

# POULSBO CITY COUNCIL MEETING OF JUNE 3, 2009

## MINUTES

**PRESENT:** Mayor Quade; Councilmembers: Berry-Maraist, Crowder, Erickson, Lord, McGinty, Stern.  
Staff: Boltz, Booher, Kasiniak, Loveless, McCluskey, Swiney.

**ABSENT:** Councilmember Rudolph.

### MAJOR BUSINESS ITEMS

- \* \* \* Payroll – May 1-31, 2009
- \* \* \* Minutes of May 6, 2009 City Council Meeting
- \* \* \* Authorize Disposal of Surplus Goods
- \* \* \* North Viking Avenue Improvements Budget Amendment Request
- \* \* \* Resolution No. 2009-07 Award Contract for Viking Avenue Improvements Phase II
- \* \* \* Contract Amendment with Parametrix for Viking Avenue Phase 2
- \* \* \* Contract Amendment with Krazan for On-Call Services
- \* \* \* Fundraiser/Car Wash Policy
- \* \* \* Resolution No. 2009-08, Fireworks on the Fjord
- \* \* \* Ordinance No. 2009-09, Public Tree Ordinance

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

Mayor Quade called the meeting to order in the Council Chambers at 7:05 PM and lead the Pledge of Allegiance.

### 2. MAYOR'S REPORT AND CHANGE TO AGENDA

- a. New City Hall update: Public Works Director Loveless gave a summary of the project to date including continued work on the sewer line installation, digging for the foundation footings and digging for the elevator shaft.

Councilmember Stern inquired about the hiring of local labor. Loveless explained JTM, contractor, is hiring local labor; information can be obtained at City Hall.

Councilmember Erickson questioned who is responsible for keeping the Request for Information (RFI) log. Loveless stated the owners representative and architect are keeping a log and have responded to the five inquiries received to date.

**b. Report on Agreements Signed by Mayor:**

- 05/11/2009- Lewis Architecture & Interior Design – Revised scope of work for Expanded Civil Engineering for offsite improvements. Previously authorized amount of \$17,250 increased to \$30,882.
- 05/11/2009- Lewis Architecture & Interior Design – Additional Services for Electrical Engineering for offsite improvements – Total: \$3,450.
- 05/11/2009- Lewis Architecture & Interior Design – Additional Services for AV design for Courtroom – Total: \$1,725.
- 05/29/2009- Lewis Architecture & Interior Design – Additional Services for Envelope Consultant (Weatherholt & Associates) – Not to exceed \$4,000.

**c. Proclamation – 2010 Census Partner:** Mayor Quade proclaimed and presented the proclamation to Eric Davenport of the US Census Bureau. Davenport explained that the 2010 Census is a federally required count and provided an overview of the history and purpose of the census.

**d. Presentation – Rotary Donation:** Ann Pyles of the North Kitsap Rotary will be presenting the Mayor with a check at the next rotary meeting, for the City to purchase a defibrillator for the Parks and Recreation building.

**e.** Mayor Quade announced vacancies on several of the City Boards and Commissions including: Library Board, Police Advisory Committee, Parks and Recreation Commission, and Civil Service Commission.

**f.** Mayor Quade read a certificate issued to Councilmember Stern from the Association of Washington Cities (AWC) for acquiring the Advanced Certificate of Municipal Leadership.

**g.** Mayor Quade requested the following changes to the agenda:

- Move Business item g, Tree Ordinance, to top of other business
- Addition of a business item, Award Contract for Viking Avenue Improvements Phase II, after business item c.
- Addition of a 45 minute executive session for the purpose of discussing potential real estate acquisition.

**3. MAYOR AND COUNCIL DISCUSSION**

**a.** Councilmember Stern commented on the passing of Dora Lee George and Pauline Rindal.

- b. Mayor Quade commented on the formation of the West Poulsbo Blue Ribbon commission, to be comprised of business people and property owners to discuss economic revitalization and set goals for West Poulsbo.

#### **4. COUNCIL COMMITTEE REPORTS (FOR ITEMS ON CURRENT AGENDA)**

- a. Finance/Administration Committee: Councilmember Lord reported on the Spring Surplus and recommendation of approval.
- b. Public Works Committee: Councilmember Berry-Maraist reported on discussion on the Public Tree Ordinance, North Viking Avenue Improvements Budget Amendment Request, Contract Amendment with Parametrix for Viking Avenue Phase 2, and Contract Amendment with Krazan for On-Call Service; and the recommendation for approval.
- c. Community Services Committee: Councilmember Berry-Maraist reported on the recommendation to approve the Public Tree Ordinance and thanked the Tree Board, arborist and Parks and Recreation Director McCluskey for their work on the ordinance.

#### **5. CITIZEN COMMENTS**

- a. Molly Lee, residing in Poulsbo urban growth area, read a paper entitled "Johnson Creek through the eyes of Surveyor 2007" by John Oliard.
- b. Don Jukum, speaking on behalf of the Homeowner's Association Board of Meredith Heights and personal comments regarding the proposed development Crystal Glen and having only one access to the development.
- c. Elaine Jukum, spoke regarding the proposed Crystal Glen development with an access road at the end of Sunrise Ridge and concern for the City allowing only one access road in the development.
- d. Dan Baskins, reminded the Council of the duties as an appellant body and the regulations for a closed and open hearings.

Mayor Quade clarified that an application has not been received for the Crystal Glen Development.

#### **6. CONSENT AGENDA**

**MOTION:** Erickson/Stern. Move to approve Consent Agenda items a and b. Motion carried unanimously. Absent: Rudolph.

The items listed are:

- a. Payroll – May 1-31, 2009

- b. Minutes of May 6, 2009

## 7. MAJOR BUSINESS ITEMS

### a. Ordinance No. 2009-09, Public Tree Ordinance

Parks and Recreation Director McCluskey introduced Kevin McFarlane, arborist. McFarlane explained a lot of work has gone into the Public Tree Ordinance and answered questions from Council including previous discussion on laminate root rot and trees on public and private property.

Councilmember McGinty addressed government involvement in private property regulations. Councilmember Berry-Maraist added that this was an initial concern of hers and worked with the Tree Board to soften the language including the definition of trees to be strictly trees and no longer includes woody shrubs. Berry-Maraist also explained the Parks and Recreation Director will be given authority in the Ordinance.

McFarlane and McCluskey explained this Ordinance will be an official action on a process that is already in place. McCluskey further explained there is currently collaboration with staff, the arborist and the tree board.

**MOTION:** Crowder/Berry-Maraist. Move to approve Public Tree Ordinance No. 2009-09, an Ordinance of the City of Poulsbo, Washington, adding a new Chapter 16.24 to the Poulsbo Municipal Code to be known as the Public Tree Ordinance, providing for severability; and establishing as effective date.

Motion carried. Yes: Crowder, Lord, Stern, Berry-Maraist, Erickson. No: McGinty. Absent: Rudolph.

### b. Authorize Disposal of Surplus Goods

Finance Director Booher explained that most of the items on the surplus list will be donated to the North Kitsap School district, with the exception of the Police vehicles which will be auctioned at Stokes Auction; and Police tasers will be donated to a city who would not otherwise be able to afford the equipment.

**MOTION:** Erickson/McGinty. Move to approve the disposal of the attached surplus listing in accordance with the City of Poulsbo Ordinance No. 94-08.

Motion carried unanimously. Absent: Rudolph

### c. North Viking Avenue Improvements Budget Amendment Request

Assistant Public Works Director Kasiniak stated the budget amendment is in the amount of \$3,850,000 for the North Viking Avenue Improvements project. The City has received \$3,800,000 in funds from the federal American Recovery and Reinvestment Act of 2009 and \$50,000 will be needed from Street Reserve funds.

**MOTION:** McGinty/Crowder. Move to approve the budget amendment in the amount of \$3,850,000 for construction of the North Viking Avenue (Phase 2) Improvements project.

Motion carried unanimously. Absent: Rudolph.

**d. Award Contract for Viking Avenue Improvements Phase II**

Assistant Public Works Director Kasiniak stated the lowest bidder for the North Viking Avenue Improvements, was Active Construction, however their bid packet did not include electrical subcontractor information, as required by RCW 39.30.060. Therefore the City Attorney advised the bid must be rejected and awarded to the second lowest bidder, Stan Palmer Construction.

**MOTION:** Lord/McGinty. Move to approve Resolution 2009-07 rejecting Active Construction's bid and award the construction contract to Stan Palmer Construction in the amount of \$2,192,763.90.

Motion carried unanimously. Absent: Rudolph.

**e. Contract Amendment with Parametrix for Viking Avenue Phase II**

Assistant Public Works Director Kasiniak stated the Parametrix contract amendment includes engineering support and surveying. Generally, the surveying work is included in the contractors contract, however it was determined Parametrix should do the work; the city will have better control over the project, which is important due to the existing wetlands near the project.

**MOTION:** McGinty/Lord. Move to approve Amendment No. 2 to the existing agreement for professional services with Parametrix in the amount of \$187,854.00.

Motion carried unanimously. Absent: Rudolph.

**f. Contract Amendment with Krazan for On-Call Services**

Assistant Public Works Director Kasiniak explained there was error in the original contract expiration date the intent was for the contract to expire November 12, 2009, instead of February 2009.

**MOTION:** McGinty/Stern. Move to approve Amendment No. 1 to the agreement for professional services between the City and Krazan &

Associates to (1) adopt the 2009/2010 fee schedule for on-call services provided by Krazan and (2) extend the contract completion date for on-call services to November 12, 2009.

Motion carried unanimously. Absent: Rudolph.

**g. Fundraiser/Car Wash Policy**

Senior Engineering Technician Funk reported Kitsap County is seeking support from surrounding jurisdictions for a county wide approach to prevent illicit discharges from fundraiser carwashes. This will be done by educating property owners and onsite managers of the fundraiser car wash sites on the illicit discharge ordinances, how to prevent illicit discharges and the consequences of violating the ordinance. The property owners then have the choice of allowing the car washes ensuring the appropriate best management practices are in place to prevent illicit discharges; deny the car wash fundraiser request; or knowingly violate the illicit discharge ordinance and subject to penalties.

Council comments/concerns included:

- Location of carwashes (on the street versus in a parking lot)
- Alternatives available to property owners
- The impact to property/business owners
- Education method; staffing impact
- Monetary impact to the city
- Who is primarily responsible for education

Councilmember Stern commented the county as the lead agency, should have a staffing model, of casual laborers, do the education and outreach, instead of the city's professional staff being responsible for the education on a continuous basis. Stern recommended the council reject the motion, due to the imperfect approach by the county; and reconsider once there is an improved education method and proposal.

Funk stated the county is only looking for support of the approach of education being the primary means to control illicit discharges, not to put anything in place right now.

**MOTION:** Stern/Lord. Move to table.

Motion carried unanimously. Absent: Rudolph.

**h. Resolution No. 2009-08, Fireworks on the Fjord Sponsorship**

Parks and Recreation Director McCluskey stated the resolution only changes the sponsor of the event to the Viking Fest Corporation.

**MOTION:** Crowder/Lord. Move to approve Resolution No. 2009-08, A Resolution of the City Council of the City of Poulsbo, Washington, amending the sponsorship of the Fireworks on the Fjord Celebration from the 3<sup>rd</sup> of July Event to the Viking fest Corporation a license to use Anderson Parkway and Liberty Bay Waterfront Park during the annual public celebration in July.

Motion carried unanimously. Absent: Rudolph.

## **8. DEPARTMENT/COMMITTEE REPORTS**

- a. Public Works Committee:** Councilmember Berry-Maraist reported on discussion regarding the Transportation Demand Management next phase. The committee made the determination to review the stop signs put in place during Phase I prior to installing any additional stop signs. The Construction Standards final document is still being worked on by the Engineering Department, however the pieces which were not in dispute have been adopted administratively as allowed by city code. The council will adopt the entire ordinance later this summer, when the final document is complete.
- b. Finance/Administration Committee:** Councilmember Lord reported on the monthly sales tax and Real Estate Excise Tax (REET) figures to be reviewed again in July, Sungard HTE software update, Council travel and training expenditures and the recommendation to approve filling the position of Administrative/Project Assistant.
- c.** Police Chief Swiney reported on the Suquamish Tribal Mitigation Impact Grant in the amount of \$30,500, the city has been awarded. The funds will be available within six weeks to offset fleet needs and in-car camera technology.
- d.** Mayor Quade reported on the Kitsap Regional Coordinating Council retreat on June 16<sup>th</sup>, the revenue sharing Interlocal agreement, and legislative dinner tomorrow night at the Oyster Bay Inn.

## **9. Executive Session- Property Acquisition (RCW 42.30.110 (b))**

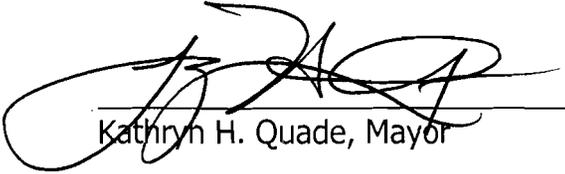
**MOTION:** Crowder/ McGinty. Move to adjourn from executive session.

Motion carried unanimously.

At 9:11 PM Mayor Quade convened Council into a 1/2 hour Executive Session for the purpose of discussing potential property acquisition pursuant to RCW 42.30.110(b). City Attorney Haney was present via conference call.

**10. ADJOURNMENT**

Meeting adjourned at 9:41 PM.



Kathryn H. Quade, Mayor

ATTEST:



Jill A. Boltz, City Clerk