

## POULSBO CITY COUNCIL MEETING OF MARCH 4, 2020

### MINUTES

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

Staff: City Clerk Fernandez, Director of Engineering Kasiniak, Civil Engineer Raney, Public Works Superintendent Lund, Public Works Office Manager Wood, IT Manager Stenstrom.

**ABSENT:** Councilmember McVey

### MAJOR BUSINESS ITEMS

- \* \* \* Payable Disbursements for December 2019
- \* \* \* Kitsap Regional Coordinating Council ILA Amendments
- \* \* \* Minutes of November 20, 2019 Council Meeting
- \* \* \* Minutes of December 4, 2019 Council Meeting
- \* \* \* Minutes of December 11, 2019 Council Meeting
- \* \* \* Minutes of December 18, 2019 Council Meeting
- \* \* \* Housing Assessment/Action Plan Consultant Services Contract
- \* \* \* Housing, Health, and Human Services Committee Assignments
- \* \* \* Resolution No. 2020-04, 2020 Revised Salaries and Wages
- \* \* \* Ordinance No. 2020-03, Cemetery Ordinance Update
- \* \* \* Consultant Contract for the 2020 Pavement Preservation Project
- \* \* \* Resolution No. 2020-05, Finn Hill Road Shared Use Path Project Bid Rejection
- \* \* \* Finn Hill Road Shared Use Path Project Budget Amendment and Construction Contract Award
- \* \* \* Liberty Bay Bioretention Project Construction Contract 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** Musgrove.

Motion carried.

#### 3. COMMENTS FROM CITIZENS

Susan Griggs shared her July 3rd experience from last year and asked the event to change its date this year out of respect to everyone involved.

Lindsey Kravitz requested time on a Council agenda in April to present the work that has been done for the Splash Pad project.

Joe Walker spoke regarding the July 3rd incident, and how it is sad that people must learn how to stop violence. He asked that Officer Keller be fired, and the City not celebrate on July 3<sup>rd</sup> this year; it is a day of mourning.

Andrea Marciano spoke in support of the police department and shared the respect and kindness they showed her and her family in a recent event. She thanked Sergeant Nau, and Detectives Wheeler & Westerfield.

Rowan Sharp asked Officer Keller be fired and to move the future Independence Day celebrations to a different day. She noted there was a computer glitch that happened at the last meeting which cut off the first part of the meeting.

Jo Walter spoke in support of cancelling the July 3rd celebration. She shared about a meeting on Monday with faith leaders at the House of Awakened Culture in Suquamish that discussed how they could work against racism in North Kitsap. Stonechild's family shared how they are doing now. It was moving and painful for everyone to see.

Maria Fergus shared her recollection of Stonechild's daughter speak about the pain that would be felt if there was a celebration on the date of her father's death. She asked the Council and the Mayor change the date of the celebration.

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

Councilmember Phillips said it is good to be back. He was at Navy officer development school for five weeks during his absence.

Councilmember Musgrove appreciated the citizen comments. He would hope that the celebration could be one that is positive and of goodness and family. He thinks that Poulsbo's Independence celebration was originally done on the July 3rd so families could spend July 4th together.

In response to Councilmember Musgrove's inquiry on the missing meeting audio, City Clerk Fernandez said there was an error with BKAT, but she has the full audio if anyone wants a copy of it. The issue was with the video that was being broadcast.

Councilmember Musgrove noted that Saturday, March 14 is the St. Paddy's Day beer run.

Councilmember McGinty commented on the July 3<sup>rd</sup> celebrations, that it started with the Navy on the base, and when Poulsbo started the celebration they didn't want to compete with the other nearby celebrations.

Councilmember Stern recommended that Ms. Kravitz attend the next Public Works Committee meeting to discuss the ins and outs of the potential splash pad.

Councilmember Lord read a statement she prepared regarding her thoughts on suspending the July 3<sup>rd</sup> event this year. She urged the council to take up a policy decision immediately to decide whether to hold the 2020 July 3<sup>rd</sup> fireworks this year or to suspend it.

Mayor Erickson said it was planned for the Council to discuss the 3<sup>rd</sup> of July on next week's agenda. The Council needs to speak with the community, the Police Chief, and the event organizer and come up with a formal motion at the March 11th meeting.

Councilmember McGinty does not think it's possible to have all the answers in one week, but Mayor Erickson stated that they can't wait on deciding because the organizers need to order the fireworks.

Councilmember Stern stated that there is an option of a July 4<sup>th</sup> celebration, but he doesn't know how viable that is. He mentioned that there might be an LTAC "carry forward" budget of \$5,000 to supplement the Police Department for staffing needs during large events.

Mayor Erickson asked the Councilmembers to their forward questions to her, and she will get them to the Police Chief and Viking Fest. She suggested they continue their discussion next week.

Councilmember Livdahl stated it would be disrespectful to the family to celebrate on July 3<sup>rd</sup> this or any year in the future. The July 3<sup>rd</sup> event is very popular and expensive. Celebrating on July 4<sup>th</sup> might make it more of a community event. She also supported getting the splash pad into whatever committee it needs to move forward. She thanked community member Rowan for earlier comments.

Councilmember Stern that he, the Mayor, and other officials were on a phone call with the Health District and the Governor about the novel coronavirus, COVID-19, and they reviewed emergency power called "Home Rule Authority". He has one other conflict with AWC, and he has a national conference on March 11 and will miss the council meeting.

Councilmember Musgrove was also on the call regarding COVID-19 with the other elected officials. He wonders if the Public Safety Legal Committee would be interested in informing the Council of regular updates.

Mayor Erickson showed a flyer with COVID-19 "dos and don'ts". Quarantining didn't work,

and the virus is here. The realization is that the virus is going to come here, it is going to spread, and we must take precautions to keep ourselves and our families safe. She reiterated the prevention tactics of hand washing, not touching your face, staying home when you are sick, and working from home. Mayor Erickson spoke about "Local Authority," which means local governments have certain authority to enact certain powers during emergencies. She's only declared an emergency once since she's been Mayor.

Mayor Erickson asked for Council concurrence to buy a table for the "Time to Gather" Suquamish Tribal Foundation on March 28<sup>th</sup> at 4:00 pm at Kiana Lodge (the Council concurred). She is also putting together "welcoming signs" for the City of Poulsbo. She reminded everyone about the Cod Fish Dinner to support the Poulsbo Historical Society on March 21st.

## 5. **CONSENT AGENDA**

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

The items listed are:

- a. Payable Disbursements for December 2019
- b. Kitsap Regional Coordinating Council 2020 ILA Amendments
- c. November 20, 2019 Meeting Minutes Approval
- d. December 4, 2019 Meeting Minutes Approval
- e. December 11, 2019 Meeting Minutes Approval
- f. December 18, 2019 Meeting Minutes Approval
- g. Housing Assessment/Action Plan Consultant Services Contract

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

## 6. **BUSINESS AGENDA**

### a. **Housing, Health, and Human Services Committee Assignments**

Mayor Erickson presented the agenda summary, noting that on February 5, 2020, the Poulsbo City Council accepted the Affordable Housing Task Force's recommendations and agreed to form a new Council committee: Housing, Health, and Human Services (HHH) Committee. HHH Director Hendrickson emailed the Council, noting that Councilmembers Livdahl, Lord, and Musgrove expressed interest in serving on the committee, and asked if any other councilmembers were also interested. No other feedback was received, and the Mayor is seeking concurrence with the selection of Councilmembers Livdahl, Lord, and Musgrove to serve on the new committee.

An adopting ordinance will be brought forward to the March 11, 2020 City Council meeting for approval. The committee will meet on the first Wednesday of each month at 4:00 p.m. The first meeting will be April 1, 2020.

**Motion:** Move to select Councilmembers Livdahl, Lord, and Musgrove to serve on the Housing, Health, and Human Services Council Committee.

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

Motion carried.

**b. Resolution No. 2020-04, 2020 Revised Salaries and Wages**

Councilmember Stern gave a report from the Finance-Administration Committee regarding the position change for Kim Hendrickson. She will have a title change, become a Department Head, and be added to the salary scale. Her salary is currently paid and will continued be paid by grant funding. This increase is to recognize the increased work she has been doing.

Mayor Erickson stated that Ms. Hendrickson worked as a volunteer in her first year of the program. There is a second piece to the resolution is regarding the minimum wage for a Parks & Recreation employee.

**Motion:** Move to approve Resolution No. 2020-04, adopting the 2020 Revised Salaries and Wage schedules effective March 1, 2020.

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

Motion carried.

**c. Ordinance No. 2020-03, Cemetery Ordinance Update**

Public Works Superintendent Lund presented the agenda summary, noting the City's cemetery ordinance is found in Poulsbo Municipal Code (PMC) Chapter 2.76 and was last updated in 2006. The City Attorney reviewed changes to recognize the cemetery as a site of significant historical value, use of the covered area, and recommended the addition of cemetery lot ownership, future plantings, and care of plots 75 years following interment. This was reviewed by the Public Works Committee and sent to Council for approval.

PW Office Manager Wood highlighted some of the changes in the ordinance.

Councilmember Lord asked about the cross-reference for what people can do with their plots (decorations), and PW Office Manager Wood stated the cross-reference is listed on page six of the ordinance.

Councilmember Musgrove asked if the cemetery is going to be listed as a historical site and whether it will also be more of a walking/playing area for the families that visit (more of a working park). PW Office Manager Wood stated that they wanted to keep the cemetery as a historical site and used for respectful activities, which are listed in the ordinance. Public Works Superintendent Lund said some concerns would be people renting out the space for a birthday party, which would conflict with people coming to pay their respects to their loved ones.

**Motion:** Move to approve Ordinance No. 2020-03, an ordinance of the City of Poulsbo, Washington, relating to the Poulsbo cemetery; repealing and reenacting Chapter 2.76 of the Poulsbo Municipal Code; providing for severability; and establishing an effective date.

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

**d. Consultant Contract for the 2020 Pavement Preservation Project**

Public Works Superintendent Lund presented the agenda summary, seeking the approval of consultant contract with Soundwest Engineering Associates to assist City staff in selecting streets for the 2020 Pavement Preservation project. They will assist city staff in the preparation of bid documents, pre-bid activities, and on-site construction observation. The project completion is expected by October 1, 2020, and the total consultant budget is not to exceed \$40,890.

Councilmember Lord stated that Burns Alley was not originally on the list, but she supports it.

Councilmember Musgrove asked Public Works Superintendent Lund if he has seen results from the test seals done a few years ago. Public Works Superintendent Lund replied Soundwest will help them evaluate the best approach, both the doubles and solids seem to be holding up well. They will all get fog seal.

Councilmember Stern said he is concerned that the contract is close to 10% of the budget. He asked if the City has the resources to figure out which roads to repair

instead of spending the money for Soundwest. Mayor Erickson explained that the Engineering Department are busy due to the Noll Road project and do not have time to work on this project.

**Motion:** Move to approve the professional service contract not to exceed \$40,890 with Soundwest Engineering Associates for the 2020 Pavement Preservation Project.

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

Motion carried.

**e. Resolution No. 2020-05, Finn Hill Road Shared Use Path Project Bid Rejection**

Director of Engineering Kasiniak presented the agenda summary, noting on February 10, 2020, the City opened bids for construction of the Finn Hill Road Shared Use Path project CN2019-01, which will construct a 4,300-ft shared use path on NW Finn Hill Road from Olhava Way NW to Vinland Elementary School on Rhododendron Lane NW. The low bidder on the project was Marwood General Construction in the amount of \$1,792,013.14. Upon review of the bid proposal, WSDOT and the City determined the bid to be non-responsive. In order to move to the second lowest bidder on the project, the City needs to adopt a resolution to formally reject the bid by Marwood General Construction as non-responsive.

**Motion:** Move to adopt Resolution No. 2020-05, a resolution of the City of Poulsbo, Washington rejecting the bid proposal from Marwood General Construction as non-responsive.

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

Motion carried.

**f. Finn Hill Road Shared Use Path Project Budget Amendment and Construction Contract Award**

Director of Engineering Kasiniak presented the agenda summary, noting on February 10, 2020, the City opened bids for construction of the Finn Hill Road Shared Use Path Project CN2019-01, which will construct a 4,300-ft shared use path on NW Finn Hill Road from Olhava Way NW to Vinland Elementary School on Rhododendron Lane NW.

- The low bidder on the project was Marwood General Construction in the amount of \$1,792,013.14. The City has adopted a resolution to formally reject this bid as non-responsive.

- The second lowest bidder on the project is Strickland & Sons Excavation in the amount of \$1,911,639.00, and the Engineering Department is asking for Council approval to award the contract to Strickland & Sons Excavation.
- The Engineering Department is requesting a budget amendment in the \$300,000 in order to cover a budget shortfall and complete construction of the project. They proposed \$132,000 come from REET and \$168,000 from Street Reserves.

**Motion:** Move to approve a budget amendment in the amount of \$300,000 to increase the budget capacity of the project.

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

Motion carried.

**Motion:** Move to approve the Strickland & Sons Excavation contract in the amount of \$1,911,639.00 and move to approve authorizing the Mayor to sign change orders up to 10% of the contract value.

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

Motion carried.

#### **g. Liberty Bay Bioretention Project Construction Contract Update**

Director of Engineering Kasiniak gave an update on the Liberty Bay Bioretention Project construction project. Bids were opened on February 11, 2020. City Council granted the Mayor authorization to sign a construction contract of up to \$325,000 at the February 5, 2020, City Council meeting. The lowest responsive bidder for this project was Reed Trucking and Excavating for \$270,224.35, and the contract was executed. The project will start this week.

### **7. COUNCIL COMMITTEE REPORTS**

Finance-Administration Committee: Councilmember McGinty reported Councilmember Stern was elected chair. They reviewed the salary & wages resolution that was passed tonight. Councilmember Stern added they will begin discussions again about the City Administrator position.

Public Works Committee: Councilmember Lord reported on the Finn Hill Shared Use Path, Liberty Bay Bioretention project update, and a Telecommunication Master Permit for FatBeam and renewal for Astound (the committee recommended approval). They got an update on the chip seal projects, and they had a long discussion about potential Viking

Avenue speed limit changes. They were also given information on future alternate sewer treatment possibilities. There is an ongoing environmental study at the Public Works site, and there is no asbestos. Security cameras were installed at the Waterfront Park, and the next set will be installed at Nelson Park.

*Economic Development/Tourism Committee:* Councilmember Lord reported they got the 2020 Planning and Economic Development workplan, and there are a lot of long-range items, including critical area updates, projects that have to be completed by Planning by certain dates, and the Growth Management Primer was interesting and ongoing.

## **8. DEPARTMENT HEAD COMMENTS**

Public Works Superintendent Lund removed some trees at the corner of Fjord and Hostmark, which were blocking streetlamps.

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

Councilmember Stern is the representative for the Peninsula Regional Transportation Planning Organization (PRTPO) for the City.

Mayor Erickson is still the chair of Transportation Policy Board for PSRC, and they started their Vision 2050 Plan. She is also the chair of the Kitsap Department of Emergency Management, and she is now the chair of the Kitsap 911/Cencom Board.

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

Rick Eckert from the North Kitsap School District discussed growth, and how the school district is restricting in-district transfers between four of the six elementary schools and Poulsbo Middle School. The school board is actively discussing construction bonds. He thanked the Council for being receptive of to the school board's suggestions.

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

Councilmember Lord thanked Public Works Superintendent Lund for an insightful and kind email he sent to the Historic Downtown Poulsbo Association regarding who is responsible for cleaning up sidewalks.

Councilmember Stern would like a report from the Western Washington University's Small Business Development Center per their contract.

## **12. ADJOURNMENT**

**Motion:** Move to adjourn at 9:03 p.m.,

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

Motion carried unanimously.

---

Rebecca Erickson, Mayor

ATTEST:

---

Rhiannon Fernandez, CMC, City Clerk