

POULSBO CITY COUNCIL MEETING OF JUNE 17, 2020

MINUTES

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

Staff: Finance Director Booher, City Clerk Fernandez, Planning Director Boughton, Public Works Superintendent Lund, Human Resources Manager Kingery, IT Manager Stenstrom, Engineer 1 Roberts, Civil Engineer Ranes

MAJOR BUSINESS ITEMS

- * * * Liberty Bay Bioretention Project Public Outreach and Change Order
- * * * Ordinance No. 2020-08, North Viking Avenue Speed Limit Revision
- * * * Mechanic Assistant Position
- * * * Resolution No. 2020-13, 2020 Revised Salaries and Wages
- * * * Business Recovery Grant Policies and Summer Fair

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Erickson called the meeting to order 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** McGinty, **Seconded by** Musgrove.
Motion carried.

3. COMMENTS FROM CITIZENS

City Clerk Fernandez read the following emailed citizen comments into the record, which are summarized below:

Daniel Sluys, Sluys Bakery, expressed his frustration regarding interactions with the Mayor during the business Zoom meetings. He does not support closing King Herald Ve. He thanked Councilmembers Livdahl and Musgrove for considering providing seating in the Waterfront Park.

LeAnne Musgrove, Hot Shots Java, said she did not support closing King Herald Ve.

4. MAYOR'S REPORT AND COUNCIL COMMENTS

Councilmember Livdahl said she appreciated the comments from Dan Sluys and LeAnne Musgrove, and she has heard that merchants do not want King Harold Vei closed. She was driving through town while a truck was unloading on Front Street. The street was open, so she thinks trucks unloading on Front Street is another, additional issue.

Councilmember Lord received lots of comments from citizens, and she appreciates everyone's concerns. A couple of the letters she got were saying they should abandon their police department and shift the money to something else that this person considered to be worthwhile. Councilmember Lord wanted to go on the record saying that defunding and dismantling the police department is not an option because they need to enforce their laws and protect their citizens; however, while she has great support for the Poulsbo Police Department, there's always room for improvement.

Councilmember McVey said he has been getting emails from Poulsbo residents and others outside of Poulsbo, many regarding the shooting of Mr. Chiefstick and asking for Officer Keller to be fired, and for an independent investigation. The City of Poulsbo has followed state law in terms of the investigation of this incident. The prosecutor found the shooting to be justified, and he has no reason to disagree with that. The City is still conducting an internal investigation within the Police Department. If citizens are not happy with the results of that investigation, they should take it up with the state attorney general's office or Governor Inslee and ask for an independent investigation.

Councilmember Musgrove shared it was neat to see parents in caravans driving by a homes for graduates of all grades, including a first grader. The graduates certainly deserve the recognition. The City is, in theory, close to Phase 3 of opening, which could be here next week. He knows some of the guidelines may be frustrating, but that is what they must work with, and he asks that people not jump ahead of the recommended guidelines. The last thing they want is too many new cases, which could prevent them from going to the next phase.

Councilmember Phillips showed off his "Poulsbo Strong" shirt from Skyhawk Press which can be purchased at poulsbostrong.com. For every piece of apparel you buy, you get to pick who you give your \$10 to – small businesses, Fishline, charities, etc. Support your local businesses.

Councilmember Stern appreciated this afternoon's difficult but thorough conversation in Public Safety Legal Committee. He is struck that on June 2 it was a "tale of two cities." There was one protest regarding the first amendment and free speech and another regarding the second amendment, the right to bear arms. The one downtown, however, left a lot of the citizens confused. He is in favor of protecting private property, but he is

concerned when those carrying out their second amendment rights confusing our citizens in the appearance of quasi-law enforcement.

Mayor Erickson stated that this time each year we get our population estimation from the Office of Financial Management. Poulsbo's new population estimate is 11,550, which is a 3.3% growth in one year. Poulsbo grew twice as fast as any other jurisdiction in the county last year. She expects it to slow next year due to the pandemic and several other things, but the following year she expects at least a 4% growth rate. They must plan and get infrastructure in place at appropriate times. The Noll Road/Johnson Parkway roundabout is a huge project that was really needed as the city continues to grow. She would like to start a Bond Road (Hwy 307) corridor group in the next six months, which will be facing similar challenges. We also must take care of our water and sewer infrastructure.

Mayor Erickson stated she is reviewing a draft of the City's Phase 3 reopening plan. Kitsap Public Health District board will meet on Friday morning to apply to move to Phase 3. After approval, it goes straight to the Board of County Commissioners for their approval, then they send the application to the state. Last time we applied it took less than 24 hours for the state to approve the application. Due to this application, it may take a little time. She expects they will be in Phase 3 by the beginning of next week.

She concluded the City is facing rightful protests in the streets, budget shortfalls, a pandemic, and continued accelerating growth. The staff is doing the best they can in these very challenging situations.

a. Department Head Reports

Engineer 1 Roberts reported that the contractor for the Finn Hill project is working again, and they will be working between College Marketplace and Vinland Elementary for most of the summer. There will be some slowdowns on Finn Hill.

Housing, Health, and Human Services Director Hendrickson has been paying attention to the protests, and there is a growing interest in the country for partnering police with mental health professionals. Many of the things we ask Police to do - can and should be handled by non-police personnel. She has been approached by many local officers within the past couple days to express pride for the police navigator program. Council has been instrumental in starting and supporting the program. Many of the officers and residents appreciate the program.

Public Works Superintendent Lund reported Kitsap County will striping next week in Poulsbo, weather permitting. They are going to do yellow lines and fog lines, so there may be some traffic delays.

5. CONSENT AGENDA

None.

6. BUSINESS AGENDA

a. Liberty Bay Bioretention Project Public Outreach and Change Order

Engineer 1 Roberts presented the agenda summary, updating the Council on the completion of the Liberty Bay Bioretention Project, including information and outreach to the public. This project has \$300,000 of Ecology funding, and one component of that is demonstrating importance of water quality to the public.

In addition, as part of this project, quantities were overrun, and the combination of approved change orders and the quantity overruns exceeded the Mayor's signing authority to changes up to 10% of the contract value. The final change order accounts for quantity adjustments to the project totaling \$30,503.37, including sales tax. Prior to awarding the contract, the City had authorized a construction contract up to \$325,000, and this final change will adjust the contract amount to \$324,172.20, which is within the budget for the overall project. Public Works Committee reviewed and recommended approval at the June 10, 2020 meeting.

Councilmember Stern noticed that some of the bioswales or bioretention areas seem overgrown in a year a two. He was curious about their maintenance.

Mayor Erickson stated that the new guidelines are not to clean them. Alder trees, for instance, suck up a lot of water, and those areas provide habitat for wildlife, which is supposed to recreate a wetland. Storm ponds provide better filtration with vegetation. Rain gardens, on the other hand, need to be retained.

Engineer 1 Roberts noted that at the middle school vault, they will replace some mulch and some of the media each year. At the Fjord site, they chose slow growing, native plants, along with thick mulch to provide weed protection.

Councilmember Musgrove asked about the Liberty Bay Bioretention project, which included multiple projects at different sites, and the cost overruns involve all of the multiple pieces, not just one, and asked if that was correct.

Engineer 1 Roberts confirmed that it was two project sites, and when they receive a grant, they must name the overall project.

Councilmember Musgrove asked if we expect measurable improvements in water quality, and if so, what improvements can we expect. Engineer 1 Roberts answered that it improves water quality, they are treating three acres to the enhanced standard. He does not have good metrics of how much pollutants are being removed. On Fjord Drive it is treating 1/3 of a mile of roadway and some of the Lion's Park area, and up at the Middle School campus, it treats flows of .046 cubic feet per second. It will treat the first 15 minutes of rainfall, which carries the most pollutants with it.

Motion: Move to approve the Liberty Bay Bioretention Change Order #8 to the Reed Trucking construction contract in the amount of \$30,403.37, including tax, and authorize the Mayor to sign on behalf of the City.

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

b. Ordinance No. 2020-08, North Viking Avenue Speed Limit Revision

Engineer 1 Roberts presented the agenda summary, noting the speed limit on Viking Avenue north of SR305 is currently 35 mph. Due to the dead-end nature of the road, the neighborhoods, as well as the location of the Kitsap Transit center, the City desires to change the speed limit of this section of roadway to 25 mph. This speed limit was a holdover from when this area was annexed into the City from the County.

RCW 46.61.400 sets City road speed limits at 25 mph unless otherwise specified within the local municipal code. To modify the speed limit, an amendment to Section 10.08.010 is required via ordinance. A draft ordinance has been prepared by City Attorney James Haney.

The Public Works Committee (PWC) reviewed this proposed amendment and recommended approval at the May 13, 2020, meeting. In addition, the intent is to look at City-wide speed limits and policy. PWC understands the staff time required for such a study is substantial and concurred with moving North Viking Avenue forward separately.

Councilmember Lord said Public Works Committee had multiple discussions on this and recommended approval of this change. They also want to look at city-wide speed limits in the future. Councilmember Musgrove highlighted the reasons for changing this section of the road: development at the north end will increase pedestrian and bicycle traffic up there, the road dead-ends (it is not a thoroughfare), and it is two lanes, where the rest of Viking Avenue is four lanes.

Motion: Move to approve Ordinance No. 2020-08, an ordinance of the City of Poulsbo, Washington, amending section 10.08.010 of the Poulsbo Municipal Code in

order to set the speed limit of Viking Avenue NW to 25 MPH north of SR305; providing for severability; and establishing an effective date.

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

Motion carried.

c. Mechanic Assistant Position

Public Works Superintendent Lund presented the agenda summary, noting Public Works is in drastic need of a Mechanic Assistant position. For workload and safety reasons this is an essential position. Having only one mechanic is a single point of failure in the Public Works operation. The position will be funded through the Enterprise Funds and will not be an impact to the General Fund. This position was recommended by Public Works Committee on June 10, 2020.

Mayor Erickson shared Mechanic Josh Howerton's dedication to his job during the snowstorms.

Councilmember Livdahl agreed with Mayor Erickson's and Public Works Superintendent Lund's comments.

Councilmember Lord said employees like Josh are worth their weight in gold. She is happy to get him permanent back up. Redundancy is very important, and this is long overdue. She is pleased the enterprise funds can fund this position.

Councilmember Musgrove said this is a good time to get a backup for this position, especially with budget shortfalls happening with COVID and needing to run vehicles longer.

Councilmember Stern asked why the City waited so long. Public Works Superintendent Lund said the hang up over all the years was the general fund portion of funding the position. Mayor Erickson said we are getting more homes and more emphasis on solid waste. Now that we have decided to keep our garbage and added new neighborhoods, we need the position.

Councilmember Stern encouraged Public Works Superintendent Lund to continue to bring forward worthy and cost-effective programs to Public Works Committee and not worry about the general fund.

Motion: Move to approve the new Mechanic Assistant position for the Public Works Department as recommended by the Public Works Committee.

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

Motion carried.

d. Resolution No. 2020-13, 2020 Revised Salaries and Wages

Human Resources Director Kingery presented the agenda summary, noting the 2020 salary schedules include the following changes:

Teamsters Local 589 Salary Schedule: 1) the new Mechanic Assistant position is placed on Range 26, and 2) the Public Records/Evidence Manager position is eliminated and removed from Range 31.

Human Resources Director acknowledged Mary Carol Howerton, who is retiring after 42 years with the City. They will be backfilling the position, but they will be backfilling the position at a Police Clerk level, so there will be some savings in that.

Motion: Move to approve Resolution No. 2020-13, adopting the 2020 Revised Salaries and Wage schedules effective July 1, 2020.

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

Motion carried.

e. Business Recovery Grant Policies and Summer Fair

Mayor Erickson provided an update on the Business Recovery Grant Program and Summer Fair application proposal/specific rules. She shared the responses she is getting from the public about the summer fair proposal.

Mayor Erickson shared the summer fair draft rules and application process and asked for Council feedback. It will allow businesses to spill out into private and public spaces. The application allows control that the activity is done in a professional and safe way.

Councilmember Lord asked if they could waive the ADA requirements during the summer fair? Mayor Erickson answered that they could not. She gave an example of Paella Bar/Burrata Bistro. They have a narrow sidewalk, so they would not be able to place chairs there, but they could take a couple parallel parking spaces in front of them and put tables and barriers there.

Councilmember Lord asked if the application process would be like the new special events application process, and Mayor Erickson confirmed that it would be. The application will be approved administratively, and committees will see the application that was approved or denied.

Councilmember McVey is supportive of the concept, but he is concerned about closing King Harold Vei. He thinks there are lot of potential summer fair spaces downtown in waterfront park for people to spread out. He is also concerned about setting up in a parking space on Front Street (the Burrata Bistro idea). He thinks it may be a public safety issue. He feels the sidewalks are safer.

Mayor Erickson responded that if businesses used parking spaces, they would need to put barriers and signs up, notifying vehicles to slow down.

Councilmember Stern hopes that when they eventually address the water infrastructure repair project, they will consider raised crosswalks. Regarding Councilmember McVey's concern, could they invest in some temporary, raised rubber speedbumps.

Mayor Erickson answered they could look into them at the beginning and end of Front Street if the parking on Front Street is used. She noted that there are only 17 parking spots on Front Street. There are 220 spaces in Anderson Parkway, and another 105 spaces in King Olaf.

Mayor Erickson does not see anyone asking for King Harold Vei, but on the other hand, she's only heard two voices. Deliveries and pickups on Front Street have been going on for a long time. She repeated that this program is voluntary.

Councilmember Livdahl said she respects the downtown business owners but feels like there is a disparity between what the business owners are saying and what the citizens are saying. The average citizen really seems to like the idea. She can see both sides.

Councilmember Musgrove is interested in ideas for the downtown. During the centennial celebration, they closed the street, and they have done sidewalk stuff, so they have experience. What is popular does not always work out, though. He understands all the concerns and wants to make things work out, but there are a lot of challenges to using the parking spaces.

Councilmember Lord observed that the Mayor's Facebook post pictures showed the streets completely closed off, so it is a little misleading. Mayor Erickson noted that former Councilmember Thomas posted something that had a better picture. She is not trying to be deceptive.

Councilmember McVey supports the addition of tables and chairs in Waterfront Park. He inquired who would be responsible for cleaning them. Mayor Erickson answered that someone would probably have to be hired to do that, preferably by the Historic Downtown Poulsbo Association, which the City could give a grant for, or they might be able to get some volunteers that might be willing to do it.

Mayor Erickson will bring this back to the Council once more on July 1. She asked that they please send her concerns and comments by June 26.

Mayor Erickson shared the small business grant proposal and draft rules. She asked for Council feedback.

Councilmember McVey thinks the Mayor has a good start. He suggested adding a bullet point in the qualifications section: that in order to qualify for a grant the business needs to be public-facing; that is, not a home-based business that doesn't deal with the public on a regular basis.

Councilmember Musgrove wondered how they will allocate the grant money and how much is available. He agreed with Councilmember McVey that businesses must be public-facing or were forced to close during COVID-19 to qualify for a grant.

Councilmember Musgrove expressed concerns that they have not decided how to allocate the CARES Act funds, but are sub-allocating and dedicating funds without a budget assigned to it. Mayor Erickson said the guidance on what they can do with the money keeps changing. It has been difficult for her and staff to understand what can be reimbursed. The guidance is unclear. There is an expectation for the City to use these funds, but not sure if certain activities are allowable.

Councilmember Lord would like the grant money divvied up equally. She also liked what Councilmember McVey added to the business requirements.

Finance Director Booher reiterated that the CARES funding can be used for economic development and there are five major criteria for using the money, but there is some gray area which she forwarded some questions to MRSC. She expressed confusion though, because the spreadsheet was presented last week at Council (with funding for the grant program and the Summer Fair program) on how the funds would be allocated and thought there was consensus that they were moving forward with the ideas presented last week. It was also reviewed again at Finance Committee. She thought they were moving forward with these proposed programs. If there is a different thought process, she would like to hear it before they get too far with allocating the dollars.

Councilmember Lord asked for the spreadsheet to be sent to the Council on the allocations. Mayor Erickson asked the Council to bring forward any questions or concerns. She will bring this all forward for a formal motion on July 1. We either spend the money or give it back to the state. She hopes it is spent locally.

Councilmember McVey said the Finance Committee has seen the breakdown of allocations now, and he is supportive of the direction the Mayor is headed. He did not hear any major concerns about the categories outlined at last week's Council meeting. Councilmember Phillips agreed.

Councilmember McGinty asked Mayor Erickson about subsidized utilities and a possible donation to the foodbank. Finance Director Booher said the funds can be used for utility and rent payments. What she heard at last week's meeting was bumping up this budget line from \$5,000 to \$7,000.

Councilmember Musgrove said he has been waiting for a comprehensive strategic economic development plan. If there is going to be a budget shortfall, we need to be addressing that as part of a strategic plan of how we are going to recover out of this. The CARES money would be a portion of the bigger plan. He believes all the CARES money should go directly towards the recovery of Poulsbo's economy, the support of its workers and employees, and general health of the City. They should be dedicated specifically helping people get through this and recover afterwards.

Mayor Erickson said she wished she could create a strategic financial plan that answers everyone's questions. She has written two plans now, and the road map keeps changing. She is trying the best she can.

She will bring all the proposals to the Council at the July 1 meeting for approval.

7. COUNCIL COMMITTEE REPORTS

Housing, Health, and Human Services Committee: Councilmember Musgrove reported they reviewed affordable housing updates (Hostmark Apartments renovation project and the sale of Winton Woods, which will remain low-income housing until 2031). The agreement with Kitsap Homes of Compassion is on hold. Regarding Fishlines's request for CARES money for emergency food, the federal government and Kitsap County came through, and they have sufficient food supplies and are trying to find more storage and refrigeration. They discussed "Safe Stations" with Poulsbo Fire Department, which would provide more navigation and medical services through the fire department (mobile units responding to calls).

Public Safety/Legal Committee: Councilmember Phillips reported they discussed the June 2 protests. The SR-305 protest was well attended. There was one issue raised by citizens and committee members: the presence of citizens exercising their second amendment rights. After discussion with other law enforcement agencies, the city prosecutor and city attorney, there were no grounds for their removal or restriction. No criminal statutes were violated. Chief Schoonmaker thanked Kitsap ERACE and the chiefs of police throughout Kitsap County for having open lines of communication. There were also no issues reported by the fire department. They gave kudos to Sluy's Bakery for handing out doughnuts at the second protest.

Judge Tolman said virtual hearings are going well, and Prosecutor Foster agreed. Judge Tolman also discussed court security options moving forward.

The Police gave a records update. An RFP was issued in September, and after a unanimous decision, they will bring it to Council soon. The system will cost \$27,000 less than originally thought.

For Risk Management, Risk Manager/Prosecuting Attorney Foster is making sure the City opens within state guidance. They have five active lawsuits.

The Fire Department reported they normally have nine fire fighters on a shift, but they will increase that during the 4th of July; they do not expect a red flag warning because there's rain coming.

Finance-Administration Committee: Councilmember Stern reported they discussed CARES dollars. They also had a lengthy budget discussion. They started the year great, then it seemed to be crashing, but now they are not sure where they stand due to the population increase. The home market remains strong with four active subdivisions. Sales tax revenue was down by 15% through March. For the budget, it is not certain how far

they will have to go, but they will have a measured approach to the preliminary biennial budget. There will be some downturns, but the City is well positioned for it at the moment.

8. BOARD/COMMISSION REPORTS

Councilmember Phillips stated that the school district is continuing their "Grab and Go" lunch program throughout the summer. The program runs 11:30 a.m. to 12:30 p.m. Monday through Friday at Kingston Middle School and Poulsbo Middle School. Parents of kids who get free or reduced lunch can apply for a "PBET" card, which is worth up to \$399 per month. The school district has a survey going through Friday about implementing school next year.

Mayor Erickson noted that KRCC met for the PlanPol for centers and county-wide planning to meet deadlines for the comprehensive plan. The Health District Board meets on Friday and will vote on moving to Phase 3.

9. CONTINUED COMMENTS FROM CITIZENS

Rick Eckert said when the School District knows what they are going to do, they will let the City know. The survey will help them determine what they will do. The Superintendent is working on a plan on how to re-open.

10. MAYOR & COUNCILMEMBER COMMENTS

Councilmember Livdahl stated that prior to COVID-19, they had a workshop scheduled for the Mayor and Council with a consultant who works in race, equity, and justice. They were looking forward to the workshop, then the state shut down and they were unable to proceed. She is a little grateful because things are different. They are getting it put back on the calendar. They will build on that for their diversity, equity, and inclusion projects.

Councilmember Lord is looking forward to the workshop. She thought they had healthy discussions tonight, and she reminded everyone of the Vanaheimr appeal next week.

Councilmember McVey congratulated all the 2020 graduates.

Councilmember Musgrove asked if they move to Phase 3 if they will have in-person meetings again. Mayor Erickson thought council meetings may come back to the council chambers, but the Governor extended the OPMA/meetings exemption to July 1. She thinks they might meet in person after July 1.

Councilmember Musgrove noted that they are only a couple weeks away from the Independence Day holiday. He encouraged everyone to be careful, be aware, and be respectful of their neighbors. Lastly, he pointed out that the Poulsbo Historical Society is hosting an online auction June 20-27.

Councilmember Phillips thanked Councilmember Livdahl and Housing, Health, and Human Services Director Hendrickson for all their hard work.

Councilmember Stern said this year they can be in two places for the AWC conference and still attend the special Council meeting in the evening.

11. ADJOURNMENT

Motion: Move to adjourn at 9:27 p.m.,

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

Motion carried unanimously.

Rebecca Erickson, Mayor

ATTEST:

Rhiannon Fernandez, CMC, City Clerk