

## POULSBO CITY COUNCIL MEETING OF JANUARY 18, 2017

### MINUTES

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

Staff: Finance Director Booher, City Clerk Fernandez, Director of Engineering Kasiniak, IT Manager Stenstrom.

**ABSENT:** Councilmember McGinty

### MAJOR BUSINESS ITEMS

- \* \* \* Budget Amendment/BA#16-0409 Debt Service Administrative Costs
- \* \* \* Approval of January 4, 2017, Council Meeting Minutes
- \* \* \* Addendum to Kitsap Conservation District Raingarden ILA
- \* \* \* Ordinance No. 2017-01, FEMA Code Update
- \* \* \* Resolution No. 2017-02, Rejecting All Bids Received for CN-2016-06

#### 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 noted the addition of Business Item 6C and the small change made to the January 4, 2017, minutes

**Motion:** Move the approve the agenda as amended.

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

Motion carried.

#### 3. COMMENTS FROM CITIZENS

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

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

Councilmember Nystul said the Hwy 305 Workshops input can be found on the Kitsap County website. He attended the school board meeting, their FTEs are still down. He found it interesting that if a citizen asks a question at the board meeting, they respond in writing by the next meeting in detail.

Councilmember Thomas invited everyone to the Poulsbo Cemetery entrance dedication ceremony on Tuesday, January 24 at 3:30pm.

Councilmember Lord invited the public to the Winterlude Concert on Friday January 20, 7:30pm, at the Poulsbo First Lutheran Church. She also attended with Councilmembers Stern and Henry the 23rd Annual Kitsap County Celebration of Dr. Martin Luther King Day.

Mayor Erickson shared the image of the Morrow Manor sign that will be displayed soon. She noted the sponsors of the project: Poulsbo Rotary Club, YWCA, The Birkenfeld Memorial Trust Fund, FHLB Des Moines, Tim Ryan Construction, and Liberty Bay Bank. She highlighted the new park that will be added to the site.

Mayor Erickson invited the public to the free community dinner at Gateway on January 26 for the homeless population count. She said on January 28, 2017, from 12-5pm, the Sons of Norway are having a lutefisk dinner, and on January 21, 2107, the Chamber of Commerce will be holding their annual gala.

Councilmember Musgrove said he was glad to hear about the new park at Morrow Manor. He was glad to hear the Martin Luther King celebration worked out at the Fairgrounds, because the event he planned to attend was cancelled. He said benches in the cemetery will become available for dedication. He urged everyone to consider dedicating or adopting a bench. He also noted benches are available in other areas of the city. He reviewed the SR305 survey that was put out, and recommends everyone look at it, because it is fascinating. Mayor Erickson noted the traffic counts from that study show the clear majority of the traffic that is going on in Bainbridge Island is Bainbridge Island. It is people living off the island and going to work on Bainbridge Island. It is an affordability issue of not being able to live where they work.

Councilmember Stern reported the double decker buses are another option for Highway 305. He noted there was an article in the paper regarding the Kitsap Transit meeting and how some board members felt intercity routes should have a two-hour time limit so they don't have to pay twice for a quick trip to the grocery store. He will also be attending a retirement party tomorrow night for John Armstrong.

Councilmember Henry asked if Kitsap Transit was looking to reinstate Sunday service. Mayor Erickson said no, they have authorized restoring Memorial and Labor Day service. They have not mentioned anything about Sunday service.

## **5. CONSENT AGENDA**

**Motion:** Move to approve Consent Agenda items a through b (as amended).

The items listed are:

- a. Budget Amendment/BA#16-0409 Debt Service Administrative Costs
- b. Approval of January 4, 2017, Council Minutes

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

Motion carried.

## 6. BUSINESS AGENDA

### a. Addendum to Kitsap Conservation District Raingarden ILA

Director of Engineering Kasiniak gave a presentation on the Kitsap Conservation District Raingarden ILA Addendum. Presentation highlights included:

#### PURPOSE OF ILA

- Achieve water quality improvements from the LID retrofit projects
- Provide financial assistance to owners of existing developed properties for small-scale LID retrofit projects they might not otherwise construct

#### PURPOSE OF ADDENDUM

- Delete Task 3.4 of the Scope of Work which requires a recorded maintenance covenant to run with the land

#### ISSUE

- When the ILA was written, there were some unknowns as how to best address maintenance for the rain gardens or other LID features. A conservative approach was taken which was later understood to be onerous and excessive.

#### FACTORS

- Packet memo and addendum recitals address the numerous reasons for deleting Task 3.4 – including:
  - The rain garden/LID installations are on existing developed properties and are “bonus” facilities beyond what was required by the City for storm water management
  - No legal requirement for the installations - making the City maintenance covenant to “run with the land” excessive
  - KCD maintenance requirements in their contract with the property owner are sufficient

Councilmember Lord said the Public Works Committee agreed with the addendum and recommends approval.

**Motion:** Move to approve the "Addendum to Interlocal Agreement 2016-2017 Between the City of Poulsbo and the Kitsap Conservation District Regarding Rain Garden and Low Impact Development Technical Assistance and Installation, LID

Education and Outreach, and Cost-Sharing" which deletes Task 3.4 and to authorize the Mayor to sign the Addendum.

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

Motion carried.

**b. FEMA Code Update**

Director of Engineering Kasiniak gave a presentation on the FEMA Code Update. Presentation highlights included:

- FEMA recently completed their coastal mapping project of marine shoreline (it was an update to the existing maps).
- They used better wave modeling to update the 1% (100-year) Base Flood Elevation (BFE) and generate new FEMA FIRM maps.
- Liberty Bay was updated in the new model.
- The head of the bay increased only to a Base Flood Elevation to from 13.0' to 14.0'.
- The rest of Liberty Bay is unchanged at 13.0' for BFE.
- Because of the existing shoreline regulation, the new map has no practical impacts to the City of Poulsbo.
- The City is amending the language in our code to meet new FEMA regulations.
- Adopting new definitions in our Code as defined by FEMA.
- Adopting new risk Flood risk maps.

Director of Engineering Kasiniak noted the City Attorney determined the new ordinance and maps are a "Land Use Regulation" – Type IV Process, like Comprehensive Plans, LID Regulations, etc. Because of time constraints, today staff is asking the Council to adopt an interim ordinance to meet the FEMA deadline of February 5, 2017.

Councilmember Thomas suggested amending sub-paragraph 15.24.040 *Flood Hazard Areas Established* to insert "effectively" in front of the word "dated."

Councilmember Musgrove was curious to secondary effects. One example is the new section on manufactured homes, does it affect our local residences that include things like guest quarters or tiny homes. Another example is wells, they must be on high ground. Does that mean that any wells that they consider to be low ground will be considered unusable and capped off by requirement? Director of Engineering Kasiniak does not believe that we have any wells in the flood zone as far as he is aware. Theoretically it could affect us, but he doesn't think that practically it will. He doesn't believe there are any structures that are permitted in the flood zone either. We have inspections from FEMA to make sure we don't issue permits. Mayor Erickson

said she knows one structure in the flood zone, a house that we are trying to get rid of right now.

In response to Councilmember Lord, Director of Engineering Kasiniak said he can bring the FEMA maps to the City Council next time this is discussed.

**Motion:** Move to approve Ordinance No. 2017-01, an Ordinance of the City of Poulsbo, Washington, adopting an interim development regulation and findings in support thereof; amending Chapter 15.24 of the Poulsbo Municipal Code in order to revise definitions, update the flood insurance map, and make other minor revisions to the city's floodplain management regulations; setting March 8, 2017 as the date for the public hearing on the interim regulation, providing for the interim regulation to be in effect for a period of six months or until a permanent regulation is adopted; providing for severability; declaring an emergency and establishing an immediate effective date.

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

Motion carried.

**c. Resolution No. 2017-02, Rejecting Bids for Residential Property Abatement and Demo CN2016-06**

Director of Engineering Kasiniak presented the agenda summary, noting:

- Demolition and abatement of two residential properties was put out to bid in August 2016
- The City planned to fund this project using proceeds from sale of properties.
- Because of environmental issues, the sale of property was delayed.
- At this time, the City cannot fund the project.

In response to Councilmember Thomas, Director of Engineering Kasiniak said the companies that submitted the bids can rebid if we offer the same project in the future.

In response to Councilmember Henry, Director of Engineering Kasiniak said the bids were opened publicly, so everyone saw what the bids were.

**Motion:** Move to approve Resolution 2017-02, a resolution of the City Council of the City of Poulsbo, Washington, rejecting any and all bids received on the residential abatement and demolition project CN2016-06.

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

Motion carried.

**7. COUNCIL COMMITTEE REPORTS**

Finance-Administration Committee: Councilmember Stern reported the Social Services Workshop is scheduled for March 1 and they discussed possible funding mechanisms for local programs. The committee discussed pending legislative action for the AWC trip in February and began preliminary discussions of transportation benefit districts.

Public Safety/Legal Committee Meeting: Councilmember Stern reported they discussed the behavioral specialist team and how it works, police department NARCAN training, new police car inquiry (lease or purchase), and Municipal Court has created a code violation court calendar.

**8. DEPARTMENT HEAD COMMENTS**

Director of Engineering Kasiniak said Small Anderson parkway begins January 23. He thanked PW Superintendent Lund for creating some additional parking stalls to mitigate the project impact. He also noted they are working actively on the evaluation of solid waste.

**9. CONTINUED COMMENTS FROM CITIZENS**

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

**10. COUNCILMEMBER COMMENTS/BOARD/COMMISSION REPORTS**

None.

**11. ADJOURNMENT**

**Motion:** Move to adjourn at 7:59pm,

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

Motion carried unanimously.

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Rebecca Erickson, Mayor

ATTEST:

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Rhiannon Fernandez, CMC, City Clerk