

POULSBO CITY COUNCIL MEETING OF NOVEMBER 20, 2019

MINUTES

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

Staff: Finance Director Booher, Senior Budget Accountant Gaines, City Clerk Fernandez, City Engineer Lenius, Planning Director Boughton, Public Works Superintendent Lund, Parks & Recreation Director McCluskey, Human Resources Manager Kingery, IT Senior Technician Williamson.

ABSENT: Councilmember Stern

MAJOR BUSINESS ITEMS

- * * * Budget Amendment/BA #19-0402, Property Room – Casual Labor
- * * * Amendment to ILA with Kitsap County Department of Emergency Management
- * * * Animal Control and Pet Licensing Agreement
- * * * 2019-2025 CIP Presentations
- * * * Mid-Biennial Budget Amendment Modification Requests and Recommendations
- * * * Ordinance No. 2019-20, Rose Master Plan Release
- * * * Public Hearing: Sewer Rate Increases/Changes

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

- a. Review of Council Rules of Procedure – Deputy Mayor McGinty reviewed section 7.4 and the Council concurred to reinstate the procedure of allowing 15 minutes at the beginning of the meeting for citizens' comments, with another period at the end of the meeting. Additionally, a sign-up sheet was requested for those who would like to speak, starting with the December 4, 2019, meeting.
- b. Mayor Erickson honored Councilmember Garland for sitting on the Council for the past two years.

Motion: Move to approve the agenda as presented.

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

3. COMMENTS FROM CITIZENS

Maria Fergus asked Officer Keller to resign.

Dana Steege-Jackson said the Council has not done anything aside from listening, and the public needs more; there are resources in this community and room to address these problems, and the Tribe needs to be asked what can be done to bring healing to this situation.

Jan True expressed her grief and rage regarding the July 3rd incident. She feels lethal force was brutally excessive. Far more effort is needed to establish a better relationship between the Tribes and the City.

Carla Abrams said she feels the shooting was unjust, but there also needs to be an accounting for our community, country, and world. She does not see how Officer Keller can continue to operate in this community as a police officer.

Amy said Officer Keller needs to be fired.

John Garland expressed his sympathy and support for Officer Keller. He thanked Poulsbo for being independent of this investigation. He said he became a citizen of the US and he feels safe in Poulsbo. He urged the public to let the process play out as it should, even though it is slow.

Mary Gleysteen spoke regarding the trial for the person who destroyed the memorial. She learned from the City's prosecuting attorney that there is no state certified anti-bias class for citizens; this is an opportunity to be leaders in this area.

Hat-sey asked which side they want to be on regarding racism when everything is done. She doesn't like the change of the comment period and enforcing their rules of procedure.

Anja spoke regarding the July 3rd incident and read the transcript from the body cam video. She doesn't know what else they need to know to fire Office Keller.

Jane Pearson said we don't recognize our own privilege and take it for granted. She wants the Council to take action to make the communities more just and safer for everyone.

Samuel Swenson said he is a Quaker and his tradition is to speak from silence. He works with children who are marginalized and fears for his students. He said Officer Keller could not control his temper and should not have a gun.

Chris Schueller would like the Council to take some action to show their compassion. There is so much racial hatred in the world, and a long history of brutality against native people. He commented on the investigation panel not being independent.

Jen-say Stone said the Council are not hearing the full stories of the community. By not taking action they are showing detachment from what is happening. She said racism exists in this community.

Aaron Lydick spoke regarding the things that Stoney will not be able to experience because his life was taken. He invited everyone to attend the Council of Human Rights conference on December 6.

Kori said she keeps attending meetings for the victim's family. She does not come here to attack the Council. They are asking the Council to join them because they are the elected representatives of this community. She said it is important to listen and act.

Thomas Wilson said the community should never fear the police. He said there isn't diversity on the council or employees. He said the situation is very sad and tragic. He hopes the future generation of leaders have more respect to the community and people.

Brenda Calderon asked what the consequences are for taking a human life. She said the shooting was threatening and lethal. She wants Keller prosecuted.

Seth Moyer-Stratton spoke in support of the Suquamish Tribe and justice for Stonechild. He is disturbed by the body cam footage. He said Officer Keller needs to be fired.

Alicia Caruso said if they are going to let officers have guns, there needs to be a more rigorous way to make sure people who want this profession don't have biases. It is terrifying to think there are people out there who have guns and biases.

Lauren Silver said she supports the Suquamish people and Chiefstick's family. She said the Council is in a position where they can step into helping this community. This community needs them to step up, and there are things that they can do now.

Suzanna Cummins said she recently watched the body cam video and said Officer Keller needs to be fired.

Phillip quoted Martin Luther King Jr.

Chay Norton spoke regarding his feelings on guns. Having a gun as a public servant to protect the community is a huge responsibility and Keller blew it. He asked who is responsible for the actions of Officer Keller.

Sophie Morse said she is a conflict specialist and noted there is so much opportunity here. If there is anything she can do, she is willing to help. The ones who have power have to work the hardest.

Cynthia Paulson thanked those who came here for Stoney and his family.

4. MAYOR'S REPORT AND COUNCIL COMMENTS

Councilmember Musgrove thanked everyone for their opinions. He wants to hear every one of them. He understands many people feel they are not doing anything. He said justice requires knowing, and he looks forward to the completion of the report. They want to do their best to ensure Poulsbo is a welcoming place. He asked they share their local resources with the City Clerk.

Councilmember Thomas mentioned that every two years the public gets to vote on whether Councilmembers are doing a good job and whether they will be re-elected. He noted that there will be three new faces on the Council soon, and mentioned the Council Retreat they attended on the November 16. He attended the Public Safety/Legal Committee and shared his thoughts of a PACT concept with the committee. He is making a big effort to tie up some loose ends before he leaves, and he thanked his fellow Councilmembers for allowing him to do so.

Councilmember McGinty echoed Councilmember Musgrove's comments, and added it is frustrating having to wait for the reports.

Mayor Erickson noted that the Coffee Oasis Kingston is hosting a free community Thanksgiving meal. She thanked the public for coming and stated that she and the Council are not able to respond because of the directions they were given by their legal counsel. They must wait for the prosecutor to make his decision, and then they have an administrative process in the City of Poulsbo for Mr. Keller. It is very difficult not being able to do anything. The City of Poulsbo adopted body cameras in 2015 to be transparent, and they are an instrument that is necessary for the Police Department. They're doing the best they can in a tough situation, and she asked the public to bear with them. She believes everyone wants justice.

Mayor Erickson said the City has acquired a Christmas carousel, which will be in Anderson Parkway December 6-24.

Councilmember Lord said she is listening to the public, and she wants to help. She asked for a little time to get the formal part behind them, and then they will be able to act. She wants to help and find ways to foster real reconciliation.

Councilmember Lord said volunteers are welcomed to help decorate downtown for Christmas this weekend. There is a lot of work that needs to be done.

5. CONSENT AGENDA

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

The items listed are:

- a. Budget Amendment/BA #19-0402, Property Room – Casual Labor
- b. Amendment to ILA with Kitsap County Department of Emergency Management
- c. Animal Control and Pet Licensing Agreement

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

6. BUSINESS AGENDA

a. 2019-2025 CIP Presentations

Finance Director Booher presented the agenda summary, noting that some 2019 purchases that are capital items that are not under the CIP. Presentation highlights included:

- 2019-20 Capital Plan – Not on City's Improvement Plan (CIP)
 - 2019 Purchases
 - Front Counter Improvements at the Police Department (\$7,082)
 - Laserfiche Implementation (\$9,720)
 - New Toro Mower for Parks (\$10,384)
 - Door Locks (\$6,524 expended). Additional Funds for continued improvements
 - New/Used Backhoe (\$15,000)
 - Mechanic Lift (\$6,000)
 - Asset Management Software (Shared over several Funds)
 - Carpet Park & Rec (\$7,000)
 - Sailing Program Chase Boat and Motor (\$14,000)
 - 2020 Intended Purchases
 - Network IT Switches (\$16,500)
 - New Computer Servers (\$12,000)
 - Locking System Update (\$24,000)
 - New Sailboat (\$9,450)
- City Improvement Program

- Growth Management Act – 1990
 - Comprehensive Plan revision and update
 - Updated Functional Plans to be consistent with the Comprehensive Plan
- Capital Facilities Element
- Focus on Capital Budget for 2019-20
 - Adjustments will be captured in the Mid-Biennium Adjustment
- Projects
 - Non-recurring
 - Cost \$15,000 or greater
- Complete CIP is included with the Preliminary Budget
- CIP includes:
 - 1st Section – General Purpose & Park Projects
 - 2nd Section – Transportation Projects
 - 3rd Section – Enterprise or Utility projects
- Focus - “2019-20 projects” column
- Public Works General Projects – Municipal Facilities – PW Complex Relocation
 - Budget review
 - Timeline
 - 2008 – Purchase Land, \$1,050,000
 - 2011 – Construction Phase 1
 - Transfer Station
 - Demolition
 - Site clearing
 - 2014 Developed Site Plan
 - 2014/2015 Construction Phase II – Decant/Solid Waste Transfer Station
 - Design Completed, \$155,0000
 - Construction, \$2,000,000 (To be complete by EOY)
 - DOE Grant, \$441,000
 - 2015 – Design Development \$20,000
 - Site visits to regional facilities
 - Program mapping
 - 2016 – Started using the Transfer Station for Solid Waste
 - 2017 – Continued with Pre-Design
 - 2018 – Looking for property acquisition options
 - Funds allocated for intended property purchase
 - 2019

- Minimum Design
 - 2020
 - Site work – Beginning of Construction for 3 – year time schedule
 - Completed in phases.
- Parks CIP
 - Budget Review
 - Lions Park improvements - \$55,000 (balance \$31,000)
 - Austurbruin Park improvements - \$50,000
 - MIW Waterfront Park - \$20,000
 - Fish Park progress
 - Five new interpretive signs
 - Log climbing structure
 - Draft plan review
 - Rotary Morrow Community Park update
 - Phase 1 – 2020
 - Urban paths and trails – new project (vista pathway on Olhava)
 - Future Years – Park Projects 2021-2025
 - *Poulsbo's Fish Park*
 - *Skate + Park*
 - *West Poulsbo Waterfront Park*
 - *Play for All at Raab Park*
 - *Acquisition of the Public Works property*
 - *The PERC*
- Transportation Program
 - Completed projects 2019
 - Forest Rock Lane – Full Depth Reclamation Project
 - Projects in Progress
 - Finn Hill Reconstruction
 - Re-advertise in January 2020
 - Completion by September 2020
 - Johnson Parkway/SR305 Roundabout
 - Advertise in November 2019
 - 2 Season Construction Project 2020/2021
 - Roundabout/Tunnel/Culverts 2020
 - Roadway/Shared Use Path 2021
 - Review of street projects and costs from 2019-2025
- Enterprise Program

- Stormwater
 - Projects in process
 - Liberty Bay Bioretention
 - Design complete - 2019
 - Construction Spring 2020
 - S. Fork Dogfish Creek Restoration
 - Design complete 2019
 - Construction Spring 2020
 - W. Poulsbo Waterfront Stormwater Park
 - DOE Design Grant Agreement in Process
 - Review of project names and project costs from 2019-2025
- Sewer
 - Projects in process
 - 2019 – Sewer and MH Lining Projects
 - Raab Park, Swanson Way & 11th Ave CIPP Lining
 - SR 305 Manhole Lining
 - Telemetry Assessment – 95% Complete
 - Water Meter Replacement – 75% Complete
 - 2019/2020 – Long Range Sewer Planning
 - 2019/2020 – Kitsap County Sewer CIP
 - Review of project names and project costs from 2019-2025
- Water
 - Projects in process
 - Raab Tank & Booster – Under Design – Construction 2020
 - Relocation of Restrooms will support best tank location
 - Westside Well– Water Treatment Plant
 - Pilot Project Complete 2019
 - Design and Construction in 2020
 - Telemetry Assessment – 95% Complete
 - Water Meter Replacement – 85% Complete
 - Raab Park Tank
 - Review of project names and project costs from 2019-2025

Councilmember Lord said they put these projects on a very comprehensive six-year plan. If they are not on there, and find opportunities to fund them, we cannot do them because they are not on the plan. This is a best estimate of what we think we

can get done in the next six years. Finance Director Booher added whatever is on the CIP needs to be on the comprehensive 20-year plan, unless it is design only. Another requirement for the CIP is you must have reasonable funding.

b. Mid-Biennial Budget Amendment Modification Requests and Recommendations

Finance Director Booher presented the agenda summary, noting that as part of the 2019-2020 Mid-Biennial Budget Amendment process, the modification requests and recommendations were brought to the Finance/Admin Committee twice. She reviewed the Mayor's and the Finance Administration Committee's recommendations (differing in \$2,400 for AEDs).

Councilmember McGinty said they were going to try to look deeper into the police overtime overages to see what is driving those expenditures. Finance Director Booher said it mainly involves having staff out of the office, the need for additional training requirements, and special events.

Councilmember Lord is concerned that they are not moving forward on the second mechanic; she is aware of the budget restraints, but she is concerned that Poulsbo only has one mechanic.

Mayor Erickson stated that if there is money left over from 2019, they will look into hiring a mechanic. She also recommended hiring an entry level helper, not a journeyman, to let the person grow into the position.

Motion: Concur with the Mayor's recommendations with the addition of the AEDs included.

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

c. Ordinance No. 2019-20, Rose Master Plan Release

Associate Planner Powers presented the agenda summary, noting amendments to Master Plans and Zoning Map Amendments associated with a Master Plan and consistent with the Comprehensive Plan are Type III permits, which requires public hearings before the Planning Commission and City Council. The Planning Commission held a public meeting on October 8, 2019 and offered a recommendation of approval by a vote of 5-0.

On October 16, 2019 the City Council held a Public Hearing for the applicant's request to amend the Rose Master Plan to be released, amend the Zoning Map to remove the

Master Plan Overlay from the four parcels associated with the Rose Master Plan, and authorize the City Council to execute and record an instrument extinguishing the Rose Master Plan Developer Agreement. After considering the information received, Council voted to approve the Planning Commission recommendation and directed the PED Director to prepare an adopting ordinance and recording document.

Motion: Move to approve Ordinance No. 2019-20, and ordinance of the City of Poulsbo, Washington, adopting findings and conclusions; approving the Rose Master Plan Release, zoning map amendment removing the master plan overlay from the Rose Master Plan parcels, planning file 08-06-19-01; authorizing the City Council to execute and record an instrument extinguishing the Rose Master Plan developer agreement; providing for severability and establishing an effective date.

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

Motion carried.

d. Public Hearing: Sewer Rate Increases/Changes

City Engineer Lenius presented the agenda summary, noting staff will hold a public hearing to receive comments regarding the sewer rate increase effective January 2020 in accordance with the 2016 Sanitary Sewer Comprehensive Plan. An updated ordinance to incorporate the new rates will follow. Presentation highlights included:

- PMC 3.12.100 – Rates
 - Utility rates, general facility fees, other misc. fees.
 - Adjust by CPI – 2.3%
 - Comprehensive Plan – 2016
 - Sewer System Financial Plan – 2019
 - All fees correct as of January 1, 2020
 - Last PMC update 2017.
- PMC 3.12.100 – Misc. Fees
 - 1.5" and 2" water meter – priced to actual cost
 - \$5 increase
 - Water shut-off and turn-on – increased from \$10 for each to \$20 for each
 - Paid at time of shut-off
 - Convenience option for customers
- PMC 8.16, 13.06, and 13.80 – Delinquent Utility Payment Penalty
 - Currently penalty for delinquent payment of utility bills is 10% of outstanding bill.

- Commercial bills = large penalties
- Revise to \$5 / utility / month
 - \$20 penalty for a delinquent account

At 9:52 p.m., Mayor Erickson opened the public hearing. Receiving no public comments, Mayor Erickson closed the public hearing at 9:53 p.m.

7. COUNCIL COMMITTEE REPORTS

Finance-Administration Committee: Councilmember McGinty reported that they reviewed all the budget amendments tonight. Councilmember Thomas drafted a proposed Resolution of Intent for exploring the option of the City Administrator position.

Public Safety/Legal Committee: Councilmember Nystul reported Councilmember Thomas presented the Police and Community Together (PACT) group that meets in Bremerton. It may be something that works its way to the North Kitsap community.

8. DEPARTMENT HEAD COMMENTS

None.

9. BOARD/COMMISSION REPORTS

None.

10. CONTINUED COMMENTS FROM CITIZENS

Rick Eckert gave a report from the North Kitsap School Board. He congratulated the City for the first part of funding for the PERC, and he passed along thanks to staff regarding the work at Raab Park.

Armando noted that it was a heated meeting. He joked that the restroom at Raab Park will get tested during the Easter egg hunt. His son, Payton, will be up for his Arrow of Light award soon, and he needs to speak to a public official. Mayor Erickson stated that she has office hours on Saturday mornings, and she gives City Hall tours.

11. MAYOR & COUNCILMEMBER COMMENTS

Councilmember Musgrove appreciated being able to telecommute to the retreat. He thanked IT. He did some research on the Mayor's proposed dragon statue and shared some Norse dragon names.

Motion: Move to extend the Council meeting to include comments from Council.

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

Motion carried unanimously.

The Councilmembers agreed that they would all miss Councilmember Garland.

Councilmember Garland stated that she is much more comfortable listening than talking. She is grateful to everyone at the dais for seeing her potential and her desire to serve the community. She hopes her predecessor, Jim Henry, would be proud of her service. She thanked Mayor Erickson and fellow Councilmembers for their lifetimes of service. She hopes this is goodbye for now.

12. ADJOURNMENT

Motion: Move to adjourn at 10:05 p.m.,

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

Motion carried unanimously.

Rebecca Erickson, Mayor

ATTEST:

Rhiannon Fernandez, CMC, City Clerk