding forecasts, the Mayor is recommending mid-year personnel adjustments to assist departments with workload.

The Engineering/Building Department requested the following changes:

- Additional step increase for the Building Inspector 1
- Additional step increase for the Contract Administrator
- Promote current Field Inspector to Senior Field Inspector
- Replace Field Inspector with a Construction Supervisor position

In response to Councilmember Thomas, Director of Engineering Kasiniak said they have a job description for the Construction Supervisor position.

In response to Councilmember McGinty, Director of Engineering Kasiniak said they will be advertising to fill the position.

Councilmember Stern noted that the Finance-Administration Committee spent over an hour with the department heads reviewing these requests, and the committee recommends approval of all the requests presented tonight.

The Planning Department requested the following changes:

- Increase professional services by \$30,000 for assistance with comp plan updates
- Reclassify Office Clerk II to Planning Technician

Councilmember Lord said the Economic Development Committee recommends the Planning Department requests.

Councilmember Musgrove said the question came up in committee if the promotion would leave a vacancy, or if it would be absorbed, and it is absorbed in the new title. This is not creating a vacuum.

Development Director Berezowsky added that they are expanding on the duties and responsibilities of the current position.

The Police Department is requesting to reinstate a position that was previously part-time and adding Code Enforcement duties resulting in a full-time Community Services/Code Enforcement Officer position.

Mayor Erickson said the City has needed a code enforcement officer in the City since she became mayor. The code enforcement we have been doing is letter writing from the Planning Department, and the Mayor talking to people on the phone. It is not working. We need some force to enforce our civil code.

In response to Councilmember McGinty, Human Resources Manager Kingery said the position would be limited commission (similar to the reserve officer), and will be part of the teamsters union, not the police guild. Mayor Erickson said this is seen as an administrative position. Planning Director Berezowsky said the code enforcement officer position would not be involved with arrests; they would only be issuing citations, similar to a traffic ticket.

Councilmember McGinty is curious how the home monitoring would work. If it is violated, would the community services officer have to call the police department to get them? This will be discussed further at Public Safety/Legal Committee next week.

Director of Engineering Kasiniak added that the Department of Ecology is requiring the City to enforce pieces of the code in relation to the NPDES permit.

In response to Councilmember Musgrove's question of why the code enforcement officer who is typically an employee of the planning department would wear a uniform or badge, Mayor Erickson said the department directors will serve as the technical experts, and the code enforcement officer will have the legal expertise to put the documents together to make it stick.

In response to Councilmember Henry, Mayor Erickson said the resident expert plus the code enforcement officer would go to court to testify.

In response to Councilmember Nystul, Mayor Erickson said the code enforcement officer will be mostly complaint-driven.

Councilmember Lord said she is uncomfortable on having a badged officer doing this. Other cities' code enforcement officers are a staff person. Mayor Erickson asked if she would be able to find someone that is versed in the code of planning, engineering, business licensing, Department of Ecology, NPDES permits, and shoreline management act, or simply use her resident experts to use one person to make the contact. Letters would be written in advance by the departments. This employee would not be used for first contact.

Councilmember Thomas said this position is a current vacant half-time position in the police department. They anticipate difficulty getting it filled, because it is a part-time position. Making it a full time position will make it easier to fill, and adding the new duties of code enforcement make sense. By putting this into one position, we are going to cover quite a few things and get more bang for our buck. He also feels having a uniform will help.

Councilmember Stern said the City tried to create a code enforcement position 15 years ago. This would be the fulfillment of a long standing goal, and he is pleased to see it finally implemented.

In response to Councilmember Lord, Mayor Erickson said this position would be a direct report to the police department, while working closely with department heads, the prosecutor, and the Mayor. Director of Engineering Kasiniak said this employee would represent each department, and they would expect the same level of professionalism from the employee when they are interacting with the public. Planning Director Berezowsky added that the City typically sends three letters to the person not in compliance. All they really want is for the person to come in compliance with the code. Having an employee with an official uniform to make personal contact after the letters is very effective in achieving compliance.

Councilmember Musgrove summarized the officer would only be acting on cases directed by the department heads.

Kingery added that this position would also be doing jail transports, court security, community services supervision, and electronic home monitoring.

Councilmember Lord agreed that the City has been looking for a way to enforce its codes for a long time, and just wanted to make sure this was a good solution. She supports this, because she supports the other functions that this person will be doing.

The Public Works Department would like to fill the Assistant Public Works Superintendent position and is requesting reinstatement of funding for this position.

- Reinstatement funding for Asst Superintendent

Human Resources Manager Kingery noted the total 2016 budget impact totals \$66,109, and the 2017 budget impacts will total \$121,752.

Councilmember Thomas reminded the Council that the City is several FTE positions below where it was in 2010. This is not an unrealistic expansion. These actions need to be taken to meet the City's needs.

Motion: Move to approve the Mayor's recommended mid-year adjustments.

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

Motion carried.

c. Resolution No. 2016-14, Salaries and Wages

Human Resources Manager Kingery presented the agenda summary, noting the amended 2016 Salary Schedule includes the following changes to Teamsters:

- Engineering Department's new position "Construction Manager" - Range 41
- Planning Department's new position "Planning Technician" - Range 26
- Police Department's full-time position "Community Services Officer" - Range 32

Motion: Move to approve Resolution No. 2016-14, a resolution of the City Council of the City of Poulsbo, Washington, amending the salary and wage schedule for all City employees adopted by Ordinance 84.57, as last amended by Resolution 2016-01.

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

Motion carried.

d. Public Hearing on Resolution No. 2016-15, 6-Year Transportation Improvement Program (TIP)

Senior Engineering Technician Bateman presented the 6-Year Transportation Improvement Program. Presentation highlights:

- 2017 TIP
 - Required by RCW 35.77 and 47.26
 - Only projects included in TIP are eligible to receive federal or state funding
- Summary of changes
 - 8th Ave Improvement project removed
 - Update of existing project budgets and schedules
 - Noll road
 - New projects added
 - Forest Rock Lane reconstruction
 - SR 305 Poulsbo Park & Ride
 - City-wide Local Neighborhood Road Maintenance Program

- TIP was presented to the Public Works Committee, who recommended approval

At 8:10 PM, Mayor Erickson opened the public hearing, and hearing no public comments closed it at 8:11 PM.

Motion: Move to adopt Resolution 2016-15, a resolution of the City Council of the City of Poulsbo, Washington, adopting a six-year transportation improvement program for the years 2017-2022 and directing the same to be filed with the State Secretary of Transportation and the Transportation Improvement Board.

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

Motion carried.

e. Public Hearing for Disposal of the Marine Science Center Building

Finance Director Booher presented the agenda item, noting the City just signed a lease agreement with Western Washington University and they will be taking over the operation of the Marine Science Center and running educational programs there. A resolution was passed prior to that resolving the intent to give the building to them to continue to maintain it for educational purposes. We have entered into the lease agreement to give us time to do the due diligence in order to turn the building over. We did just receive a current appraisal for the property, and it was valued at \$2,250,000. The City needs Council authority to surplus the building. Since this is real estate, it is recommended to go through a public process.

At 8:13 PM, Mayor Erickson opened the public hearing, and hearing no public comments closed it at 8:13 PM.

Councilmember Stern wished we could call this enhance and assurance of function instead of disposal. The City is enhancing the facility and assuring its existence into perpetuity.

Councilmember Henry asked about the bullet list received from WWU of items that need to be improved upon. Mayor Erickson said Superintendent Lund has the list and is checking the building. The City has been clear that they are getting an expensive building and it is "as is." If there are things on the list that have been fixed, it would be nice to get them off the list.

Councilmember McGinty said if you were to look at this, it could be questioned why the City is giving away such an expensive building. The City is trying to get away from

the maintenance and operations cost and pass it on to somebody else. The City is getting rid of a burden, with the idea that it will serve the same purpose that it currently does.

Motion: Move to approve disposal of surplus of said property.

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

Motion carried.

f. Ordinance No. 2016-09, Establishing Biennial Budget

Finance Director Booher reviewed the legal allowances of a biennial budget, comparable data, cities that have reverted back to annual budgets (reasons why jurisdictions "tried it, but didn't like it"), challenges of biennial budgets, major tasks – year impacted, and a sample budget spreadsheet.

In response to Councilmember McGinty on how the process will deal with carryover, Finance Director Booher said we'll have the midyear budget review which will look at your whole budget in a big picture, and look at what was not funded. Mayor Erickson added we have six month segments. We will do the same process with the biennial budget. We will reconcile our beginning balance. We will know how much a cash we'll have. All this does is eliminates a lot of the verbiage at the beginning of the budget which is redundant.

Councilmember Henry likes to try new things and supports moving forward.

Councilmember Nystul said the cities that have adopted this range from the size of Tacoma to Steilcoom. Only 37 of the 281 cities have adopted it. Using 281 is not fair, because there are 120 cities less than 2,000 people. So it is not a fair comparison. His concern is to some degree the economy: we are doing well, but only 38,000 jobs were created last month. Health insurance is another concern. He agrees with Finance Director Booher that every year you look at the end of the year and make corrections for the next year and there is some time savings. He still has some uneasiness.

Councilmember Lord noted some objections for doing a biennial budget were "how do we respond without it being too risky?" and she believes because it is being proposed to do the two budgets, that is how it can be managed enough to respond to a falling economy. If we had a big market crash, how will we be able to react?

Finance Director Booher said hopefully we will have enough tools in place that we would not be surprised. They monitor everything every quarter. Departments are very communicative on which developments are coming in, that is why you have to be okay with amendments. We'll need to amend and adjust in that situation. We will have to act with some discipline.

Councilmember Musgrove said the danger lies when the market goes up. He presumes there will be new procedures and resolutions that will be needed to make this work for our City. Do we have an idea as far as procedural changes? Will there be anything that we don't want to be surprised by? Finance Director Booher doesn't believe there will be any surprises and noted the calendar has already been established. They have recognized things that need to be done both years. They are developing spreadsheets to reflect these types of budgets. At the department level, there is not as much impact. Most of the work falls onto Finance to monitor it. They are trying to be prepared.

Councilmember Musgrove asked if there is a mechanism that makes it easier for second year planning. If there is a shortfall or overage in cash, could things be prioritized for cutting or funding? Finance Director Booher said we have new program requests and baseline adjustment requests. There are so many costs in budgets that are nondiscretionary. Departments are held to bottom lines. When doing new program requests, we put a weight on them. Items that are not funded can be revisited six months later after tracking revenues.

Councilmember Stern supports trying this. We can always reverse course. When we talk about budget amendments, the council's overriding concern is when you are not dealing with everything on the table as a whole. Council needs a comparative decision process.

Mayor Erickson would like to see statements of cash flows and PNL statements on a monthly basis. Councilmember Musgrove appreciates that and would like to be able to see that as well.

Motion: Move to approve Ordinance 2016-09, an ordinance of the City of Poulsbo, Washington, adopting establishment of a Biennial Budget beginning with the biennium starting January 1, 2017.

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

Motion carried.

g. AHERA Survey Contract

Director of Engineering Kasiniak said the project is for the removal of two houses, one on 8th Avenue and another one in Centennial Park. There is \$90,000 in 2016 budget. The first step is to assess how many hazardous materials are in the buildings in order to be able to assess what needs to be removed and what it will cost. They went through the small works roster on MRSC. They received seven proposals and selected Pacific Rim for \$5,650.

In response to Councilmember Nystul, Director of Engineering said they wanted to have three different schedules for removal of three buildings all at once with one contractor. This would be removal of City Hall, as well as the two houses.

In response to Councilmember Henry, Director of Engineering Kasiniak said the contract is only for the survey of hazardous materials, not removal of the materials.

In response to Councilmember Musgrove, Director of Engineering Kasiniak said if the contractor makes a mistake, they are responsible for their mistake.

Motion: Move to approve the contract with Pacific Rim Environmental Inc. to provide the AHERA Survey and related services as presented, not to exceed \$5,650 and authorize the Mayor to sign the contract on behalf of the City.

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

h. Right of Way Procedures

Senior Engineering Technician Bateman presented the Right of Way Procedures. Presentation highlights included:

Right of Way Procedures

- City is required to have WSDOT approved Right of Way procedures for all ROW acquisitions associated with federal funded projects (fed funding in any phase)
- City Right of Way procedures were last updated in 2010.
- WSDOT has required the City to update our Right of Way procedures for the Noll project

Right of Way Procedures Update

- Procedures updated to new WSDOT form revised 8/2015
- Procedures now required to name staff associated with positions and provide qualification resumes listing training achieved
- Procedures updated to new WSDOT form revised 8/2015

- Procedures now required to name staff associated with positions and provide qualification resumes listing training achieved
- Supplemental procedures incorporated as required by WSDOT Local Programs specific to the Noll Road project and the associated delegation of authorities.
- Per recommendations of ROW consultant, options for waiver of clearing title for low value, low risk acquisitions added.

Councilmember Stern would like a standardize name for what we call the project. Senior Engineering Technician Bateman said it is called Noll Road Improvements. The individual phases can be identified by different names.

In response to Mayor Erickson, Senior Engineering Technician Bateman said the supplemental procedures for Noll would be signed by Deputy Mayor McGinty.

Motion: Move to authorize the Mayor or Deputy Mayor to sign the revised right-of-way procedures and forward them to WSDOT for final approval signature.

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

Motion carried.

7. COUNCIL COMMITTEE REPORTS

Councilmember Stern reported KRCC met yesterday and discussed the Noll Road Johnson Parkway project pending request for \$3,429,448. He thanked the Council and staff who showed up and worked on this very big project. This moves onto PSRC for approval. He also reported the Intergovernmental Committee is meeting the Tribe next Friday to talk about the Noll Road project.

Councilmember Musgrove appreciated being able to sit in at KRCC and watch them work together smoothly and logically.

Councilmember Thomas commented regarding traffic congestion at Hostmark and Caldart. He asked staff to review those concerns. Mayor Erickson said traffic counters are going to be put out and they are going to find out what is going on.

Public Works Committee: Councilmember McGinty reported they discussed a utility pole at the Halden Glen development that needs to be moved; ROW procedure updates; Liberty Bay TMDL update; Ecology grant for Small Anderson Parkway; street maintenance budget update; and the Port of Poulsbo discussed restroom facilities downtown.

Community Services Committee Meeting: Councilmember Thomas reported the Skate Park has a volunteer architect who has agreed to help with planning; Midsommer Fest is June 18; and Sons of Norway requested a bonfire on the 17th.

8. DEPARTMENT HEAD COMMENTS

Public Works Superintendent said staff had to block off the back half of Legion Park today. There are a lot of problems with overnight campers in the back half cul-de-sac. The City of Bremerton should be out the week of June 21 to replace the cabinet and controllers of the Bond Road signal. They start the decant transfer station full time on Monday. Lions Park equipment is fixed. He thanked the Council for Keith's promotion, it is well deserved.

9. CONTINUED COMMENTS FROM CITIZENS

Mayor Erickson asked for citizen comments; no comments were received.

10. COUNCILMEMBER COMMENTS/BOARD/COMMISSION REPORTS

Councilmember Musgrove encouraged citizens to come watch the Twilight Criterion Bike Race this weekend.

Mayor Erickson met with Sheriff Simpson, Police Chiefs Strachan and Hamner. She asked them questions about hiring our next police chief. They were all very helpful and had different ideas. We are now crafting job description, and it should be available on June 15. We are using WASPC to help us go through the recruiting process. Interviews will be August 15.

Mayor Erickson also reported having to put a stop work order on a contractor, their landscaping bond had lapsed. They cannot continue to work until they get the landscaping completed.

11. ADJOURNMENT

Motion: Move to adjourn.

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

The meeting adjourned at 9:22 PM.

Rebecca Erickson, Mayor

ATTEST:

Rhiannon Fernandez, CMC, City Clerk