

## POULSBO CITY COUNCIL MEETING OF AUGUST 7, 2019

### MINUTES

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

Staff: Finance Director Booher, City Clerk Fernandez, Director of Engineering Kasiniak, Public Works Superintendent Lund, Human Resources Manager Kingery, Police Chief Schoonmaker, IT Senior Technician Williamson.

### MAJOR BUSINESS ITEMS

- \* \* \* June 12, 2019 Meeting Minutes Approval
- \* \* \* June 19, 2019 Meeting Minutes Approval
- \* \* \* June 2019 Payable Disbursements
- \* \* \* Budget Amendment/BA#19-0305, Public Works Electrical Panel
- \* \* \* Washington Traffic Safety Commission MOU for DRE Reimbursements
- \* \* \* Municipal Court Collection Services Contract
- \* \* \* July 10, 2019 Meeting Minutes Approval
- \* \* \* Budget Amendment/BA#19-0306, Rapid Flashing Beacons
- \* \* \* Water Meter Replacement Program
- \* \* \* Resolution No. 2019-11, Authorizing the City of Poulsbo to Pay Mayor's Attendance at Certain Events
- \* \* \* 2019 Sanitary Sewer Rehabilitation Projects Award
- \* \* \* West Poulsbo Waterfront Park Stormwater Grant Acceptance
- \* \* \* Viking Fence Donation to Lions Park

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

Mayor Erickson called the meeting to order in the Council Chambers at 7:00 p.m. and led the Pledge of Allegiance.

#### 2. AGENDA APPROVAL

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

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

Motion carried.

#### 3. COMMENTS FROM CITIZENS

Heather Purser spoke regarding the July 3 incident and believes racism was involved.

Dana Steege Jackson spoke regarding the July 3 incident and said there needs to be need community involvement, accountability, transparency, training and learning for everyone.

Cherie Wasous spoke regarding the July 3 incident and questions about the investigation.

Marsha Cutting spoke regarding the July 3 incident and her concerns about the investigation.

Jan True spoke regarding the July 3 incident, the investigation, the loss of a body camera, and the Mayor's previous statement.

Lauren Silver spoke regarding the July 3 incident, training techniques, and the grief she is feeling.

Brenda Calderon read parts of a statement issued by the Tribal Council that was published in the Kitsap Sun and shared her thoughts on it.

Maria Fergus spoke regarding the reactions from Council during the last meeting she attended. She hopes for an unbiased and true verdict of what happened.

Rita Old Coyote spoke regarding the July 3 incident and wants to know what the City is going to do about it.

Mary Gleysteen wants to know if charges have been filed in the desecration of the memorial at the waterfront park.

Chris spoke regarding the July 3 incident and wants the Council to take action beyond condolences. She said there are resources and community groups out there for them to reach out to.

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

Councilmember Garland appreciates everyone's comments tonight.

Councilmember Stern said there has been communication between this Council and the Suquamish Tribal Council. If there have been any wrongs, they will be righted. He said sometimes when there is least hope there is an inflection point of awareness and self-perception.

Councilmember Thomas stated that he continues to listen. There are a lot of things that have not been completed at this time. There will be a point in time where action by the Council will be appropriate.

Councilmember Lord is afraid for the collective well-being of the community and wants some kind of healing to begin to start building trust. She is taking all of this seriously and personally. She said Chief Seattle Days is next weekend and she plans on attending. She is not sure she will be welcome, but she wants to go to show she cares as she has always done in the past.

Mayor Erickson said it grieves her that so many people are hurting. She is waiting for the independent investigation to be done. When the report comes out, she wants to sit down with the tribe and figure out what to do to put our communities back together. No one should be afraid in each other's homes. She hopes that can happen very soon.

Councilmember McGinty said they have listened to everything. There are a lot of issues they can work on with the Tribe, as they have worked together in the past.

Councilmember Nystul noted he missed the first meeting, but he watched the video, and there have been good comments and suggestions for when they can legally do something. He thinks it is a good start to be able to present arguments in a calm manner.

Councilmember Musgrove said he appreciates everyone coming and telling them how they feel, how they hurt, and what they are thinking. They intend to do the right thing, but they need information.

Councilmember Stern shared the passing away of former Redmond Mayor and Kirkland City Councilmember Doreen Marchione and quoted part of a Seattle Times article.

## **5. CONSENT AGENDA**

Councilmember Musgrove asked to pull consent agenda item 5a for further review, and requested revision to 5g, page 6, adding the work forest to the last paragraph as a context word.

**Motion:** Move to approve consent agenda items 5b through 5i with modifications to 5g. The items listed are:

- ~~a. June 12, 2019 Meeting Minutes Approval~~
- b. June 19, 2019 Meeting Minutes Approval
- c. June 2019 Payable Disbursements
- d. Budget Amendment/BA#19-0305, Public Works Electrical Panel
- e. Washington Traffic Safety Commission MOU for DRE Reimbursements
- f. Municipal Court Collection Services Contract
- g. July 10, 2019 Meeting Minutes Approval

**h.** Budget Amendment/BA#19-0306, Rapid Flashing Beacons

**i.** Water Meter Replacement Program

**Discussion:** Councilmember Nystul said regarding the Water Meter Replacement Program, the Council minutes of April 8, 2015, noted they approved a 2-year replacement program, and they are now starting year five. Also, as of June 12, they still had 22% of the meters to install. Finally, meters slow down, as they slow down, customers don't pay for all the water they use. It adds up.

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

## **6. BUSINESS AGENDA**

**a. Resolution No. 2019-11, Authorizing the City of Poulsbo to Pay Mayor's Attendance at Certain Events**

Stern reported the Finance Administration Committee's recommendation to approve the two key events that represent the community.

Finance Director Booher presented the agenda summary, noting a resolution intending the City to pay for certain events for the Mayor to attend on behalf of the City. Events are limited to the Poulsbo Chamber of Commerce Annual Awards Gala and the annual Fishline Fundraiser. The organizations provide financial, social, nutritional, and economic support to the Citizens of Poulsbo. Attendance by the Mayor shows support to the organization and enhances relationships, which better serves the citizens of Poulsbo.

Councilmember Musgrove is concerned about the resolution, and he supports the two entities that are mentioned. He's not comfortable with government taking tax dollars and redirecting to charities. The City supports them in many ways, but it is usually for specific services. It is in the general concept it becomes questionable. He would like to amend that this be supported by personal donations or is open to other ways to resolving this.

Mayor Erickson stated these businesses promote thousands of dollars of activities throughout the City. Fishline is the only social services agency in the City. She attends as many of the board meetings as she can, because they play a pivotal role in the community. The same goes for the Chamber of Commerce. Without a strong Chamber of Commerce, the business community struggles. She attends their events as the Mayor of Poulsbo representing the City and our relationship. She is asking for just the ticket to be paid for, not anything else.



Councilmember Musgrove said these are righteous causes. The City should be involved with them, but to do charitable donations outright doesn't seem appropriate. He is asking for a change to show their support by personal donations.

Councilmember Nystul asked if the monthly Chamber luncheons are an appropriate expense, and Finance Director Booher said it is an appropriate expenditure, because it is a business luncheon. The two identified events are different, because they are outside of the typical business meetings of the agencies. Councilmember Nystul said if the Mayor is absent, shouldn't they allow the deputy to attend. Finance Director Booher said it should say "or the designee", but it was accidentally left off and could be amended with the motion.

Councilmember Stern reiterated the Finance Committee is recommending this with review from MRSC and the City Attorney. They have a precedent with him being the liaison for the Chamber of Commerce and attending their monthly luncheons his costs have been covered by the City.

Councilmember Nystul noted they cannot foresee the need in the future to possibly include another event, and how that would be addressed. Finance Director Booher said this needs to be specific. These expenses are in a different category, because it is referred to as a gala or awards ceremony. MRSC's recommendation is to show the direct benefit to the City in attending these events, by naming them and detailing the benefits. We need to prove it is not a gift of public funds.

Councilmember Musgrove asked if a donation is required to attend. Finance Director Booher said it is not called a donation, it is a ticket price to attend. You cannot attend the event without the fee. Councilmember Musgrove said if the charities do not allow the Mayor to attend to present the awards without a ticket, then he will gladly support paying it.

Councilmember Thomas recommended the sample motion that when it is put forth to add this statement: in the event the Mayor cannot attend these events, the City is authorized to fund a designated representative. The final paragraph above resolved: "payment would be for the attendance" and then add the following phrase "attendance of the mayor or designated city representative at the events to represent the city's collaboration."

**Motion:** Move to approve Resolution No. 2019-11, a resolution of the City of Poulsbo, Washington authorizing the City to pay for the mayor or the designated city representative's attendance at the Poulsbo Chamber of Commerce Awards Gala and the Annual Fishline Fundraiser.

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

**Discussion:** Councilmember Lord said she supports this, because it is very limiting, and the ticket cost covers the meal and the space rental, it is not part of a donation to the agency. Councilmember McGinty said this was not a training event, but they felt it was very important for the Mayor to represent the city, and it wasn't fair for her to pay for it out of her pocket. Councilmember Musgrove appreciated the extra information and can support this if it is authorizing an additional expense, and not making a charitable donation of taxpayer money.

Motion carried.

**b. 2019 Sanitary Sewer Rehabilitation Projects Award**

Director of Engineering Kasiniak presented the agenda summary, noting bids were opened on 08/01/2019 for the 2019 Sanitary Sewer Rehabilitation Projects:

- Schedule A - SR305 Manhole Rehabilitation Project CN2019-02
- Schedule B - Raab Park, Swanson Way NE and 11th Ave NE CIPP Lining Project CN2019-03.

The Engineer's Estimate for the Schedule A work is \$366,000 to \$403,000 and for the Schedule B work is \$296,000 to \$326,000.

Public Works Committee reviewed the bids on August 5, 2019, and recommended awarding the construction contract to:

- Pro-Vac for Schedule A in the amount of \$195,914.42
- Insituform for Schedule B in the amount of \$176,853.59

Some night work is required to meet WSDOT Conditions of Approval and staff recommend approval for night work for manholes located on SR305 only.

Councilmember Thomas asked if the bidders have previous experience with manhole rehabilitation projects and CIPP projects. Director of Engineering Kasiniak confirmed they are experienced. Public Works Superintendent Lund added that Insituform are at the top of the list for trenchless entry.

Councilmember McGinty asked if the project will be complete 305 or will there be more to be done. Public Works Superintendent Lund said this will complete the 305 project.

Councilmember Musgrove reported the Public Works Committee reviewed and recommended approval of this project.

**Motion:** Move to award the construction contracts for the 2019 Sanitary Sewer Rehabilitation Projects to:

1. Pro-Vac for Schedule A: SR305 Manhole Rehabilitation in the amount of \$195,914.42
2. Insituform for Schedule B: Raab Park, Swanson Way, 11<sup>th</sup> Ave in the amount of \$176,853.59
3. Authorize the Mayor to sign the contracts on behalf of the City and authorize the Mayor to sign change orders up to 10% of the contract values.
4. Approve night work on SR-305

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

Motion carried.

**c. West Poulsbo Waterfront Park Stormwater Grant Acceptance**

Director of Engineering Kasiniak presented the agenda summary, noting the City has been awarded a design grant by the Department of Ecology for the stormwater facility it intends to build primarily on the northern most portion of the purchased parcels on the West Poulsbo Waterfront Park project. The City plans to start the design phase of this project in 2020. The City match for this \$196,661.00 design grant is \$65,550.00 and is included as part of the budget for this project. Once a grant agreement has been negotiated, the Engineering Department will bring the grant agreement to Council for final approval.

Councilmember Musgrove reported the Public Works Committee reviewed and recommended acceptance of the grant and begin negotiating the grant agreement.

**Motion:** Move to approve acceptance of the \$196,661 grant from the Department of Ecology with a City match of \$65,500 to initiate design on the W. Poulsbo Waterfront Park - stormwater treatment facility and authorize the Engineering Department to begin negotiations on the Department of Ecology grant agreement.

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

Motion carried.

**d. Viking Fence Donation to Lions Park**

Public Works Superintendent Lund presented the agenda summary, noting Viking Fence has offered to replace the old chain link fencing at Lions Park as a donation. It will match the new black vinyl coated fencing installed around the wet well within the Park. Per Donation Policy, donations valued at over \$5,000 require the approval of City Council.

In response to Councilmember Garland, Public Works Superintendent Lund said the replacement will be the same height as the existing fence.

**Motion:** Move to accept the donation of 420 feet of four-foot high black chain link fence around Lions Park playground.

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

**7. COUNCIL COMMITTEE REPORTS**

Finance-Administration Committee: Councilmember Stern reviewed the May 15, 2019 FAC minutes to give an update on where the committee is in discussion of the executive office. He noted that the Council will have a retreat on November 16 to discuss the executive office as well as health care benefits for part-time employees, councilmembers, and retirees.

Lodging Tax Advisory Committee: Councilmember Nystul reported the Committee will meet on August 16 to look at the ground rules. Presentations will be on September 4. There are eleven applicants requesting \$306,000 with only \$130,000 to allocate.

Economic Development/Tourism Committee: Councilmember Stern reported they met on July 24. They anticipate a presentation on SmartGov and Land Use program at a future council meeting. Planning and Economic Development Director Boughton presented her department's budget request; they are seeking a deputy director. He and the Mayor attended the ribbon cutting of the new WWU Small Development Center last week at the library and WWU is currently planning a state of the University in Poulsbo in early November, and a meeting with state legislators and local officials earlier in the day. There will be a presentation here at City Council on August 21 to introduce Robert Squires.

**8. DEPARTMENT HEAD COMMENTS**

Public Works Superintendent Lund reported his staff finished cleanup of the graffiti on the bridge mural. It is 95% cleaned, but a shadow still exists. Oyster Park dock is closed due to a broken piling (floating dock portion). They have tried to do some minor repairs. Tomorrow night at 4:00 pm, the Public Works Committee will tour the Lincoln Well Treatment Plant.

Director of Engineering Kasiniak reported a construction permit has been issued to Quadrant Corporations for Poulsbo Meadows subdivision, so if you see clearing and grading activities on the corner of Mesford and Noll, it is a permitted project.

## **9. BOARD/COMMISSION REPORTS**

Mayor Erickson reported at Housing Kitsap they sold 550 Madison to Mike Burns in a partnership with Housing Resources Boards on Bainbridge Island as a compromise, and also sold 6.5 acres in Olhava to Chinook LLC; the Affordable Housing Task Force will be meeting in September; KRCC TransPol selected Commissioner Gelder, Port Orchard Councilmember Ashby and herself to be the on the project selection task force team; the Ruckleshaus report is available; and the Port of Kingston has asked to join KRCC.

Councilmember Musgrove announced the Parks & Recreation newsletter is published, and he attended an AWC affordable housing webinar.

## **10. CONTINUED COMMENTS FROM CITIZENS**

Mary Gleysteen suggested getting a second legal opinion for what the Mayor and Council can do regarding the July 3 incident.

## **11. MAYOR & COUNCILMEMBER COMMENTS**

Councilmember Thomas attended a Police and Community Together (PACT) event in Bremerton, along with Police Chief Schoonmaker. They observed a process that seems to work for Bremerton.

Councilmember Lord announced the final summer series concert is at the Waterfront park next Tuesday.

Mayor Erickson said the City is comprised of 12 percent Spanish speakers, and recalled a gathering she attended with the Police Chief at Poulsbo Elementary; noted the City has mental health navigators working alongside the police department; and Poulsbo's crisis intervention team is number one in the state with Detective Shurick. The City can learn more and do things better, but Poulsbo is ahead of the curve. We were the first department to do body cameras. But for now, she must listen to the legal counsel given

by their attorneys. The City will get the independent report back and she hopes they can work hard with the Suquamish Tribe to make things better.

Councilmember Nystul said the Coast Guard celebrated its 229<sup>th</sup> birthday on August 4.

## **12. ADJOURNMENT**

**Motion:** Move to adjourn at 9:09 p.m.,

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

Motion carried unanimously.

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Rebecca Erickson, Mayor

ATTEST:

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Rhiannon Fernandez, CMC, City Clerk