

## POULSBO CITY COUNCIL MEETING OF JANUARY 22, 2020

### MINUTES

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

Staff: Finance Director Booher, City Clerk Fernandez, Director of Engineering Kasiniak, City Engineer Lenius, Public Works Superintendent Lund, Parks & Recreation Director McCluskey, Police Chief Schoonmaker, Housing, Health, and Human Services Director Hendrickson, IT Manager Stenstrom

**ABSENT:** Councilmember Musgrove

### MAJOR BUSINESS ITEMS

- \* \* \* Budget Amendment/BA #19-0406, Oyster Plant Park Piling Replacement
- \* \* \* Infiltration and Inflow Study Consultant Contract Revision
- \* \* \* Lemolo Siphon Project Consultant Contract Amendment
- \* \* \* West Poulsbo Waterfront Stormwater Park Consultant Agreement
- \* \* \* South Fork Dogfish Creek Basin Consultant Agreement
- \* \* \* Resolution No. 2020-02, Amending Council Rules of Procedure
- \* \* \* Planning Commission Appointment Confirmation
- \* \* \* Ordinance No. 2020-02, Special Event Ordinance
- \* \* \* Special Events – Charging for Services Discussion
- \* \* \* Johnson Parkway/Noll Road Project 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.

#### 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

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

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

Councilmember Stern said he would like for the City Council to start working on some of the ideas presented to them during the past seven months. Not to do with the investigation, but with feelings and experiences surrounding the July 3 incident. He thinks it is time to take steps that are pertinent to Poulsbo and larger communities, such as addressing biases, feelings of inclusiveness, and recognizing cultural differences. They want to look into anti-bias training for all City staff and elected personnel, crisis intervention training for Police, and a safe space for those facing addiction, and the ability to ask for treatment in "Safe Spaces".

Councilmember McGinty noted that they talked about doing a community survey a few weeks ago, and Councilmembers Stern, Livdahl, and McGinty met with Housing, Health, and Human Services Director Kim Hendrickson to brainstorm ideas to benefit the entire community. They are planning on creating a welcoming proclamation and adopting it in early February and work with the police department to give them training above what is required by the law (it will be a funding constraint that they will have to find the money for).

Councilmember Livdahl pointed out that the Police Department has already begun training prior to being required by law. They have a long list of what they have done and what they plan to continue to do. She stated that they want to hear from the community in a safer, smaller, person-to-person atmosphere, so she's been figuring out how to get the word out, and they want to make the meetings as accessible as possible to everyone. They see that as being a better fit than a survey right now.

Councilmember McVey asked if the meetings would be facilitated, and Councilmember Livdahl explained that the first meetings will be more casual. She stated that they want to hear what would work best for the community. She also stated it would great to offer the implicit bias training to the public as well.

Mayor Erickson said they will look at online opportunities as another resource. She said they couldn't figure out how to make Heather Purser's idea of the survey work to get an accurate assessment of the community. These smaller conversations will give a better assessment.

Councilmember Lord appreciates the work that is being done and likes the proposed approach.

Housing, Health, and Human Services Director Hendrickson spoke regarding Safe Stations. It is a concept that comes from the east coast, where people can get help at first responder stations. The idea is that if the station is open, someone can walk through the front door, meet with someone right away that can help the process of getting them connected to care.

Councilmember Phillips liked the idea of the Safe Stations. He noted that he will be gone for the month of February at Officer Development School.

Councilmember McVey thanked those involved in announcing the initiative this evening and the thought behind it. He looks forward to supporting it and participating along with his colleagues. Councilmember Lord agreed and said the Safe Station concept is overdue. She is looking forward to the HHH committee and wants to be on it.

Councilmember Livdahl reminded everyone that Kitsap SURJ is meeting at Faith Episcopal church on Tuesday, January 28 regarding a welcoming Poulsbo. She will miss the meeting because she will be at the Association of Washington Cities conference.

Mayor Erickson noted that the Human Trafficking Awareness Month Proclamation is in the agenda packet, but she did not read it due to the full agenda. She announced January 25 is the Lutfisk Feed at the Sons of Norway and the Poulsbo Chamber of Commerce Gala at the casino.

**a. State of the City**

Mayor Erickson reported on the state of the city. Presentation highlights included:

- Olhava- College Market Place – Upper Finn Hill
  - Business revenue stable
  - A new hotel should be breaking ground soon
  - Chinook apartment building?
  - Vista Park, Central Park – a dragon - POLICY
  - PFD grant submitted – Poulsbo Events and Recreation (PERC) - \$250,000 - POLICY
  - New subdivisions – Westwood, Spencer
  - Road improvements – Finn Hill – out to bid in January
- West Poulsbo-Viking Avenue
  - McDonalds remodel complete
  - Stormwater park-waterfront park
  - Advanced Rental moved and sold – James Lumber
  - Diamond Dog – Cenex – POLICY
  - Fish Park - \$1.0 million dollar grant
  - Land re-zoned to residential medium
  - New office building, mixed use completed by spring
  - Fishline shelter – POLICY
- Highway 305 Corridor
  - Forest Rock Lane – repaved
  - The 305 building
  - Blossom
  - Sushi Bento

- Seattle Cancer Care Alliance – POLICY
- Albertsons, what to do? POLICY
- Dog Fish Creek – what to do? POLICY
- High end retail in our future? POLICY
- The 305 Greenway – POLICY
- Historic Downtown
  - Stable and new tenants: increased sales
  - Goodbye Blue Heron, gaming store
  - Welcome Abigail's, new pet store
  - Longship Marine, real estate broker
  - The veteran's plaza
  - We're full!
  - 3<sup>rd</sup> of July – POLICY
- The Policy station apartment building – POLICY re: living downtown
- Old Town
  - Antonson Place – one left
  - Whitford Cottages – complete
  - Fjord and speed – POLICY
- Noll Road, Lincoln, Caldart – East Poulsbo
  - Mountain Aire – 148 houses – complete and sold
  - Peninsula Glen, Woodcreek – 64 new apartments – complete
  - Crystal View, Laguanet, Blue Heron, Poulsbo Meadows, Mesford, Caldart – ADUs? POLICY
  - Morrow Manor – almost done with the park
  - Johnson Parkway: a roundabout with art - POLICY

## 5. **CONSENT AGENDA**

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

The items listed are:

- a.** Budget Amendment/BA #19-0406, Oyster Plant Park Piling Replacement
- b.** Infiltration and Inflow Study Consultant Contract Revision
- c.** Lemolo Siphon Project Consultant Contract Amendment
- d.** West Poulsbo Waterfront Stormwater Park Consultant Agreement
- e.** South Fork Dogfish Creek Basin Consultant Agreement
- f.** Resolution No. 2020-02, Amending Council Rules of Procedure

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

## 6. **BUSINESS AGENDA**



**a. Planning Commission Appointment Confirmation**

City Clerk Fernandez presented the agenda summary, noting one Planning Commission position because vacant with the resignation of Gordon Hanson.

Planning Director Boughton and Mayor Erickson have met with Mr. Mark Kipps, and the Mayor recommends appointing Mr. Kipps to fill a term ending December 31, 2022. Mr. Kipps looks forward to serving the community and making our City a better place.

**Motion:** Move to confirm the Mayor's recommendation for appointment to the Planning Commission as presented.

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

**b. Ordinance No. 2020-02, Special Event Ordinance Update**

City Clerk Fernandez presented the agenda summary, noting in 2018, the City's insurer, WCIA, audited the City's special event application process and made recommendations for updating our code and application. WCIA recommended removing the special event license from 5.04 – Business Licenses and create a new chapter 5.30 – Special Events. WCIA's model special event ordinance was used and edited to be specific to the City of Poulsbo. City reviewers have reviewed and discussed the proposed changes and recommend approval. WCIA, the City Attorney, and the Community Services Committee have also recommended approval.

Major changes include:

- The application will be approved administratively. All appeals will be heard by the Council
- The fee is changing from \$25 to \$75, and there is an additional \$50 fee for late applications that need to be expedited
- Chapter 5.32 Carnivals, Circuses, Traveling Shows, and Outdoor Amusements will be repealed and will fall under the special event process

Councilmember Lord confirmed that the Community Services Committee recommended approval. She is concerned that the public might not be aware of special events that are being applied for, and she wants to know how this will be handled.

City Clerk Fernandez replied when Deputy Clerk Diehl receives a special event application, she distributes it to a large group of people for comments/review, including Department Heads, the HDP (Historic Downtown Poulsbo Association), the fire department, Kitsap Transit, the Sons of Norway, the Port of Poulsbo. Those comments are taken into consideration when the application is approved. City Clerk Fernandez recommended adding the Community Services Committee to the initial email as well. All applications are reviewed by the Community Services Committee. When an event is approved, the Council will be notified. These steps will be included in the department's procedures for approving the permit.

In response to Councilmember McGinty, City Clerk Fernandez said the Council Community Services Committee is part of the review process prior to the Clerk's Office approving the application administratively. The Committee has the opportunity to provide feedback or conditions, and then staff can work with the applicant to make sure any concerns are addressed. Councilmember Lord thinks even though the council is not approving it, three councilmembers are able to weigh in with lots of detail with their perspective and the input they receive. The goal is to uncover any unintended consequences.

**Motion:** Move to approve Ordinance No. 2020-02, an ordinance of the City of Poulsbo, Washington, amending the Poulsbo Municipal Code to repeal subsection 5.04.090(b), regarding special event master license; amending Title 5 of the Poulsbo Municipal Code to add a new Chapter 5.30 in order to promote, protect, and preserve the public interest by regulating special events; repealing Chapter 5.32 to be included in the new Chapter 5.30; amending the Poulsbo Municipal Code to update fees for processing special event applications and repealing fees for carnival licenses; providing for severability and establishing an effective date.

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

**c. Special Events – Charging for Services Discussion**

City Clerk Fernandez presented the agenda summary, noting the City's current code and applications state that if we provide services, we can charge for services based on the fee schedule. However, the charge has not been passed on because past council direction was to absorb these costs for certain events. The events have grown substantially, and this direction needs to be revisited.

Staff recommends charging all events for services. The larger events receive LTAC awards that can pay for operations of the events. If certain events will be covered, a council resolution needs to be adopted outlining how providing these services is a benefit to citizens.

Additionally, in 2015, the City stopped receiving LTAC grants to cover police overtime. Since 2015, the City has been absorbing the costs. A request was submitted to LTAC in 2019, but the City was not awarded a grant. The level of service and the dollars have been increasing, and the City does not have revenue streams to fund these services. The Police and Public Works Departments have provided special event fee breakdowns to aid the discussion. Garbage services must be passed onto the event organizers because the utility is paid by the rate payer.

Finance Director Booher stated that in the past the City used to receive lodging tax dollars in order to cover some of the overtime costs for Police support for events. The lodging tax dollars only covered a portion of the costs. Lodging tax grants are no longer being awarded to the City, so more City staff time is being used to support events. It also means more of the lodging tax money is granted to the Downtown Association, the Viking Fest Corporation, etc. to support the events. As budgets tighten, City staff needs the authority to charge the events and needs direction from Council.

Public Works Superintendent Lund stated that while there are more events, which takes time, money, and efforts, the overtime for the Public Works crews comes out of the general fund. It's a lot of money that comes out of the general fund.

Police Chief Schoonmaker added that the costs included in the charts are only for time the events are occurring, and it does not include the planning sessions they have before the events take place. None of the costs reflect the planning sessions.

Councilmember Stern stated that it's all reasonable, but he asked if there are any unintended consequences in enacting this. He wants to know if the fees would threaten the events.

Councilmember McVey wants to know if there have been conversations with event organizers about the fees. Mayor Erickson stated that they prefer not to pay for the fees. She recommends charging the events gradually over a few years.

Councilmember Lord is not objecting to recovering the costs, but she thinks the Council needs a workshop with the HDPa, the Chamber of Commerce, the Port of Poulsbo, and anyone else they can think of that would be impacted by the fees. She wants to let them weigh in, so they can come up with a fair and equitable policy in a resolution.

Councilmember McGinty wondered whether the City has had a meeting with Viking Fest. He noted that this has been a problem for several years, and it's only getting worse due to the growing size of the events.

Councilmember Stern reiterated his concerns about unintended consequences and how some events might not be able to help the community as much when they get charged for services.

Councilmember Livdahl stated that during the LTAC process, grant application presentations show exactly where the money will be spent and how it was spent in prior years. The City applied for a few different grants last year, which they were not able to fulfill. One of the questions the committee asked whether the larger events, such as Viking Fest and 3<sup>rd</sup> of July, are at capacity. Viking Fest spends a lot of money on advertising, and that is how they get a lot of the lodging tax money because they're bringing people into the City. The committee considered encouraging the larger events to not spend as much money on advertising. Councilmember Livdahl also wondered whether the events were maximizing sponsorship opportunities.

Parks and Recreation Director McCluskey noted that not every event is a tourist-driven event, where people are staying at hotels.

Councilmember Lord reiterated that a fair and equitable policy they come up with needs to be based on as much background and input they can get from event organizers. She does not want to blindside any event organizers. She wants a special workshop where the event organizers are invited, and they can discuss the fees.

Councilmember McVey agreed that a workshop is a good idea, and that they should not pick favorites.

Mayor Erickson stated that everyone would be back by the first meeting in March, they will have more information, and she would like the Council to have a workshop with HDPa, the Sons of Norway, Viking Fest, etc.

Councilmember Lord would like the workshop on a different day from a Council meeting.

Finance Director clarified that the \$42,000 was for two events and not all the other events they continue to support.

Councilmember Stern asked for staff to look into policies and approaches from comparable cities that they can review at the workshop.

Chief Schoonmaker pointed out that the costs do not include the extensive mutual aid from the Sherriff's department, the City of Bremerton, the City of Bainbridge, and Washington State Patrol for the events as well. The City pays back a little bit, but those agencies are larger than Poulsbo.

Mayor Erickson will work with the City Clerk to schedule a workshop in the future, invite the event organizers for discussion, and to provide comparables of what other cities do regarding city services at special events.

**d. Johnson Parkway/Noll Road Project Update**

City Engineer Lenius presented the agenda summary, noting the Noll Road project it has been delayed due to I-976. They have a commitment to complete the project in ten years, and they will be applying for more funding for the Noll Corridor in the spring. They received a letter from WSDOT in November 2019, stating their funding was put on hold, and that WSDOT had to reevaluate the impact of I-976, a vote related to car license fees. The money for Johnson Parkway is not coming from those fees but from Connect Washington money; however, the State has put all projects on hold that weren't previously under contract, a high safety risk, or a preservation project. The City presented why their project should be taken off hold, but their project was not selected to move ahead.

Councilmember Stern stated that the Association of Washington Cities is contesting I-976 is because it is difficult to restart a construction project once it has been started and stopped.

Mayor Erickson has a meeting with the Secretary of State on January 31, and she will be discussing this project during that meeting. Connect Washington money is not car tab money. Connect Washington is from the gas tax.

## **7. COUNCIL COMMITTEE REPORTS**

Public Works Committee: Councilmember Lord reported that the committee met that afternoon. She is the new chair. She asked Public Works Superintendent Lund to give a briefing on the weather impacts.

Public Works Superintendent Lund stated last week there was about eight inches of snow at the Public Works shop, and on top of the hill there about 12 inches. They had about 140 hours of overtime just in snow and ice removal. It takes four days to put out sand, but it takes about two weeks to clean up, so they're in the process of cleaning sidewalks and roads. He reiterated his need for a second mechanic.

Councilmember Lord stated that the committee is recommending several projects for approval of the Council: 1) The Raab Park/Swanson/11<sup>th</sup> Avenue sewer project acceptance; 2) SR305 manhole project acceptance; and 3) the cemetery ordinance. They had a Fjord Dr presentation, which will be coming to Council. They had quick presentation on a draft memorial bench policy.

## **8. DEPARTMENT HEAD COMMENTS**

Finance Director Booher spoke regarding the city hall locking systems. Many of the locks are failing, and an RFP was issued. They are moving forward with the new locking system, and there will be a budget amendment on a consent agenda at the upcoming Council meeting.

Police Chief Schoonmaker thanked Councilmember Livdahl for pointing out that the Police Department is well under way on a training plan to continually improve. It has been a path of improvement since he's been there, and training will remain a focus as long as he is at the City. Training and improvement require money and support. He thanked the Mayor and Council for their work to improve inclusivity, and he thanked Public Works Superintendent Lund for the support during the snow.

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

Councilmember Phillips stated that the next NKSD school board meeting is tomorrow.

Mayor Erickson said Kitsap Transit is looking for a large area for a regional maintenance facility, and they have identified three areas within the City of Bremerton.

## 10. CONTINUED COMMENTS FROM CITIZENS

Rick Eckert from NKSD reiterated that the school board meeting is tomorrow, and they will be voting on something related to the city. He stated that with the snow last week, they used all three snow make up days.

## 11. MAYOR & COUNCILMEMBER COMMENTS

Councilmember Stern stated that the Census 2020 is coming up.

Councilmember McGinty said this is the opportunity to show Poulsbo is a cohesive community and is looking forward to progress.

Mayor Erickson said Poulsbo is remarkably diverse.

Councilmember Lord asked for the bullet points from tonight's State of the City presentation for all of the policy issues be emailed to the Council.

## 12. ADJOURNMENT

**Motion:** Move to adjourn at 9:15 p.m.,

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

Motion carried unanimously.

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Rebecca Erickson, Mayor

ATTEST:

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Rhiannon Fernandez, CMC, City Clerk