

POULSBO CITY COUNCIL MEETING OF JANUARY 8, 2020

MINUTES

PRESENT: Mayor Erickson; Councilmembers Livdahl, Lord, McGinty, McVey, Musgrove, Phillips, Stern.

Staff: Finance Director Booher, City Clerk Fernandez, Director of Engineering Kasiniak, City Engineer Lenius, Associate Planner Coleman, Planning Director Boughton, Public Works Superintendent Lund, Parks & Recreation Director McCluskey, Human Resources Manager Kingery, IT Senior Technician Williamson.

MAJOR BUSINESS ITEMS

- * * * Council Rules of Procedure Review
- * * * Council Committee Assignments
- * * * Ordinance No. 2020-01, Zoning Amendments for High-Risk Secured Facilities
- * * * Play for All at Raab Park Agreement with Poulsbo-North Kitsap Rotary
- * * * Environmental Site Assessment for Public Works Complex
- * * * Resolution No. 2020-01, Personnel Handbook Update

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.

Mayor Erickson swore in Councilmembers Livdahl, Lord, McGinty, McVey, and Phillips.

2. AGENDA APPROVAL

Motion: Move to approve the agenda as presented.

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

Motion carried.

3. COMMENTS FROM CITIZENS

Heather Purser asked for an apology or a statement for continuing with the fireworks show on July 3rd.

Kris Haight offered a book recommendation called *My Grandmother's Hands* and read two passages from the book.

Brenda Calderon read a piece from the "Doctrine of Discovery".

Suzanna Cummins welcomed the new members of the council and asked for: 1) an apology for the fireworks show continuing after the incident; 2) creating a community forum; 3) an apology to the family; and 4) create a culture of accountability and responsibility.

Lindsay Kravitz spoke regarding an initiative to bring a splash pad to Poulsbo. She would be happy to provide a presentation to the full council before a vote is taken.

David Bolt encouraged the City to frame the issue of Stonechild as part of that mindset of good change and moving forward. This isn't about moving on from grief, they also need justice.

Rowan Sharp wanted to be a new voice regarding Stonechild Chiefstick and added that he is not forgotten and urged them seek justice and healing for his family, apologize to his family, and engage in community healing that affirms a commitment to racial justice.

Ardis Morrow spoke regarding Morrow Manor, which will be finished this year. It is a complex for survivors of domestic violence. She brought handouts to share with anyone who hasn't seen it. It is on Noll Road. Bruce Nielson recently retired, and he donated 40 appliances for the 8 units.

4. MAYOR'S REPORT AND COUNCIL COMMENTS

Councilmember Stern congratulated Ardis Morrow and Morrow Manor. He welcomed the three new Councilmembers. He believes it is largest change of Council in a generation. He read the City Council's mission statement.

Councilmember Musgrove is impressed with the community and all the things they do to make Poulsbo better. He also welcomed the new councilmembers. He noted that the ferry is on a different schedule until January 20, and he encouraged everyone to check ahead.

Councilmember Phillips thanked his wife and four kids for allowing him to be on the Council. He looks forward to getting to work.

Councilmember McGinty welcomed the new Councilmembers. He commended Ardis Morrow for her project.

Councilmember McVey thanked and welcomed everyone. He looks forward to a productive evening.

Councilmember Lord welcomed her three new colleagues.

Councilmember Livdahl thanked the Poulsbo residents for voting for her and for her family and friends for supporting her. She thanked the citizens who attend the meeting--they inspire her, and she hears them. She has a strong desire to grow and learn about marginalized communities.

Mayor Erickson announced that all three cities have signed their contracts with the Behavioral Health team. There are Behavioral Health Navigators in all four cities – Bainbridge Island, Bremerton, Port Orchard, and Poulsbo. They are currently all Poulsbo employees because the city has the grant. They also received a new grant from the LEAD program, and they will hire an addictive specialist, which will join the team.

Mayor Erickson stated that the Affordable Housing Task Force's recommendations will be coming to Council in early February with a resolution. A new Council committee will be created to implement the affordable housing recommendations, which will meet quarterly.

a. Police Administration Hours

Mayor Erickson announced that the police administration office will be closing early on Wednesdays due to staffing shortages. The PMC lists office hours, and the early closures diverge from the code, so they're in the process of updating the code. She asked for Council concurrence.

5. CONSENT AGENDA

None.

6. BUSINESS AGENDA

a. Council Rules of Procedure Review

City Clerk Fernandez presented the agenda summary, noting that every two years the Council reviews the Council Rules of Procedures and can recommend changes. At the December 4, 2019 Finance-Administration Committee meeting, it was recommended to add language that allows for remote attendance to Poulsbo Council meetings.

Councilmember Phillips understood the concept of limiting remote attendance to one person, but the technology is there to have more than one person attend remotely. He asked if they could conference call into meeting. Mayor Erickson said she has no problems with a conference line, but there will be delays. If she is asking for a vote, it will be challenging.

Councilmember McGinty reminded everyone that they had Councilmember Musgrove on a remote connection, and at Finance-Admin Committee they discussed how

disruptive it would be to have multiple people calling in. He suggested starting slow and then seeing how things go.

Councilmember McVey suggested starting with more than one remote connection, and he doesn't think it will be used very often.

Councilmember Musgrove encouraged the Council to use funds to install better remote connection equipment.

Councilmember Lord asked if they should establish a physically present quorum. Mayor Erickson agreed that they should have a quorum of people physically present at the meeting. City Clerk Fernandez added if they don't have enough councilmembers present in the chambers, and a call gets dropped, they would have to stop the meeting due to a lack of quorum.

The Council concurred to change the language that limited remote attendance to one councilmember per meeting, and to require a quorum to be physically present at the meeting.

Motion: Move to direct staff to prepare a resolution approving the proposed changes to the Council Rules of Procedure at a future Council meeting.

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

Motion carried.

b. Council Committee Assignments

Mayor Erickson presented the agenda summary, noting that each committee shall consist of three members of the City Council appointed as follows. She shared the rankings of the councilmembers committee prioritization. Discussion was held, and the following committees were formed:

- Finance-Administration: McVey, Stern, McGinty
- Public Works: Lord, Musgrove, Livdahl
- Community Services: Phillips, Livdahl, Lord
- Public Safety/Legal: Phillips, McGinty, Stern
- Economic Development: Livdahl, Lord, Musgrove
- Lodging Tax Advisory: Stern

Other Assignments:

- Deputy Mayor: McGinty, Alternate Deputy Mayor: Lord
- KRCC: Stern; Alternate, McVey
- Poulsbo Historical Society: Lord

- Tribal Liaisons: Stern/McGinty
- West Sound Watershed Council: Possible – Musgrove
- Health District Alternate: McGinty
- NKSD: Phillips
- Cencom: Possible – McGinty
- KRCC Transpol - McVey

c. Ordinance No. 2020-01, Zoning Amendments for High Risk Secured Facilities

Associate Planner Coleman presented the agenda summary, noting the City Council determined that current city regulations do not sufficiently define Less Restrictive Alternative, LRA, facilities or mitigate their land use and life safety impacts to protect both the residents of potential LRA facilities within the city of the neighbors of such facilities. The City Council passed Ordinance 2019-07 on April 16, 2019. This ordinance established a six-month interim development prohibition on High-Risk Secured Facilities. The City Council authorized an extension to the interim development prohibition on October 9, 2019 (Ordinance No. 2019-16). This code amendment proposes to replace the interim zoning regulations. The Planning Commission held a public hearing on December 10, 2019 and voted to recommend approval. On December 18, 2019 the City Council held a duly noticed public hearing and after considering the testimony received at the public hearing, voted to approve the zoning amendments regarding high risk secured facilities.

Councilmember Musgrove asked if there are substantial changes, legalities or actions from other entities they should update along with this. Associate Planner Coleman said they do not have the decision from Pierce County yet. Once they do, the City Attorney will review it and they will bring back changes, if necessary, at that time. They don't have any sense if the decision will affect our code.

Motion: Move to approve Ordinance No. 2020-01, an ordinance of the City of Poulsbo, Washington, amending sections 18.40.030 and 18.90.030, and adding a new section, 18.90.085, of the Poulsbo Municipal Code in order to adopt permanent regulations related to high risk secured facilities; providing for severability; and establishing an effective date.

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

d. Play for All at Raab Park Agreement with Poulsbo-North Kitsap Rotary

Parks and Recreation Director McCluskey presented the agenda summary, noting the agreement is between the City of Poulsbo and the Poulsbo-North Kitsap Rotary Foundation to provide for joint participation in the development of an accessible playground at the City's Frank Raab Park. This project concept and site was first approved by City Council on January 9, 2019. Play for all at Raab Park is a community effort being led by the Poulsbo North-Kitsap Rotary Club, operating in partnership with a citizen steering committee and the City of Poulsbo. The committee is conducting a capital campaign to purchase and install new ADA-compliant playground equipment.

This agreement outlines the roles and responsibilities of the City and the Poulsbo Rotary. The City will receive donated funds from Poulsbo Rotary and use them solely for the purpose of the accessible playground design, equipment selection and purchase, and construction. The City's role also includes participation on the steering committee and issuing a Request for Proposal (RFP) once the project is funded and ready to move forward. City Attorney Jim Haney drafted this agreement, and the Poulsbo Rotary has approved it. This agreement does not include a request for funding – that will be done during the City's 2021-2022 budget cycle. The Community Services Committee reviewed the agreement at their December meeting and recommended approval.

Motion: Move to approve the agreement with the Poulsbo-North Kitsap Rotary Club Foundation for development of an accessible playground at Raab Park as presented and authorize the Mayor to sign the agreement on behalf of the City.

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

e. Environmental Site Assessment for Public Works Complex

Public Works Superintendent Lund presented the agenda summary, requesting a budget amendment for an Environmental Site Assessment of the Public Works Complex and awarding an RFP to Perteet, which was recommended by Public Works Committee on December 11, 2019. The total Environmental Site Assessment budget is \$40,000, which includes the \$19,000 awarded to Perteet for professional services.

Councilmember McGinty questioned the difference in the budget amendment amount versus Perteet's budget. Public Works Superintendent explained the final cost of the contract will be based on the number of samples that need to be taken, and he doesn't know how many samples will be needed to complete the project. Other contractors

gave a bid of a low to high range based on varying number of samples. Perteet gave a low-end quote and not a high one.

Finance Director Booher explained that the bid was low, and they've worked with the contractor enough to know that he will not take advantage of the City. The number of testing samples is the unknown variable. Phase 1 determines how many tests you do in Phase 2, then you do the first round of testing and may need to do additional testing. Looking at the average quotes, staff felt \$40,000 is the fair price, and would allow staff to complete the project without coming back for more budget amendments. They want Council to be aware that this project may cost closer to \$40,000 as opposed to \$20,000.

Councilmember Musgrove said Public Works committee had this presentation. He said they had the same questions and concerns, but that they trust staff and what they need. So, they recommended this come to Council for a decision.

Mayor Erickson recommended doing 10% above the contract. Finance Director Booher said they would need dollars for in-house staff time as well which will be allocated to this. Public Works Superintendent Lund said \$25,000-\$30,000 would allow staff time and overages on the contract.

After discussion, the Council agreed to a budget amendment of \$25,000.

Motion: Move to award the Environmental Site Assessment RFP to Perteet and approve Budget Amendment/BA #20-0101 for a total budget of \$25,000.

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

Motion carried.

f. Resolution No. 2020-01, Personnel Handbook Update

Human Resources Director Kingery presented the agenda summary, noting the Personnel Handbook update included the following changes:

- Section 4.2 and 4.4 – comp time accrual changed from 80 to 40 hours;
- Section 8.2 – expands the allowable uses of sick leave and definition of “family member” under the sick leave law (RCW 49.46.210);
- Section 8.5 – juror reimbursements no longer need to be turned over to the City;

- Section 8.12 – new policy for “Paid Family & Medical Leave.” Washington’s Paid Family and Medical Leave is a new insurance program administered by the Employment Security Department. Premium collection began January 1, 2019 and benefits begin January 1, 2020. The website is www.paidleave.wa.gov;
- Section 8.16 – temporary employees receive sick leave benefits per state law;
- Section 9.12 – references the city vehicle policy approved in May;
- Section 11 – drug and alcohol testing – includes suggested changes by the Association of Washington Cities, who conducts the mandatory drug testing for CDL holders.

Councilmember Stern asked how the changes to the handbook are presented to employees and if they understand the changes. Human Resources Manager said she sends document to every employee and the council members, with the tracked changes. They can see the changes. Every new employee receives it during their onboarding process as well.

Councilmember Stern would like to have more extensive interactions held within the departments to make sure there is an understanding. Mayor Erickson said it is part of their implicit agreement when they come to work for the City of Poulsbo that they read this document, are responsible, and held accountable for these policies. It is reviewed extensively during labor negotiations. It is a living, working document. Human Resources Manager Kingery said if she had unlimited resource it would be great to have more extensive trainings, but time does not allow for her to do that as a department of one. She meets one-on-one with people when they have questions.

Motion: Move to approve Resolution No. 2020-01, adopting the 2020 Personnel Handbook.

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

7. COUNCIL COMMITTEE REPORTS

Public Safety/Legal Committee: Councilmember McGinty reported they discussed the community service policy as an alternative to jail time. The jail costs have skyrocketed, and they don’t do group community service. They will try to explore it in March or April. Councilmember McVey noted that they also explored the idea of creating a community survey and hosting a facilitated community conversation to make Poulsbo a welcoming community.

Public Works Committee: Councilmember Musgrove reported they received the American Disabilities Act (ADA) Transition Plan Update, the Johnson Parkway/Noll Road update, and they reviewed the plastic bag ban (which will be brought forward to Council for

consideration). For the West Poulsbo Waterfront Park consultant agreement, they have design studies that will come to Council. The committee is asking for more information and options for the telecom master permit. The I & I consultant contract revision to look at future options for the siphon will come to Council soon, as well as the South Fork Dogfish Creek survey contract.

Community Services Committee: Councilmember Lord reported they spoke about the new special event permit process and the upcoming ordinance. It will be a separate chapter in the PMC, and the major change will be that the permit will be approved administratively, instead of coming to the Council (so appeals can be heard by the Council and not the Hearing Examiner), and the fee has been increased. An expedite process has also been added for late applications without road closures (for an additional fee). There is also language added for waiving the deadline for events that are a public benefit. The Council will receive a monthly email of approved events, and the Community Services Committee will review all applications and provide input. Notice is sent to the downtown merchants for all applications, and they are also noticed with the Community Services Committee agenda to provide comment and feedback. Councilmember McVey reported the Poulsbo Beer Run will be March 14.

8. DEPARTMENT HEAD COMMENTS

Public Works Superintendent Lund reported that snow is forecasted for next week. The snow route map and private snowplowing contractors list is on the front page of the City's website.

Councilmember Stern said WSDOT in Eastern Washington is trying to put maintenance of state routes through Cities on the city during snow/ice storms. It is another cost shift.

9. BOARD/COMMISSION REPORTS

None.

10. CONTINUED COMMENTS FROM CITIZENS

Maria Fergus stated that the City of Bremerton passed a resolution of equity and inclusion; she spoke about Heather Purser's comments earlier. She stated biases are the brain's way of creating shortcuts so it can process the amount of data it receives. While we think we are rational and logical beings, we are 90% emotional.

John Garland, Scarlet Road board member, said January is National Human Trafficking Awareness Month. National Human Trafficking Day is January 11. Scarlet Road helps victims and survivors of sex trafficking in the county.

Rick Eckert, North Kitsap School District, said tomorrow night is the first meeting of the year. They will meet at North Kitsap High School starting at 5:45 p.m. in the library.

Thomas Wilson spoke on behalf of his cousin, Stoney. He thanked the Council for their time and for listening to everyone. He has faith in the judicial system, the leadership, and the people in charge of higher ups. He hopes to see changes from all this. He believes the police force needs to work more with the community so there's a better relationship between them.

11. MAYOR & COUNCILMEMBER COMMENTS

Councilmember Stern noted that he will be gone on the February 5 meeting due to going to Washington, D.C. to represent AWC. He will be finishing his term at AWC in June.

Councilmembers Musgrove said there are a lot of opportunities to bring forward this year. He appreciates the citizens comments that were brought up tonight, especially slavery and sex trafficking that is happening to our most vulnerable populations. There are a lot of topics coming forward this year that they can work on.

Mayor Erickson also thanked everyone for the comments. She said Poulsbo is merging from a small town to a small city, and they need to be prepared for more issues and figure out how to help people. That is why they are starting the Housing, Health, and Human Services (HHH) committee. She also welcomed all the new councilmembers.

Councilmember Lord hopes that people are kinder and gentler with each other this year, locally to nationally to the whole world.

Councilmember Livdahl agreed with everyone's comments and thanked those who keep attending.

12. ADJOURNMENT

Motion: Move to adjourn at 9:29 p.m.,

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

Motion carried unanimously.

Rebecca Erickson, Mayor

ATTEST:

Rhiannon Fernandez, CMC, City Clerk