

## POULSBO CITY COUNCIL MEETING OF SEPTEMBER 4, 2019

### MINUTES

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

Staff: Finance Director Booher, City Clerk Fernandez, Director of Engineering Kasiniak, Prosecuting Attorney Foster, Associate Planner Coleman, IT Manager Stenstrom.

**ABSENT:** Councilmember Stern

### MAJOR BUSINESS ITEMS

- \* \* \* Minutes of July 17, 2019, Council Meeting
- \* \* \* Minutes of August 7, 2019, Council Meeting
- \* \* \* Minutes of August 14, 2018, Council Meeting
- \* \* \* Ordinance No. 2019-14, C1 Limited Zoning Amendment Ordinance Adoption
- \* \* \* Forest Rock Lane Pavement Preservation Project Acceptance
- \* \* \* 2019 Sanitary Project Consultant Contract Amendment

#### 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

Mayor Erickson noted the addition of a 15-minute executive session after citizen comment regarding pending litigation pursuant to RCW 42.30.110(1)(i).

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

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

Motion carried.

#### 3. COMMENTS FROM CITIZENS

Dana Steege-Jackson spoke regarding the July 3 incident and the investigation process.

Marsha Cutting spoke regarding the July 3 and implicit bias.

Zann Jacobbrown spoke regarding the July 3 incident and a forum in Bremerton two weeks ago about relationships between the Suquamish Tribe and the rest of Kitsap County. She said there are resources out there to use.

Mack Johnson spoke regarding the July 3 incident, additional training for the police department, and the need for an investigation to be conducted independent of KCIRT.

Chay Norton spoke regarding the July 3 incident, racial profiling, and his personal experience with implicit bias.

Amelia came to show support to the family and the need for the City to be proactive and start repairing the damage now instead of waiting for the investigation.

Amy spoke regarding the July 3 incident, and wants to know what is going on and what is being done to be proactive.

Angie Walhasou Harrington spoke regarding the July 3 incident, and asked for changes to happen to make her feel safe.

Lauren spoke regarding the July 3 incident, and even though there is anger and pain, everyone needs to keep their hearts open.

Dr. Luke McDaniel spoke regarding the investigation and the need to take the opportunity for self-critiquing and learning and build better understanding and respect.

Molly Gordon spoke regarding norms and values and how we are programmed by it until we take it on and challenge it.

[unnamed] spoke regarding WSCJTC developing curriculum for law enforcement officers that covers bias, stereotypes, de-escalation and behavioral health issues. This is due in December. Poulsbo could host a community meeting to invite the commission and talk about it.

Brenda Calderon said regardless of the investigation, it would be good to consider having an oversight committee for the police like King County and Tacoma.

Rick Eckert said today was the first day of school and asked everyone to be cautious when driving.

Suzanna Cummins spoke regarding the July 3 incident and the need to hold the police force accountable.

Mary Gleysteen spoke regarding the navigator program and asked why the navigator program didn't work with the July 3 incident.

#### **4. EXECUTIVE SESSION**

At 7:37 p.m., a 15-minute executive session regarding pending litigation pursuant to RCW 42.30.110(1)(i) was held. No action was taken.

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

Councilmember Musgrove said the Viking City Car & Boat show is this weekend on September 7.

Councilmember Lord said she visited Homes of Compassion boarding house with Mayor Erickson and Councilmember Garland. She was very impressed.

Mayor Erickson thanked everyone for their comments tonight and reminded everyone the investigation is ongoing. She provided comments on several issues mentioned during the citizen's comment period. They are doing the best they can with a terrible situation.

Mayor Erickson said football starts Friday night with North Kitsap at Bainbridge. The car show is on Saturday. Kids Day is Saturday at First Security Bank. The BBQ fundraiser for the Poulsbo Community Orchestra starts at 4 p.m. at Raab Park.

Councilmember Lord added the car show also has a boat show as part of the event.

#### **6. CONSENT AGENDA**

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

The items listed are:

- a.** July 17, 2019 Meeting Minutes Approval
- b.** August 7, 2019 Meeting Minutes Approval
- c.** August 14, 2019 Meeting Minutes Approval

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

#### **7. BUSINESS AGENDA**

- a. Ordinance No. 2019-14, C1 Limited Zoning Amendment Ordinance Adoption**

Associate Planner Coleman presented the agenda summary, noting the City Council adopted amendments to the PMC Chapter 18.80, Commercial Zoning Districts, in 2018 (Ordinance 2018-20). Amendments were to all four commercial zones and addressed the permitted use table, landscaping, design standards, and the creation of the downtown shopfront overlay. In early 2019, Mayor Erickson requested the Economic Development Committee (EDC) review the mixed use/residential component of the amendments for the C-1 zoning district. The EDC discussed options for residential uses in the C-1 district at multiple meetings throughout the spring (2/27/19, 3/27/19, 4/12/19, 4/24/19). The EDC requested the full City Council (CC) hold a workshop, which was held on 6/19/19. On 7/23/19, the Planning Commission voted to recommend approval to the City Council and adopted findings of fact in support of their decision. On 8/14/19, the CC held a duly noticed public hearing and after considering the testimony received at the public hearing, voted to approve the C1 Limited Zoning Amendment.

**Motion:** Move to approve Ordinance No. 2019-14, an ordinance of the City of Poulsbo, Washington, amending Section 18.80.080 of the City of Poulsbo municipal code in order to encourage reinvestment in downtown Poulsbo by allowing flexible use of the first floor of mixed-use buildings in the C-1 zoning district, outside of the shopfront overlay; and providing for severability and establishing an effective date.

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

**Discussion:** Councilmember Musgrove said moving forward nothing is perfect and there are means and methods as they move forward to tweak this. Any concerns they have over unintended consequences can be allayed by the fact that they have the commercial study and the comprehensive plan coming forward to allow modifications if they are needed.

Motion carried.

#### **b. Forest Rock Lane Pavement Preservation Project Acceptance**

Director of Engineering Kasiniak presented the agenda summary, noting staff recommends accepting the Forest Rock Lane Pavement Preservation project to be accepted as complete. The City has successfully completed this project. The final contract amount was \$598,800.60. The final paid contract total was \$574,146.16. There were no change orders on the construction contract for this project. Final payment was made to the contractor on 8/29/2019. Retention in the amount of \$28,707.31 is held on the project and will be released once the project has been accepted and released by all State agencies.

Councilmember Musgrove said the Public Works Committee recommended this request for approval. The project came in under budget and the job was well done.

Councilmember Thomas commended staff on a job well done. He asked about tearing up the asphalt and using it as the base and if it is becoming a common practice. Director of Engineering Kasiniak said this is becoming a more common technique.

Mayor Erickson said there are two more radar signs coming and will be installed in the residential area.

Councilmember Lord said the striping did a road diet. Director of Engineering Kasiniak said the street is narrowed and hopefully that will slow down the traffic.

**Motion:** Move to approve the Forest Rock Lane Pavement Preservation project as complete.

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

**c. 2019 Sanitary Project Consultant Contract Amendment**

Director of Engineering Kasiniak presented the agenda summary, noting the scope and budget proposed by RH2 Engineering for construction services on the SR-305 Manhole Rehabilitation project and the Raab Park, Swanson Way NE and 11th Ave NE CIPP Lining project. The construction contract for these projects have recently been awarded and this RH2 contract will assist the City in completing the projects.

Councilmember McGinty asked if there was a new process that came about that they didn't recognize when they first made the estimate. Director of Engineering Kasiniak said it is difficult to make estimates sometimes with the prices of materials going up and down for steel with tariffs. Construction companies are also very busy right now. This one was a little higher than anticipated, especially with the lining. There are not a lot of contractors who can do this work.

Councilmember Musgrove asked if it were reasonable to assume when doing similar projects, we'll be able to get that gap smaller. Director of Engineering Kasiniak hopes so, but it is hard to anticipate how busy contractors are going to be.

**Motion:** Move to approve the contract with RH2 in the amount of \$27,440.00 for consultant services during construction of the SR305 Manhole Rehabilitation project

and the Raab Park, Swanson Way NE and 11th Ave NE CIPP Lining project. Move to authorize the Mayor to sign the contract on behalf of the City.

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

Motion carried.

## 8. COUNCIL COMMITTEE REPORTS

Finance-Administration Committee: Councilmember McGinty reported FAC met tonight and reviewed the sales tax and REET revenues. Councilmember Thomas is working on the Department Head survey regarding the City Administrator, and he will hopefully have those done soon.

Economic Development/Tourism Committee: Councilmember Lord reported on the Poulsbo Art and Landscape (PAL) Committee conversation regarding art at Johnson Parkway. There will be a third PAL meeting later this month to choose designs.

At the EDC meeting, they were briefed on the Western Washington University satellite campus, affordable housing update, and a Port of Poulsbo update.

Public Works Committee: Councilmember Musgrove reported that a pedestrian enhancement plan on Fjord Dr/Lemolo, and Public Works gave a mid-biennium budget update.

Lodging Tax Advisory Committee: Councilmember Nystul reported LTAC met today and received presentations from all eleven applicants, and they will meet on Tuesday to decide on the allocation of funds.

## 9. DEPARTMENT HEAD COMMENTS

Department of Engineering Kasiniak reported they achieved 90% of plans for the first roundabout on SR-305 at Johnson Parkway. The first roundabout on SR-305 will be completed in 2020, most of the time two lanes will be open.

## 10. BOARD/COMMISSION REPORTS

Councilmember Thomas attended part of the last NKSD board meeting, and they went through a lot of administrative motions to get ready for school. They've had a lot of challenges the past few months, and they are off to a successful start.

Mayor Erickson reported yesterday was "Super Tuesday", where she attended meetings at Kitsap Transit, Kitsap Regional Coordinating Council (KRCC), Kitsap Health District, Kitsap 911/Cencom, and the Department of Emergency Management. At KRCC, the Port of Kingston is requesting membership. In the PSRC Vision 2050 document, Kingston is

considered a "high-capacity transit area," and they are considering Kingston the same as Poulsbo and Bainbridge Island. Kingston has some traffic issues due to rapid growth. A resolution was passed at KRCC stating that each jurisdiction must do something to help with affordable housing. Each jurisdiction must pass an ordinance regarding HB-1406, which is the sales tax rebate money for affordable housing.

Mayor Erickson has also been talking to WSDOT about the SR-305 traffic mitigation property. It is about 15 acres. They are about to inherit a new "Central Park."

#### **11. CONTINUED COMMENTS FROM CITIZENS**

Molly Gordon said even though she hasn't come to prior meetings, she has had the opportunity to view them online. If people are repeating themselves, figure out what is being overlooked.

Mary Gleysteen said the public feels they haven't been heard. They're looking for acknowledgement and they need to examine the rifts between the communities.

#### **12. MAYOR & COUNCILMEMBER COMMENTS**

Councilmember Musgrove noted that the new Parks and Recreation catalog is available. He went with Councilmember Lord to the Sea Discovery Center to say farewell to the director and attend some of the lectures.

#### **13. ADJOURNMENT**

**Motion:** Move to adjourn at 8:48 p.m.,

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

Motion carried unanimously.

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Rebecca Erickson, Mayor

ATTEST:

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Rhiannon Fernandez, CMC, City Clerk