

POULSBO CITY COUNCIL MEETING OF APRIL 18, 2012

MINUTES

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

Absent/Excused: McGinty.

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

MAJOR BUSINESS ITEMS

- * * * Minutes of February 15, 2012 City Council Meeting
- * * * Budget Amendment BA12-0201 Assistive Listening Equipment
- * * * Special Event Requests – Viking Fest and 3rd of July
- * * * Kitsap Economic Development Alliance Quarterly Update
- * * * Additional Hours for Court Security Officer
- * * * 7:05 PM Public Hearing: Comprehensive Plan Amendments

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

None.

3. MAYORS REPORT AND COUNCIL COMMENTS

- a. Councilmember Stern spoke to the Kitsap Aerospace and Defense Alliance, which the City is partner of, in an effort to attract a component of the Boeing 737 facility in Kitsap County.
- b. Mayor Erickson announced an Executive Session will be held at 9:30 PM, for the purpose of discussing real estate; no action will be taken and the meeting will be adjourned out of the executive session.

c. Councilmember Musgrove stated he sat in on the Municipal Court session this morning to observe how the court works and announced the Girls Night Out will be held on Wednesday, May 2nd.

d. Councilmember Berry-Maraist commented on upcoming events: Dining Out for Life; Poulsbo Historical Societys Presentation on the History of Poulsbos Commercial Fishman on May 4th; and the Great Peninsula Conservancy fundraiser on May 10th.

4. **CONSENT AGENDA**

Motion: Move to approve Consent Agenda items a through c. **Action:** Approve, **Moved by** Berry-Maraist, **Seconded by** Lord.

Motion passed unanimously.

The items listed are:

- a. Minutes of February 15, 2012 City Council Meeting
- b. Budget Amendment BA12-0201 Assistive Listening Equipment
- c. Special Event Requests – Viking Fest and 3rd of July

5. **BUSINESS AGENDA**

a. **Kitsap Economic Development Alliance (KEDA) Quarterly Update**

John Powers, KEDA, reported on the purpose and the work done by KEDA, several prospects of businesses and corporations coming to the Kitsap area; and the KEDA Annual Meeting held a few weeks ago.

b. **Additional Hours for Court Security Officer**

Court Administrator Baker reported on the request to increase the Court Security Officers hours from 15 hours per week to 24 hours per week. The officer provides court security, as well as oversees the electronic home and alcohol monitoring program.

Judge Tolman stated the funding for the additional salary will be offset by the vehicle impounding ordinance that will be coming forward to Council soon.

Motion: Move to approve increasing the court security officers hours from 15-24 hours per week effective May 1, 2012. **Action:** Approve, **Moved by** Henry, **Seconded by** Lord.

Motion passed unanimously.

c. ► 7:05 PM Public Hearing: Comprehensive Plan Amendments

Mayor Erickson opened the public hearing at 7:25 PM.

Associate Planner Nelson reported additional exhibits have been distributed to Council that were received by the Planning Department; and provided an overview all of the amendments.

Nelson noted the Mayor provided alternative policy language for CPA 2011-06, text amendments to Chapter 4; staff, Planning Commission and Mayors proposed modifications in CPA 2011-09; text and map amendments to Chapter 8 – Parks, Recreation and Open Space, outlining the updated PRO-3 Urban Paths of Poulsbo map.

Parks and Recreation Director McCluskey provided an overview of how the Trails Committee and trails plan was developed.

Nelson stated staff is recommending approval of the amendments, with the Planning Commission recommendations.

- i. Molly Lee spoke to the Urban Paths of Poulsbo map, the conceptual trails contained in the plan, and the lack of the definition of “conceptual”. Lee expressed her frustrations that the conceptual trail that runs through her property is still in the plan, after her request to remove it. Lee also requested Councilmember Berry-Maraist state for the record her property ownership of land that is affected directly by the Johnson Creek trail.
- ii. Hans Neilson expressed concern with the proposed trail that runs through Liberty Bay Estates condominiums and requested language be added, the City will not use eminent domain to gain easements for trails.
- iii. Mary Carter expressed her support for the Urban Paths of Poulsbo Plan and emphasized the plan has been thoroughly reviewed by citizens, Parks & Recreation Commission and the Planning Commission.
- iv. John Nans expressed his environmental concerns with trails that lead to creeks, wetlands, estuaries and the bay. Ten years ago Johnson Creek had over 100 Coho Salmon, at last count there were none. Nans requested PRO 4.3 be changed and reworded so keep people stay away from shorelines, creeks and streams.

- v. David Wells commented on the Urban Poulsbo Paths (UPP) conceptual trails lines, requesting a disclaimer be added to the map that the property owner must be in agreement; without a disclaimer Wells felt the City is giving an implied consent. Wells expressed concern with general public access in critical areas and private property and thanked staff for all their hard work on the UPP plan and the hours of work devoted to the plan.
- vi. Chuck Driver expressed his appreciation to the staff for their work, however requested the pink proposed trail that runs through Liberty Bay Estates Condominiums be removed, with parts of the trail within six feet of some residents homes. Two petitions have been submitted, one requesting trails be moved away from creeks, wetlands and shoreline buffers, and the second from property owners not wanting trails on their private property, not even in a conceptual sense.
- vii. Jan Wold spoke to her environmental experience and asked the public hearing remain open so the public can review new language and revisions; and requested to fully implement Mayor Erickson's recommendation to locate trails at least 300 feet from Johnson Creek and remove all trails that lead to waterways. Wold stated Berry-Maraist should recuse herself and be removed from discussion and vote.
- viii. Fred Springsteel expressed concern with the proposed traffic light on 10th Avenue and Lincoln Road and increased traffic.
- ix. Edie Lau, Trails Committee member, addressed environmental concerns, stating the more you give people access to nature the more likely they are to appreciate it and protect it. In regard to the conceptual trails concerns, the Trails Committee placed recommended trail projects in three categories: short term - a few of these projects have already been addressed; medium term projects - with the hope to be started in the next few years; and long term projects - which are expensive and/or more controversial, however they will probably not happen for many, many years.
- x. Kate Nunes, Planning Commission, expressed her support of the plan and the Mayor's recommendations. The commission tried to emphasize property owners would need to give the City consent to place a trail on their property. Nunes stated the plan provides a good vision of the future.
- xi. Russ Perisho, North Kitsap Trails Association, applauded and supports the Urban Paths of Poulsbo Plans. The plan supports connectivity of neighborhoods, communities and to economic development. Additionally, surveys done by the

North Kitsap Trails Association showed a large number of responders want walking trails.

- xii. Mark Kuhlman, spoke to the Jabber redesignation request to light industrial, and the intent to expand the Proguard Self Storage facility on an adjacent site. With the approval of the Edward Rose project there will be a need for additional personal storage. If the property is changed from low residential to light industrial, there will be less impact to infrastructure due to the decreased trips per day.
- xiii. Steve Calhoun urged the Council to approve the Urban Paths of Poulsbo plan; more paths and trails will allow people to safely walk around the City.
- xiv. Rebecca Grew, Liberty Bay Estates, questioned why quality of life affect or encroach on private property, encouraging the conceptual trails lines should be removed. Grew stated she supports trails however not when across private property.
- xv. John Lee expressed concern with conceptual trails, which will require citizens to watch the City to ensure the conceptual lines will not be imposed upon the property owners; suggesting there legal assurance that property owners will not be forced to put a trail on their property in the future.

Planning Director Berezowsky spoke to the conceptual trail lines and/or paths, stating the language in the recommendations or the UPP does not state the City will demand or take private property to develop a trail.

Councilmember Lord recommended the public hearing not be closed, in order to review the newly received testimony and written comments.

City Attorney Haney explained if the public hearing remains open, the Council cannot deliberate on any of the amendments.

Berezowsky suggested the public hearing remain open to allow staff, the Council and the public to review the testimony received and continue the hearing until a date certain.

Councilmember Stern requested clarification at the next public hearing, on the difference between urban path and urban trails, as they relate to the use of sidewalks, public right-of-way and streets; and comments and concerns submitted by Keri Weaver, as a private citizen, regarding the conceptual "pink line" on the map and more precise language to protect private property rights.

Motion: Move to continue the public hearing until 7:15PM on May 16, 2012.

Action: Approve, **Moved by** Lord, **Seconded by** Nystul. **Absent:** McGinty
Motion passed unanimously.

6. ► COUNCIL COMMITTEE REPORTS

a. Public Safety/Legal Committee: Councilmember Henry reported on a potential revised claim process, Police Department findings on the February shooting, upcoming special events, Municipal Courts new Public Defender and increased infraction fee to be in line with other cities.

7. ► DEPARTMENT HEAD COMMENTS

a. Assistant Public Works Director Kasiniak announced a public meeting regarding the 6th Avenue Improvements will be held on April 30th.

8. CONTINUED COMMENTS FROM CITIZENS

None.

9. COUNCILMEMBER COMMENTS/BOARD/COMMISSION REPORTS

None.

10. ► ADJOURNMENT

At 9:38 PM Mayor Erickson recessed the meeting into Executive Session pursuant to RCW 42.30.110 (b), for the purpose of discussing real estate.

Motion: Move to extend the meeting until 10:10 PM. **Action:** Approve, **Moved by** Berry-Maraist, **Seconded by** Henry.

Motion passed unanimously.

Meeting adjourned at 10:10 PM.

Rebecca Erickson, Mayor

ATTEST:

Jill A. Boltz, City Clerk, CMC