



REGULAR CITY COUNCIL BUSINESS MEETING TUESDAY, JANUARY 9, 2018

MEETING MINUTES

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

Mayor Medina called the meeting to order at 7:03 p.m. in Council Chambers.

Mayor Medina, Deputy Mayor Blossom, and Councilmembers Deets, Nassar, Peltier, Scott, and Tirman were present.

2. AGENDA APPROVAL OR MODIFICATION/CONFLICT OF INTEREST DISCLOSURE

Mayor Medina asked to remove item 6(A) from the agenda. Councilmember Blossom asked to add a motion to reconsider last week's action on the State Route 305 Bridge. Councilmember Peltier asked to add Ordinance No. 2018-02 under New Business. Councilmember Peltier moved and Deputy Mayor Blossom seconded to approve the agenda, as amended. The motion carried unanimously, 7-0. Deputy Mayor Blossom recused herself from the discussion of Ordinance No. 2018-02.

3. PUBLIC COMMENT - 7:06

Patti Dusbabek spoke about her concerns with the budget.

Dick Haugan spoke in favor of fiscal responsibility.

4. CITY MANAGER'S REPORT – 7:09 PM

City Manager Schulze provided an update on staff resignations and the distribution of a monthly financial report and Police Department activity report for November 2017.

5. PRESENTATION(S)

A. Climate Change Advisory Committee 2017 Annual Report, 2018 Work Plan, and Greenhouse Gas (GHG) Recommendations, AB 18-005 7:12 PM

Committee Member Derik Broekhoff provided a presentation on the committee's 2017 Annual Report, 2018 Work Plan and their Greenhouse Gas Inventory Recommendations.

Public Comment

Brandon Fouts spoke in favor of other measures.

Erika Shriner spoke in favor of the recommendations.

Doug Rauh asked Council to look at emissions from the Washington State Ferries.

Fran Korten encouraged Council to accept the recommendations.

Jason Wilkinson spoke in favor of the recommendations and other measures.

MOTION: I move to forward to the January 23, 2018 Consent Agenda acceptance of the Climate Change Advisory Committee 2017 Annual Report, 2018 Work Plan, and GHG Recommendations as proposed.

Scott/Peltier: The motion carried unanimously, 7-0.

6. CLOSED RECORD PROCEEDING**A. Resolution No. 2018-02 Approving the Rolling Sunrise Plat (PLN18840 FSUB), AB 18-007 – Planning**

This item was removed from the agenda.

7. PUBLIC HEARING**A. Public Hearing and Possible Action: Ordinance No. 2018-01 (Formerly Ordinance No. 2017-17) Relating to Critical Areas, Repealing Chapter 16.20 and Adopting a New Chapter 16.20 of the Bainbridge Island Municipal Code, AB 17-135 – Planning 7:36 PM**

Senior Planner Carr highlighted the recent changes to the ordinance.

Mayor Medina opened the public hearing at 7:50 p.m.

Public Comment

Robert Fraik spoke against the ordinance.

Bonnie Albin-Fraik spoke against the ordinance.

Randall Olsen spoke on behalf of De Nova Northwest and asked how the ordinance applies to vested subdivision applications.

Hank Teran, Bainbridge Island Fire Department Chief, spoke about the Bainbridge Island Fire District's concerns with the ordinance.

Jay Kinney, Bainbridge Island Metropolitan Park & Recreation District Board Chair, spoke about the Park District's concerns.

Charles Schmid, Association of Bainbridge Communities, spoke in favor of increasing tree protections.

Paula Chuka spoke about her concerns with the ordinance.

Peter Brachvogel echoed Bob Fraik's comments.

Wendy Von Feldt spoke about her concerns with wildfire risk.

Ed Moydell, Executive Director of Bloedel Reserve, spoke about his concerns with the ordinance.

Barbara Trafton spoke about her concerns with the ordinance.

Mike Juneau commented on the ordinance and requested public outreach.

Terry McGuire spoke against the ordinance.

Betsy Wittick spoke against the ordinance.

Kristin Snapp spoke against the ordinance.

Howie Pain spoke against the ordinance.

Dave Shorett spoke about his concerns regarding the effect of the ordinance on trails.

Lisa Macchio spoke in favor of the ordinance.

Frank Stowell spoke about his concerns regarding the effect of the ordinance on trails.

Marshall Tappen spoke in favor of the ordinance.

Richard Lagerloef asked Council to consider individual homeowners and view maintenance.

Holly White asked how the ordinance works with existing shoreline regulations.

Wayne Daley spoke in favor of the ordinance.

Corey Christopherson expressed concerns on the effect of the ordinance on affordable housing.

Mayor Medina closed the public hearing at 8:46 p.m.

Special Planner Carr addressed Council's questions.

MOTION: I move that we task the Ad Hoc Tree & Low Impact Development Committee with reviewing comments and questions regarding the draft Critical Areas Ordinance and to make recommendations to the City Council regarding possible revisions. 9:25 p.m.

Peltier/Nassar: The motion failed 2-5 with Councilmembers Peltier and Nassar voting in favor.

MOTION: I move to forward Ordinance No. 2018-01 to a special meeting workshop of the City Council. 9:38 p.m.

Tirman/Deets: The motion carried unanimously, 7-0.

Mayor Medina adjourned the meeting for a break at 9:40 p.m. Mayor Medina re-convened the meeting at 9:49 p.m.

8. NEW BUSINESS

A. Resolution No. 2018-01 Adopting the 2018 Fee Schedule, AB 18-006 – Finance 9:50 PM

Finance Director Schroer introduced the resolution.

MOTION: I move to forward to the January 23, 2018, Consent Agenda for approval Resolution No. 2018-01, adopting the 2018 fee schedule.

Peltier/Blossom: The motion carried unanimously, 7-0.

B. Ordinance No. 2018-02 Imposing a Temporary Six-Month Moratorium on the Acceptance of Certain Development [Added]. 9:56 PM

Deputy Mayor Blossom left Council Chambers. Mayor Medina introduced the ordinance. Council discussed the ordinance and suggested revisions by motion.

MOTION: My first proposal would be to add a new “whereas” clause at the end of the list: WHEREAS, the City’s Comprehensive Plan states as a Guiding Principle No. 2 “Manage the water resources of the Island to protect, restore, and maintain their ecological and hydrological functions and to ensure clean and sufficient groundwater for future generations,” and consistent with that Guiding Principle, Guiding Policy 2.6 states “recognize the importance of our water resources to present and future generations of Bainbridge Islanders and apply the precautionary principle;” and

Scott/Peltier: The motion carried unanimously, 6-0.

MOTION: On page 1 in the “whereas” clauses, I propose that we insert the word “Threatened” in front of “Harm” in the first numbered paragraph.

Scott/Peltier: The motion carried unanimously, 6-0.

MOTION: In paragraph 3 remove “the City’s” after “Compliance with” in the first line.

Peltier/Tirman: The motion carried unanimously, 6-0.

Councilmember Scott clarified that the new “whereas” clause should be inserted above the “whereas” clause that precedes the numbered paragraphs on the first page. Council concurred with the placement.

MOTION: In paragraph 1 in Section 4, strike “on City-owned property”.

Tirman/Scott: The motion carried unanimously, 6-0.

MOTION: Add “an approved” to paragraph P in Section 4 before “subdivision”

Peltier/Scott: The motion carried unanimously, 6-0.

MOTION: Add the words “Building permit applications for” prior to “complete site plan applications” in paragraph Q in Section 4.

Scott/Tirman: The motion carried unanimously, 6-0.

Mayor Medina noted a minor correction is needed in Section Q to add the word “had.”

MOTION: I propose that we delete paragraph R and rely instead on the exemptions stated in paragraph P.

Scott: The motion failed for lack of a second.

Public Comment

Peter Brachvogel spoke against the moratorium.

Randall Olsen inquired about applications that have been submitted.

Marshall Tappen spoke about code provisions on affordable housing.

Corey Christopherson spoke about concerns with the moratorium.

Terry McGuire asked about application to the business/industrial area and spoke against the ordinance.

Harley Christenson asked for additional discussion.

Anna Richards spoke against the moratorium.

Mayor Medina noted that the ordinance will require 5 votes to pass.

MOTION: I move that we approve Ordinance No. 2018-02, as amended.

Peltier/Tirman: The motion failed 4-2 with Councilmembers Scotts and Deets voting against. 10:50 PM

AMENDMENT TO MOTION: I would like to propose an amendment to the motion to amend paragraph O to allow building permit applications for single family residences in the R-0.4, R-1, R-2 zones and strike the existing language and insert “for single family residences that are not part of a subdivision.”

Scott/Deets: The amendment failed 2-4 with Councilmembers Scott and Deets voting in favor.

Councilmember Scott, with suggestions from Council and the City Attorney, discussed revising paragraph O in Section 4 to read:

Building permit applications for single family residences in the R-0.4, R-1, and R-2 zones for single family residences that are not part of an approved subdivision, provided that the applicant owned the property as of the effective date of this ordinance, and further provided that a person or entity may only use this exclusion once.

MOTION: I move that we amend the proposed ordinance as stated.

Scott/Deets: The motion carried unanimously, 6-0.

MOTION: I move that we approve Ordinance No. 2018-02, as amended.

Peltier/Deets: The motion carried unanimously, 6-0.

Deputy Mayor Blossom returned to the Council Chambers.

C. STO Phase III Bridge Project [Added] 11:03 PM

Deputy Mayor Blossom introduced her motion to reconsider the decision made last week to cancel the STO Bridge Project. Council discussed the topic.

MOTION: I move to reconsider the motion.

Blossom/Deets: The motion carried 4-3 with Councilmembers Tirman, Nassar, and Peltier voting against.

Public Comment

Demi Allen commented on the cost of the project and future possibilities.

Leif Horowitz thanked Council for re-considering.

Marcia Cutting thanked Council for re-considering.

Don Willott said that pedestrians will be the primary users of the bridge.

Charles Schmid asked Council to postpone a decision.

Erika Shriner asked Council to consider public comment.

RECONSIDERED MOTION: I move that we cancel the STO Phase 3 bridge project.

The motion failed 4-3 with Councilmembers Peltier, Tirman, and Nassar voting in favor.

MOTION: I move that our Mayor and Deputy Mayor schedule an appropriate time to discuss next steps on the bridge project at a meeting that makes sense in terms of the line-up of issues. 11:32 pm

Scott/Blossom: The motion carried 5-0 with Councilmembers Peltier and Tirman abstaining from the vote.

9. CONSENT AGENDA - 11:34 PM

A. Agenda Bill for Consent Agenda, AB 18-008

B. Accounts Payable and Payroll

Payroll 12-20-2017: normal direct deposit check sequence 040442 – 040567 for \$293,377.49; normal check run sequence 108363 – 108365 for \$4,511.66; vendor run check sequence 108366 – 108377; Federal Tax Electronic Transfer for \$118,440.64. Total disbursement \$529,417.64.

Accounts Payable 12-11-2017: check number 346206 for \$275.50; manual check run check sequence 346207 – 346219 for \$142,848.56 ; 346342 – 346343 for \$51,998.23; regular check run sequence 346220 – 346341 for \$342,954.62. Total disbursement \$490,573.68.

Payroll 1-5-2018: normal direct deposit check sequence 040568 – 040693 for \$268,327.08; regular check run sequence 108378 – 108381 for \$7,290.51; vendor run check sequence 108382 – 108396 for \$304,478.19; miscellaneous check number 108397 for \$301.71; Federal Tax Electronic Transfer for \$116,909.88. Total disbursement \$697,307.37.

Accounts Payable 1-8-2018: check number 346343 from last run for \$4,770.50; ACH sequence 280 – 281 for \$18,035.96; Electronic Federal Transfer 282 for \$12,562.14; manual check run sequence 346344 –

346347 for \$594.81; check number 346412 for \$265.00; regular check run sequence 346348 – 346413 for \$309,873.71. Total disbursement \$341,331.62. Retainage release number 162 for \$6,476.62.

- C. Special City Council Meeting Minutes, December 5, 2017**
- D. City Council Study Session Minutes, December 5, 2017**
- E. Regular City Council Business Meeting Minutes, December 12, 2017**
- F. Special City Council Meeting Minutes, December 20, 2017**
- G. 2018 Agreement for Juvenile Detention Facilities with Kitsap County, AB 18-003 – Police**

MOTION: I move that we approve the Consent Agenda as presented.

Scott/Blossom: The motion carried unanimously, 7-0.

10. COMMITTEE REPORTS – 11:34 PM

- A. Marine Access Committee Regular Meeting Minutes, November 13, 2017**
- B. Hwy 305 Working Group Meeting Notes, December 8, 2017 – Councilmember Peltier**
- C. Tree & Low Impact Development Ad Hoc Committee Meeting Notes, November 15, 2017**

11. REVIEW UPCOMING AGENDAS – 11:35 PM

A. Council Calendar

City Manager Schulze noted agenda items for further discussion. Councilmember Peltier requested the addition of a discussion regarding the next Intergovernmental Working Group agenda to the January 16, 2018 agenda.

12. FOR THE GOOD OF THE ORDER - 11:36 PM

Councilmember Scott mentioned that he is working on an ordinance relating to an update on the disposable food service item ordinance which includes a provision regarding plastic straws. Councilmembers Deets, Nassar, and Scott will work with the students who proposed a ban on plastic straws.

Mayor Medina asked Council to forward proposed revisions to the Governance Manual to him or the City Clerk by noon on Thursday, January 11, 2018.

Mayor Medina noted that Councilmember Scott has been a liaison to Kitsap Economic Development Alliance board. There was consensus for him to remain as a liaison.

13. ADJOURNMENT

Mayor Medina adjourned the meeting at 11:42 p.m.

Kol Medina, Mayor

Christine Brown, City Clerk