

## POULSBO CITY COUNCIL MEETING OF JUNE 14, 2017

### MINUTES

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

Staff: City Clerk Fernandez, Planning Director Boughton, Parks & Recreation Director McCluskey, Public Works Superintendent Lund, Prosecuting Attorney Foster, IT Senior Technician Williamson.

**ABSENT:** Councilmember Stern

### MAJOR BUSINESS ITEMS

- \* \* \* Proclamation: National Garbage Man Day
- \* \* \* Budget Amendment/BA# 17-0216 Hillside Bench Program for 2017
- \* \* \* Special Event: Tattoos Cure Cancer
- \* \* \* Ordinance No. 2017-09, Amending PMC Chapter 10.12 – “Parking Regulations”
- \* \* \* Ordinance No. 2017-10, 2017 Critical Areas Ordinance Update
- \* \* \* Resolution No. 2017-09, Council Rules of Procedure

#### 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

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

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

#### 3. COMMENTS FROM CITIZENS

Mrs. Rita Hagwell said today is Flag Day. She also spoke regarding not wanting to give 200 feet of buffers on each side for the critical areas unless she gives consent. She is talking with Ecology.

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

Councilmember Thomas reported he attended the Poulsbo Maritime ground breaking last week and Councilmember Lord and Mayor Erickson were also in attendance.

Councilmember Lord encouraged everyone to join Poulsbo Historical Society. She attended the NKHS graduation. She is so proud of all our students, including her grandson.

Mayor Erickson said it was Flag Day, and she saw the Lions Club putting up the flags. Right now, there is a troop of boy scouts who are disposing of American flags in the appropriate way. Councilmember Lord announced the drop boxes for old flags are located at First Lutheran Church and James Lumber.

Mayor Erickson announced the June 21, 2017, Council meeting will be cancelled, because a majority of the Council will be attending the AWC Annual Conference in Vancouver.

Mayor Erickson said there will be a special joint meeting with the Port of Poulsbo at the Sons of Norway at 6pm on June 28, 2017. She asked Councilmembers to submit agenda items to the City Clerk. The City Clerk will share the information with Councilmember Musgrove.

Mayor Erickson announced the Council received purple folders from American Cancer Society Relay for Life. They want to tie purple ribbons to downtown lights. The Council concurred with this activity.

**a. Proclamation: National Garbage Man Day**

Mayor Erickson proclaimed June 17, 2017, as National Garbage Man Day. She said we have a bunch of hard working guys in the solid waste division who have been on pins and needles while waiting to hear about what the City would do with the utility for the last year and a half. She wanted to acknowledge their service to the community, and thanked them for their hard work.

**5. CONSENT AGENDA**

**Motion:** Move to approve Consent Agenda item a.

The items listed are:

**a. Budget Amendment/BA# 17-0216 Hillside Bench Program for 2017**

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

## 6. BUSINESS AGENDA

### a. **Special Event: Tattoos Cure Cancer**

Parks & Recreation Director McCluskey presented the agenda summary, noting the sponsor is Thor's Hammer and Needle Tattoo, the site is at the Muriel Iverson Williams Waterfront Park, the date and time is June 24, 2017, 3-7pm, and the expected number of people will be 50-150, plus 6 volunteers. The charity event benefits Seattle Children's Hospital. Activities include a raffle, family events, food and music.

Councilmember Lord reviewed the use needs. They don't need any road closures. They are going to have music and food. It is a free event, but they will accept donations.

In response to Councilmember Musgrove, Parks & Recreation Director McCluskey said no tattoos will be given at the event.

**Motion:** Move to approve the special event application for the Tattoos Cure Cancer event as presented.

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

Motion carried.

### b. **Ordinance No. 2017-09, Amending PMC Chapter 10.12 – "Parking Regulations"**

Prosecuting Attorney Foster presented the agenda summary, noting this ordinance amends Chapter 10.12-"Parking Regulations" of the Poulsbo Municipal Code. It (1) eliminates a duplicate reference in the Municipal Code adopting Section 503.4 of the 2003 Edition of the International Fire Code and (2) increases the monetary penalty of parking, stopping, or standing in a designated fire lane from \$30 to no more than \$250.

Mayor Erickson added there are several places in the community where roads are so narrow, and cars are parked on both sides of the road. When it is a neighborhood with no other entrance, like a cul-de-sac, it becomes problematic. It is a life safety issue when the road is blocked for emergency vehicles.

Thomas said these narrow streets are something that the Planning Department will no longer approve. So, it won't be a problem in future developments.

Councilmember Thomas asked for an explanation of the text on Page 2, PMC 10.12.110(B). Prosecuting Attorney Foster said if someone owns, for example, an apartment complex, and allows people to park in the fire lane, then the property owner could be cited.

Councilmember McGinty asked if store owners have liability for vehicles that may park in the fire lane. Prosecuting Attorney Foster said they would be liable if the property owner tells people they can park in the fire lane, or allows them to repeatedly park there. Apartment complexes are more prone to this.

Councilmember McGinty said he had trouble following through with why a private owner should worry about enforcement because it is the police department's issue.

Planning Director said this falls under public safety. The reason they should be enforcing is because they can be fined by the city if they don't enforce it. They can enforce it by putting up signage, issuing tickets and notices, or having the vehicle towed.

Councilmember Nystul asked about PMC 10.12.110(c) and what the mechanisms are to approve a fire lane. Prosecuting Attorney Foster said she understands there is criteria established to determine fire lane placement through a whole series of steps. This includes working with Fire Marshall and City Engineer to get the designation. The checklist has been reviewed by Public Works and Public Safety-Legal Committees.

Councilmember Musgrove asked if this isn't already covered by blocking access in a general sense. If you block off your street physically, you are up for a ticket, if not a towing. Prosecuting Attorney Foster said it depends on the circumstance. This arose from a case of a private road that had vehicles parking on both sides of the street. They were not completely blocking the road, but the space between the vehicles was not wide enough for emergency vehicles to get through to service other houses down the road. They were not impeding regular vehicle traffic.

**Motion:** Move to approve Ordinance No. 2017-09 of the City of Poulsbo, Washington amending Chapter 10.12 of the Poulsbo Municipal Code, removing duplicate code provisions and increasing the monetary penalty for parking, stopping, or standing in a designated fire lane to no more than two hundred fifty dollars; providing for severability and establishing an immediate effective date.

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

Motion carried.

**c. Ordinance No. 2017-10, 2017 Critical Areas Ordinance Update**

Planning Director Boughton presented the agenda summary, noting this is follow up from the action the Council took last week, which was approving the Critical Areas Ordinance May 2017 draft with the modification document with the amendment approved at that night. The packet includes the ordinance, the May 2017 document, the updated modification document that included the amendment to approve based on public testimony that night, and two supporting documents (Commerce provided checklist and best available science review).

**Motion:** Move to approve Ordinance 2017-10, an ordinance of the City of Poulsbo, Washington, amending sections of the City of Poulsbo Municipal Code 16.20; affirming completion of Poulsbo's periodic review and update as needed of its comprehensive plan and Development regulations in compliance with RCW 36.70a.130; and Providing for severability and establishing an effective date.

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

**d. Resolution No. 2017-09, Council Rules of Procedure**

City Clerk Fernandez presented the agenda summary, noting the Finance-Administration Committee asked staff to make changes to the Council Rules of Procedure addressing: Section 2.2 - 1) council quorum noticing and 2) chair responsibilities when a meeting with an unexpected quorum is not noticed; and Section 10.4 - an elected official's inability to attend a city meeting in an unofficial capacity. Additionally, at the May 10, 2017, City Council meeting, staff was directed to ask for individual input from each Councilmember and bring the input back to the FAC for review. The FAC recommends the following changes to the agenda order (Section 4.1): 1) Call to Order, 2) Agenda Review, 3) Comments from Citizens, 4) Mayors Report and Council Comments, 5) Consent Agenda, 6) Business Agenda (any associated committee reports will be given during the agenda item at the Chair's direction), 7) Council Committee Reports, 8) Department Head Comments, 9) Boards and Commission Report, 10) Cont'd Comments from Citizens, 11) Mayor & Council Reports, and 12) Adjournment.

Councilmember McGinty asked if he would be unable to give testimony as a resident at a City Public Hearing. City Clerk Fernandez said a councilmember can give testimony at the hearing as an individual, but they are not allowed to say they are attending the meeting in an unofficial capacity.

Mayor Erickson gave the example if a councilmember attended an HOA meeting at Ridgewood, and three councilmembers are already there, you are unable to go to the meeting and say you are only attending as a resident of Ridgewood. This has to do with the nature of a quorum.

Councilmember Thomas said the Finance-Administration Committee looked at this several times, and all they are trying to do is formalize procedures to make sure if we have a quorum of committee members at any meeting, that is fine if there has been notice. If there hasn't been notice, we must make sure we don't violate state law. A corollary to that is at any meeting, we are city officials. If it is a city meeting, we are who we are.

In response to Councilmember Lord, City Clerk Fernandez said if there is a quorum of council members at an unnoticed meeting, the meeting chair can ask the extra councilmember(s) to leave. If they agree to leave, the meeting can continue and does not need to be adjourned. If the extra councilmember(s) feel they need to attend the meeting, then the meeting should be adjourned and rescheduled.

Councilmember Musgrove there were two item 10s in Exhibit A, Section 4.1. City Clerk Fernandez said she would correct the numbering.

In response to Councilmember Musgrove, City Clerk Fernandez said everything has been carried forward from the previous document. The only changes are outlined in read.

Councilmember Musgrove asked how special meetings that happen in less than 24 hours are handled for quorum purposes. He wondered if the procedures should be included in the document. City Clerk Fernandez said a special meeting can be held without 24-hour notice in the event of an emergency. At that time, a councilmember would not need to worry about the noticing. The Clerk will work with the Mayor to schedule the meeting once an emergency has been declared.

**Motion:** Move to approve Resolution No. 2017-09, a resolution of the City Council of the City of Poulsbo, repealing Resolution No. 2014-01, and all subsequent amendments thereto; adopting new Poulsbo City Council Rules of Procedure; and fixing a time when the same shall become effective.

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

Motion carried.

## **7. COUNCIL COMMITTEE REPORTS**

Public Works Committee: Councilmember Lord reported they discussed access issues coming out of Ridgewood to the Languanet Plat; Lincoln Well Water Treatment Project (there will be a budget amendment with the contract award); bid opening for chip seal (flyers will go out at the same time); 4<sup>th</sup> Avenue five-foot gravel path construction beginning; Sewer Comprehensive Plan and rates; central interceptor rehab (very complicated problem and varied solutions based on what we can afford); solid waste business plan; water meter replacement program; and a cemetery reserve budget amendment request.

Community Services Committee Meeting: Councilmember Lord reported they received an update on the Poulsbo half-marathon on October 15; Lokal Fest on September 9; Waterfront Park restroom project (slightly modified to accommodate a family restroom); the three buildings that are going to be demolished have the abatement procedure taking place in July; the pump track is on track; and the benches on the hillsides have had three sold.

## **8. DEPARTMENT HEAD COMMENTS**

None.

## **9. CONTINUED COMMENTS FROM CITIZENS**

Mrs. Rita Hagwell said she liked the Council Rules of Procedure and asked where they were going to be published. She would like to see an ethics section added to the document.

City Clerk Fernandez said the Council Rules of Procedure would be published on the website with the approved resolution, and noted it would be up to the Council to decide if they wish to amend the document for additional topics.

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

Councilmember Musgrove reminded the public that the kids are getting out of school and to be careful when driving around. He asked the Council to get their agenda topics to the City Clerk for the Joint Port of Poulsbo meeting.

Mayor Erickson said she will not be attending the AWC conference, because the cost was too high for one day. She asked the Councilmembers to fill her in on what they learn.

Councilmember Thomas said the final Cemetery Task Force meeting is tomorrow at the cemetery. They will present a written report to the Mayor and Public Works Committee next month with recommendations and a summary of their accomplishments. He thanked Councilmember Musgrove for being there the whole way. This was a joint effort with a lot of people (city staff and volunteers). It looks better than four months ago, and the outlook is good for continued improvements.

Mayor Erickson thanked Councilmembers Thomas and Musgrove, staff, and the volunteers for their hard work at the cemetery. It looks much better.

Councilmember Lord thanked everyone for the cemetery work as well. A lot of things were done with volunteer labor, and it kept the small reserves intact.

Councilmember Lord asked if the City flag was going to be taken to AWC. Councilmember Thomas said he would be doing the flag ceremony.

Councilmember Henry reported he had lunch with the prospective new councilmember. He thinks the Council will like him. On June 17, 2017, Councilmember Henry will attend an event hosted by the Suquamish Tribe called "Take Back Our Reservation." They are trying to get ahead of the drug dealing on the reservation. The open meeting is from 10am-2pm, and it will start at the House of Awakened Culture.

## 11. ADJOURNMENT

**Motion:** Move to adjourn at 8:02 PM,

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

Motion carried unanimously.

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Rebecca Erickson, Mayor

ATTEST:

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Rhiannon Fernandez, CMC, City Clerk