

POULSBO CITY COUNCIL MEETING OF MARCH 14, 2012

M I N U T E S

PRESENT: Mayor Erickson, Berry-Maraist, Henry, Lord, McGinty, Nystul, Stern.

Staff: Berezowsky, Booher, Diehl, Haney, Kasiniak, Loveless, Treacher, Weaver.

ABSENT/EXCUSED: Musgrove.

MAJOR BUSINESS ITEMS

- * * * Final Acceptance: Pugh Water Tanks Coating Project
- * * * Final Acceptance: Modify City Hall – Police Department Relocation Project
- * * * 7:15PM Public Hearing: Disposal of Existing Structures and Real Estate
- * * * Workshop: Shoreline Master Program (continued)


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. COMMENTS FROM CITIZENS

- a. Molly Lee stated she attended last night's Planning Commission Public Hearing and was confused with a statement made about a 300 foot buffer from the conceptual Johnson Creek Trail away from Johnson Creek since there is no text in the plan or on the map to support this. Lee questioned the Council on how the City fire code provides for lands a fire hose cannot reach, will the trail need to accommodate a fire truck or fire hydrant infrastructure, or will property owners be required to leave gates open and take down fences for fire access. Lee expressed concern with the Comprehensive Plan providing the City with many legal assurances, and does not state the City will not legally pursue private property owners for the purpose of trails.

3. MAYORS REPORT AND COUNCIL COMMENTS

- a.  Councilmember Berry-Maraist congratulated Councilmember Stern for his election to the Puget Sound Regional Council Economic Development Board as vice president.

- b. ► Mayor Erickson reported:
- Anderson Parkway Community Meeting on March 19th at 5:30pm.
 - Keeping Communities Safe Meeting on March 24th at 1:00pm.
 - Red Apple celebrated a business anniversary.
 - Kim Tomlinson of Burrata Bistro celebrated a business anniversary.

4. ► **CONSENT AGENDA**

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

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

Motion passed unanimously.

The items listed are:

a. Final Acceptance: Pugh Water Tank Coating Project

b. Final Acceptance: Modify City Hall – Police Department Relocation Project

5. ► **COUNCIL COMMITTEE REPORTS**

- a. ► Community Services Committee: Councilmember Henry reported on online registration for Parks and Recreation Classes, No St. Patricks Day Race will take place this year, the Soap Box Derby, and Fish Park work party.
- b. Tree Board: Councilmember Henry reported on recent pruning class success, Arbor Day celebration will take place at Poulsbo Elementary, and beautification project on Lindvig Way.
- c. ► Public Works Committee: Councilmember Berry-Maraist reported on Puget Sound Regional Council Transportation funding cycle and road projects the City could submit, Anderson Parkway discussion, acceptance of Police move, and sewer contract with Kitsap County funding.

6. ► **BUSINESS AGENDA**

- a. ► **7:15PM Public Hearing: Disposal of Existing Structures and Real Estate**
Booher – listed the properties for surplus

Motion: Move to approve the disposal of surplus property described as Old City Hall, Old Police Department and Commercial Lot, and direct staff to utilize the services of a real estate firm to assist in the disposal of said property.

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

Motion passed unanimously.

Motion: Move to approve the disposal of surplus existing structures on the Lord Property direct staff to utilize the services of a public bidding process (Public Surplus) in the disposal of said structures. **Action:** Approve, **Moved by** McGinty, **Seconded by** Henry. Motion passed unanimously.

b. ► Draft Shoreline Master Program (SMP) Workshop

Associate Planner Keri Weaver introduced Joe Burcar, Department of Ecology and presented information regarding continuously asked questions. The presentation and discussion with City Council and the Port of Poulsbo included:

- The City's current one hundred twenty-five foot shoreline buffer and setback;
- Using other cities data to justify reducing buffers and adopting an SMP with reduced buffers;
- Variable and interrupted buffers for wetlands used in the critical areas ordinance being used in the SMP;
- Non water oriented uses being outright permitted on sites physically separated from the shoreline (water);
- The City creating new exemptions in shoreline use table;
- The Port not being exempt from acquiring permits;
- Recent legislative bill passed regarding existing single family development on a shoreline being conforming, but it does not also apply to commercial development.

Port Commissioners introduced Ann Farr, a consultant hired by Port. Concerns included:

- Sea Plane airport regulations;
- Definition of vessels;
- Conflict impasse with the Federal permit requirements for in water construction;
- Potential natural resources damage assessment by the City without legal authority;
- Issues relating to the maintenance of existing uses and structures including maintenance dredging;
- Live aboard regulations;
- Numerous stances of unclear terminology (language), inconsistent with the state SMP guidance or inadvertently creating non-conforming uses;
- Hurrying the SMP through and the timeline of submitting the SMP;
- Economic development of the downtown area;
- Have more meetings with the Planning Department and Port Commissioners.

Planning Director Berezowskys comments included:

- Sea plane dock regulations and city authority on such;
- Cumulative Impact Assessment is based on science and it being changed to something other than what it already shows would be unlikely;
- Reducing the buffers will require starting the SMP all over;
- The Ports Strategic Development Plan being reviewed in regards to the SMP;

Joe Burcar, Department of Ecology comments included:

- Interrupted buffers - science used to create them and other jurisdictions;
- Changing the buffers and interrupted buffers currently established;
- Cumulative Impact Assessment and supporting documentation for the SMP;
- Mitigation being the last place you want to go;
- Water oriented uses are first priorities in the SMP;
- Grant deadline ending in June and SMP deadline is in December.

Councilmembers comments and questions included:

- Port having more authority than other agencies or private citizens when commenting on the SMP;
- Interrupted buffers - science used to create them and other jurisdictions;
- Since new development of shoreline commercial property requires 25% of shoreline property to be reserved for water-oriented uses, can a waiver be created to allow non water oriented uses;
- Single buffer for the whole shoreline or different buffers for specific areas;
- View corridor provisions and regulations;
- Existing developments setting the baseline for any updates;
- Shoreline setback reductions if there is a net gain in the ecological values;
- Having until June not December to get the draft SMP completed;
- Having no more workshops but have the questions directed to staff;
- Council is not trying to regulate the sea planes but permits are needed for expansion;
- Removal of trees in a waterfront park to keep the view;
- Special Area Planning.

7. COUNCILMEMBER COMMENTS/BOARD/COMMISSION REPORTS

a.Councilmember Henry mentioned the Ung Symfoni Youth Symphony of Norway will be appearing at the Sons of Norway on April 3rd at 7:30 PM.

b.Councilmember Berry-Maraist reported on two meetings she attended:

- Puget Sound Regional Council Growth Management Policy Board discussed the growth plan for Silverdale.
- Kitsap Regional Coordinating Council Transportation Policy Board discussed four potential regional projects [Bridge over Clear Creek in Silverdale, two separate

transit projects, and the South Kitsap Industrial Area (SKIA) project.]

8.ADJOURNMENT

Motion: Move to adjourn meeting at 9:43 PM. **Action:** Approve, **Moved by** Stern, **Seconded by** Henry.

Motion passed unanimously.

Rebecca Erickson, Mayor

ATTEST:

Jill A. Boltz, City Clerk, CMC