

## POULSBO CITY COUNCIL MEETING OF NOVEMBER 15, 2017

### MINUTES

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

Staff: Finance Director Booher, City Clerk Fernandez, Director of Engineering Kasiniak, Planning Director Boughton, Public Works Superintendent Lund, Human Resources Manager Kingery, Engineer I Roberts, Associate Planner Coleman, Office Manager Wood, Solid Waste Consultant Battuello, Contract Administrator Zieman, Project Manager Hendrickson, IT Manager Stenstrom.

**ABSENT:** Councilmembers Henry and Stern

### MAJOR BUSINESS ITEMS

- \* \* \* Reappointment of Jeff Tolman as Municipal Court Judge
- \* \* \* Budget Amendment/BA#17-0409 LEMAP Study
- \* \* \* ILA Renewal with Kitsap Conservation District for LID and Water Quality Improvement
- \* \* \* Approval of October 11, 2017, Council Minutes
- \* \* \* Budget Amendment/BA#17-0410 Waterfront Park Gazebo Improvements
- \* \* \* Gardner Bay Consulting Contract – Amendment No. 2
- \* \* \* Arco Project Night Work Request
- \* \* \* Behavioral Health Navigator and Program Manager Position Creation
- \* \* \* Wages & Salary Resolution
- \* \* \* Accept Pavement Maintenance Demonstration Project
- \* \* \* Workshop: Draft Title 17 – Land Division Ordinance Update
- \* \* \* Workshop: Solid Waste

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

Mayor Erickson called the meeting to order in the Council Chambers at 6:00 PM and led the Pledge of Allegiance.

#### 2. AGENDA APPROVAL

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

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

#### 3. COMMENTS FROM CITIZENS

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

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

Councilmember Lord said she attended the HDPa board meeting last night, and said the Sons of Norway and other merchants would like some practical tips on how to handle homeless issues. She also said Bill Austin reiterated that he really wants to turn over the Christmas light decorations to the City.

Councilmember Thomas reported he attended the KRCC Legislative Reception, attended the meeting with the Ugandan delegation, and attended the Veterans Day VFW Post 2463 Rifle Salute and the Suquamish Tribe Veterans Celebration event.

Councilmember Musgrove reminded the public they are welcome to help decorate downtown Sunday morning beginning at 8:00am, and the following Saturday is Small Business Saturday.

##### a. Judge Tolman Reappointment

Mayor Erickson said she would like to reappoint Jeff Tolman as the Municipal Court Judge for another four years. Mr. Tolman is a much beloved figure in this community.

**Motion:** Move to concur with Mayor Erickson's reappointment of Jeff Tolman as the Municipal Court Judge with a term expiration of December 31, 2021.

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

Motion passed unanimously

Mayor Erickson requested Council concurrence to allow the Municipal Court to hire a Court Clerk with an overlap of one month. The amendment will be for \$10,000. The Council concurred with the request.

Mayor Erickson reported the League of Women Voters has a homelessness community education program on November 18 at the Eagles Nest; the Poulsbo Tree Lighting is Friday, November 24, with activities beginning at 5:30pm and the tree lighting at 7:00pm; Shop with a Cop at Walmart is December 2; Julefest at the Pavilion is December 2 at 6:00pm; and Nelson Park will be finished the first week of December for tenants to move into the house.

#### 5. CONSENT AGENDA

**Motion:** Move to approve Consent Agenda items a through e.

The items listed are:

##### a. Budget Amendment/BA# 17-0409 LEMAP Study

- b. ILA Renewal with Kitsap Conservation District for LID and Water Quality Improvement
- c. Approval of the October 11, 2017, Council Minutes
- d. Budget Amendment/BA# 17-0410 Waterfront Park Gazebo Improvements
- e. Gardner Bay Consulting Contract - Amendment No. #2

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

## 6. BUSINESS AGENDA

### a. Arco Project Night Work Request

Engineer I Roberts presented the agenda summary, noting the Arco development on Viking Avenue north of Sonic has requested permission to work at night to complete the final water main connection. In order to complete the connection between the existing water main and the new water main installed with the project, the water will have to be shut off at Viking. This work needs to happen at night since the Sonic is on the same water main that will be shut down. The City Inspector will be on site and operating valves to shut down main and inspect all work. This is in conformance with PMC 15.32 where completing the required work at night minimizes the impact to the Sonic restaurant. This final connection will require only one night of work.

Councilmember Musgrove reported the Public Works Committee did not see any negatives to this. The impacts to neighbors would be minimal, and the shut off would not affect other businesses.

**Motion:** Move to approve Arco project night work request for final connection to existing water main in accordance with PMC 15.32.

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

### b. Behavioral Health Navigator and Program Manager Position Creation

Project Manager Hendrickson said they received news from Kitsap County that the City's Behavioral Health Outreach Program was approved for County funding for the third year. This program benefits people and first responders throughout Kitsap County. They are requesting the formation of two new positions fully funded by the grant. One position is the Project Manager and the other is the Behavioral Health Navigator.

Mayor Erickson said there is a contract in the teal folder, which is pretty similar to the contract signed last year to initiate the behavioral health grant program. She said all of the wages that are discussed tonight are 100% grant funded

Councilmember McGinty clarified the City will end up with a project manager and three behavioral specialists, which is what we currently have. Mayor Erickson said they are creating different reporting relationships. Previously the staff were working for Kitsap Mental Health. They found we have better control if they work for the City of Poulsbo, and it creates better protections for the City. And the long-term goal is to transition these employees into every police department in the County. These positions are as important to the police department as their detectives. It must be an integral part of the police force. That will be part of the effort next year. Poulsbo would ultimately end up with one that we would share with Bainbridge Island.

Councilmember Musgrove said this is exciting stuff, he is strong supporter of these efforts. He understands the positions are grant funded, but wondered what happens in the future if the funding is reduced or runs out. Project Manager Hendrickson said everyone is going into with their eyes open, understanding this program might come to an end at the conclusion of 2018. They will try their hardest to show the metrics and get the political support and do the groundwork to make this a sustainable program. But they all understand this is a program funded to the end of 2018 and there are no guarantees after that at all.

Councilmember Lord said this has been a brilliant program. She cannot praise it enough. It has been very effective. The results are self-evident, but they are not notorious. She hopes they have a good PR campaign to get more support. She thanked the Mayor and Kim for the genesis of this program.

**Motion:** Move to authorize the Mayor and Police Department to create three Behavioral Health Navigator positions on Range 33 of the Teamsters Salary Schedule and a Project Manager position on Range 16 of the Management Salary Schedule.

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

Motion carried.

**Motion:** Move to authorize the Mayor to sign agreement KC-329-17, a contract with Kitsap County for the Mental Health Grant.

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

Motion carried.

### c. **Wages & Salary Resolution**

Human Resources Manager Kingery presented the agenda summary, noting the 2017 Salary Schedules include the following changes: Teamsters, Engineer I position on Range 40, Behavioral Health Navigator position on Range 33; and Management, Behavioral Health Project Manager on Range 16.

**Motion:** Move to approve Resolution No. 2017-15, adopting the 2017 Salaries and Wage schedules effective November 1, 2017.

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

Motion carried.

Councilmember Musgrove wanted to clarify for the record that the motion was only for the positions discussed tonight. Human Resources Kingery said the motion was for the Project Manager, Behavioral Health Navigator, and the Engineer I position approved November 1.

**d. Accept Pavement Maintenance Demonstration Project**

Public Works Superintendent Lund presented the agenda summary, noting staff is requesting the Pavement Maintenance Demo (Chip Seal) project to be accepted as completed. The City has successfully completed this project. The final contract amount was \$215,822.70. The final paid contract total was \$207,257.10 with no change orders. Final payment was made to the contractor on 10/23/2017. Retainage is being held in the amount of \$10,362.86 and will be released once the project has been accepted and released by all agencies.

Councilmember Nystul said a concern expressed by some before the project got started was the storm drain catch basins were going to fill up with chips. Were there any problems? Public Works Superintendent Lund said the contractor went out there ahead of time and put the inserts and covers over the basins.

Councilmember Nystul asked if there were any other reservations about continuing this in the future. Public Works Superintendent Lund said they will continue to monitor the road to see how it holds up through the winter. It is a great tool to use. He looks forward to using it in the future if they can.

Councilmember Lord said it was a fantastic project. She thanked staff for the perfect outreach strategy. This was a model project, she is hopeful it is going to hold up through the winter and meet our expectations.

Mayor Erickson said she has only received two complaints throughout the whole project, both were regarding gravel.

**Motion:** Move to approve the Pavement Maintenance Demonstration project as complete and authorize release of the retainage funds and contract bond in accordance with state law and contract requirements.

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

**e. Workshop: Draft Title 17 – Land Division Ordinance Update**

Planning Director Boughton presented the Land Division Ordinance Update. Presentation highlights included:

- Introduction
- Types of land division
- Significant new or reviewed provisions
  - Boundary Line Adjustments (17.30)
    - Clarify the minimum and maximum density requirements (17.30.040.B)
    - Set forth the City as the responsible party for recording of the BLA (17.30.050.C).
  - Short subdivision (Short Plat) (17.40)
    - Define what may constitute a tract, and requirements of identifying and managing tracts (17.40.020.C);
    - Establish some limitations on contiguous short plats (17.40.020.D);
    - Establishes a new “Final Review Requirements” (17.40.060);
    - Eliminates the requirement that short plats be reviewed by the PC prior to approval;
    - Establishes expiration and ability to extend expiration (17.40.080);
    - Establishes new provisions for short plat modifications prior to recording (17.40.090).
  - Preliminary Subdivision (17.50)
    - Define what may constitute a tract, and requirements of identifying and managing tracts (17.50.020.C);
    - Sets forth how development in phases or divisions shall occur (17.50.040.C);
    - Moves provisions regarding utilities to other section of the ordinance;

- Establishes new provisions for preliminary plat modifications prior to recording (17.50.070);
  - Provides additional clarifications for the construction of model homes (17.50.080).
- Binding Site Plan (17.60)
  - Permit type has changed from Type III to Type II in previous code update, therefore deletion of outdated sections (i.e. removal of Planning Commission review);
  - Provides new “Final Review Requirements” section (17.60.070);
  - Set forth the City as the responsible party for recording of BSP (17.60.080);
  - Establishes expiration and ability to extend expiration (17.60.090);
  - Establishes new provisions for binding site plan modifications prior to recording (17.60.100).
- Final Plat (17.70)
  - Moves instructions for surveys, certification and improvement requirements to other sections of the ordinance;
  - Consolidates sections regarding the review process by the City.
- Land Division Standards (17.80)
  - New section that establishes standards that apply to each of the methods of land division. In general, the provisions were found in the land division type chapter, and are now consolidated into this section. These include survey instructions, utilities, easements, improvements, bonding and maintenance requirements.
  - Clarify when and how utilities are to be underground (17.0.040);
  - New section setting forth street standards, including frontage improvements and required routes for ingress and egress and emergency access requirements (17.80.050);
  - New section setting forth requirements for street connectivity (17.80.060).
- Plat Alterations and Vacation (17.91)
  - New section establishes procedures for changes to recorded subdivisions, short subdivisions and binding site plans. Primarily set forth by requirements of 58.17 RCW.
- Planning Commission Modifications

- Infill Residential Short Subdivisions Require PC Review (17.40.040 B)
- Short Subdivision Expiration 3 years (17.40.080 A)
- Model Homes - Number of Homes Permitted (17.60.080 B)
  - The main reason for the change to ten was to provide the variety of home house plans that the builder might be offering to be able to give them that ability to build those houses on the plat to look at. There wasn't a long extensive discussion. Ten was a round number they picked.
- Minor Text and Organizational Modifications
  - Next Steps
    - November 29 – Economic Development Committee review
    - December 6 – City Council Public Hearing

Discussion highlights:

- The Economic Development Committee will look at the Planning Commission recommendation of the number of model homes that can be allowed, and provide a recommendation to the Council.
- Page 13, Item 3C and D, why were they deleted: Planning Director Boughton said it was an oversight on her part. Under 3A-H, those are all the findings that must be made for a preliminary plat. She copied that and put it in the short plat section, not thinking through that some of those are not appropriate for a short plat. This also occurred on the binding site plans.
- 17.50.050 3C and D – need to add clarifying language that parks and schools will apply for residential (manufactured homes and multi-family residential), not commercial developments.
- Page 3, letter C, replace “may” with “make.”
- Page 4, 17.10.050, “land divisions” should be singular.
- Page 6 and Page 9, change the name of the Health Department to “Kitsap Public Health District”.
- Page 35, “orange empty conduit” 17.80.040, what is our concept there? Director of Engineering said this has been in the code since 2005, the concept is the City will have additional conduit for future telecommunication needs (fiber optic).
- Street light decorative standards – do we allow anything other than concrete?
- 17.80.100 – Improvements, Example: up the street where they left out irrigation along the boulevard for two years. Do we have enough bonding in

there so the home owners don't have to litigate against the developer to solve issues?

- This section deals with bonding and maintenance of our utilities or streets. Landscaping is addressed in our zoning ordinance. The Mayor has directed no more landscape bonding.
- After 2 years everything gets released. It is a construction standard.
- Why is it limited to 2 years? EDC will review that. Stalled out projects cause problems (recession related).
- Page 14, Item F – “submitted to the City Engineer” should be changed to “submitted to the City.”
- References to review authority – seems there is not a lot of consistency on who the reviewer is: review authority, city engineer, and planning director. Review authority instances should be more specific, for example, page 19, section B.
- Page 10 (17.30.50A) & 14 (17.40.70A) – PED signature is required if the City Engineer authorize recording, why is this required?
- Page 44, Enforcement - Since PED has enforcement, administration and interpretation authority, why was the PED changed to the review authority in section 100.10 and 110.10? It should be the director.
- Page 11, Infill - should it refer to Section 17.080.040 A4?
- Pages 25 and 32 – Planning Commission changed the timing for acquiring title reports. It used to be six months, now there is no time frame.
- Page 36, no criteria for the city council to waiver any requirement of this section (solution: limit upon recommendation by the City Engineer).
- Page 10, general standards for short plats, the numbers do not add up.
- In a general sense, for example, Page 44, 17.110.010, the word authorized is interesting to use. He would like to review the action words for intention of using them.

**f. Workshop: Solid Waste**

Solid Waste Consultant Battuello presented the Solid Waste Utility Plan. Presentation highlights included:

- Public Works Committee Summary
  - The current rate schedule was established in 1992
  - City deferred rate adjustments during the recession
  - The Utility needs to purchase three new trucks in the next five years
  - Current reserves will deplete in two years

- PWC Recommendation
  - A single rate adjustment to address revenue needs for the next six to ten years
- Rate Proposal – key elements
  - Commercial accounts (dumpsters) rate increase at 20%
  - New curbside container rates increase (\$1 to \$5 container)
  - Standardized equipment and containers
  - Modify some account options
  - Provide low-income/senior discount
  - Sustain existing levels of service, minor exceptions
- Public Hearing
  - Adopt utility plan
  - Adopt code adjustments
  - Take public testimony
- Public notice
  - Request to publish notice of possible rate increase
  - Does not preclude the city from making a different ruling
  - Required under RCW 35.21

Councilmember McGinty asked for information regarding the can sizes and minor exceptions. Mr. Battuello said minor exceptions would be on the residential side, which would be phasing out the 10-gallon can, because it is costlier to collect a 10-gallon can than a 64-gallon can, and it puts more risk on the worker to park, get out of the car, and dump the can by hand. They will allow anyone with a 10-gallon can to retain it, and not allow any new 10-gallon accounts to be started. They are also proposing to tighten up every other week collections for dumpster accounts to remove the inequity of different rates for the same amount of garbage collected.

Public Works Superintendent said they are going to purchase new 20-gallon cans.

Councilmember Lord said she wanted to emphasize grandfathering in the 10-gallon cans. She asked when they get to the point of the public hearing, that the facts and figures of the rates are on display and have handouts available. It would be helpful to have on the grid where it gives the total average monthly bill in 2017 and the total average monthly bill proposed, that the difference between the averages get listed right below. It will make it easier for people to understand the total impact. She would also like this done with the dumpsters rate changes.

Councilmember McGinty hoped during the public hearing there would be an education component on how they will be monitoring the trash levels (if lid is open because it is overflowing capacity of can, it will be charged extra). Public Works

Superintendent Lund said they will be taking pictures and showing them why they are going to be charged extra. They have been doing this already with the commercial accounts. But there will be education first on this before they start getting extra charges.

Mayor Erickson said we'll be sure to get it in the paper and on the websites, and we'll make sure people will know what the rate is and what it is going to be.

Councilmember Musgrove mentioned with the plan through 2035, we are going to increase our operational costs about \$83,000 per year. As part of this rate increase, its only across the next six years, but we have basically 18 years of increase as part of that conversation. We need to indicate to everyone that this is the first six years of this continuing escalation. This is where it is going in the long run. That is part of the business plan. Councilmember McGinty added the City will be reviewing the rates every 3 or 5 years to make sure we are on target. Public Works Superintendent Lund said the review would be similar to the sewer and water plans. It's a living document that is going to change.

**Motion:** Move to approve the Solid Waste Utility Business Plan, set a Public Hearing for December 13, 2017, and publish a notice of possible rate changes as required by RCW 35.21.

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

## 7. COUNCIL COMMITTEE REPORTS

*Finance-Administration Committee:* Councilmember Thomas reported they discussed an upcoming MRSC purchasing resolution which will allow the City to purchase supplies through MRSC; the proposed donation policy for utility refunds between \$5 and \$50; a court clerk overlap request; and updates on sales tax and real estate excise tax.

## 8. DEPARTMENT HEAD COMMENTS

Public Works Superintendent Lund reported the restrooms will be delivered on Friday evening, and the roofing contractor knows he must be done by Jule Fest. The bench pads were poured yesterday; they will be installed before Jule Fest. If weather stays good they'll put top soil and sod. The compass rose is wrong, and it will be fixed.

Planning Director Boughton said she is attending the Port of Poulsbo meeting tomorrow to review a revised lease agreement for the Marine Science Center transfer. The lease amendment will be coming forward at the December 6 Council meeting.

## 9. BOARD/COMMISSION REPORTS

None.

**10. CONTINUED COMMENTS FROM CITIZENS**

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

**11. MAYOR & COUNCILMEMBER COMMENTS**

Councilmember Lord complimented all the City's staff for all the work they have done.

Councilmember Musgrove said the downtown holiday lighting work crew is on Sunday and the Viking Avenue work crew will be on Saturday.

Mayor Erickson said the tree lighting on Viking Avenue is November 24.

**12. ADJOURNMENT**

**Motion:** Move to adjourn at 8:27pm,

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

Motion carried unanimously.

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Rebecca Erickson, Mayor

ATTEST:

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Rhiannon Fernandez, CMC, City Clerk