REGULAR CITY COUNCIL BUSINESS MEETING
APRIL 24, 2013

ITEMS DISCUSSED

1. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE
2. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE
3. PRESENTATIONS
   A. NATIONAL POETRY MONTH, BAINBRIDGE ISLAND ARTS AND HUMANITIES COUNCIL POETRY READING, JOHN NEWLAND-THOMPSON, POET
   B. POTENTIAL REFUNDING OF VOTER-APPROVED BONDS, DAVE TRAGESER, FINANCIAL ADVISOR, D.A. DAVIDSON & CO.
4. PUBLIC COMMENT
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   C. NOMINATION OF MAYOR PRO TEM FOR MAY THROUGH AUGUST, 2013
   D. WING POINT WAY NON-MOTORIZED STP GRANT APPLICATION AND BUDGET AMENDMENT REQUEST, AB 13-056 – PUBLIC WORKS [ADDED]
7. UNFINISHED BUSINESS: MADISON AVENUE WATER MAIN CONSTRUCTION AWARD, LIDEN LAND DEVELOPMENT AND EXCAVATION, AB 13-045 – PUBLIC WORKS
8. CONSENT AGENDA
   A. ACCOUNTS PAYABLE VOUCHER AND PAYROLL APPROVAL
   B. REGULAR BUSINESS MEETING MINUTES, MARCH 27, 2013
   C. SPECIAL/REGULAR BUSINESS STUDY SESSION MEETING, APRIL 3, 2013
   D. LICENSE AGREEMENT WITH KITSAP PUBLIC UTILITY DISTRICT, MEIGS FARM WELL WATER MONITORING, AB 13-047 – PUBLIC WORKS
   E. CONTRACT AMENDMENT RELATING TO ENERGY EFFICIENCY CONSERVATION BLOCK GRANT CONTRACT, AB 09-024 – EXECUTIVE
   F. SPORTSMAN CLUB NON-MOTORIZED IMPROVEMENTS CONSTRUCTION AWARD, LAKESIDE INDUSTRIES, AB 13-050 – PUBLIC WORKS
   G. RESOLUTION NO. 2013-08, LYNWOOD CENTER STORMWATER OUTFALL PROJECT, SOLE SOURCE PURCHASE OF CHECK VALVE, AB 13-048 – PUBLIC WORKS
9. CITY MANAGER'S REPORT: 2ND QUARTER 2013 REPORT
10. COMMITTEE REPORTS
11. REVIEW UPCOMING COUNCIL MEETING AGENDAS
12. FOR THE GOOD OF THE ORDER
13. ADJOURNMENT

1. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE 6:59:46 PM
Mayor Bonkowski called the meeting to order at 6:59 pm. A quorum was present consisting of Councilmembers Blair, Blossom, Hytopoulos, Lester, Ward, and Mayor Bonkowski. Everyone stood for the Pledge of Allegiance. Councilmember Scales arrived at 7:17 pm.

2. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE 7:00:42 PM
Councilmember Ward proposed adding Item 7D, Wing Point Non-Motorized STP grant application and budget amendment request. *Councilmember Blair moved to accept the agenda as amended which was seconded by Councilmember Lester and carried unanimously, 6-0.* There were no conflicts of interest disclosed.

3. PRESENTATIONS

A. NATIONAL POETRY MONTH, BAINBRIDGE ISLAND ARTS AND HUMANITIES COUNCIL POETRY READING, JOHN NEWLAND-THOMPSON, POET 7:02:08 PM
John Newland-Thompson read his poem entitled, Spirit of the Grand Forest.

B. POTENTIAL REFUNDING OF VOTER-APPROVED BONDS, DAVE TRAGESER, FINANCIAL ADVISOR, D.A. DAVIDSON & CO. 7:03:34 PM
Mr. Trageser gave a PowerPoint© presentation on potential future bond alternatives as well as debt service bond refinancing options. He noted the bonds under consideration include both the 2002 and 2004 UTGO bonds which were issued for open space purchases. He explained if the City chose to refinance those bonds, the savings would go back to the tax payers in a lower

levy each year. He noted the annual estimated savings would be over 13 percent. He explained it would take appropriately three months to complete the process and shared next steps. Following brief comments and questions, Council asked that staff go forward with the proposed refinancing opportunity.

4. PUBLIC COMMENT 7:24:38 PM
There was no public comment.

5. ORDINANCES 1ST READING: ORDINANCE NO. 2013-06, REVISIONS TO OFF-SITE / RIGHT-OF-WAY SIGNS, AB 13-030 – PLANNING 7:24:54 PM
Councilmember Hytopoulos said she did not see language proposed regarding having contact information on every sign. Planning Director Cook said she would review what the discussion was at the previous meetings and add that in before second reading on May 22.

7:26:19 PM ***MOTION:*** *I move that we schedule Ordinance 2013-06 relating to off-site signs for a second reading/public hearing on May 22, 2013 with the provision we've just discussed included.*
BLAIR/WARD *– Motion carried unanimously, 7-0.*

6. NEW BUSINESS

A. BUSINESS LICENSES FOR INTERNET-BASED AND DIGITAL SERVICES – FINANCE 7:26:48 PM
Councilmember Lester asked that the language internet-based and digital services be added to the list. Councilmember Ward requested that homeowner and condominium associations be removed from the list. Finance Director Schroer explained how the list is part of the Association of Washington Cities model ordinance the City adopted last year and staff to would need to find out whether the City could amend it. Interim City Attorney Haney explained how these businesses were covered under the current language although not explicitly called out.

7:38:25 PM ***MOTION:*** *I move that we add internet-based and digital services to our list of business required to have a business license on Bainbridge Island.*
LESTER/WARD *– Motion carried 5-2 with Councilmembers Blair, Blossom, Bonkowski, Lester and Ward voting in favor. Councilmembers Hytopoulos and Scales voted against.*

7:39:05 PM ***MOTION:*** *I move that we specifically make a note in the business license language that excludes homeowner's associations and condo owners associations from the business license requirement.*
WARD/BLOSSOM

Following comments and questions regarding the motion, it was suggested the issue be scheduled for a future meeting and that staff prepare recommendations on whether or not it is typical to require homeowner and condo associations to have a business license. *Councilmember Ward withdrew his motion.*

B. RESOLUTION NO. 2013-09, DELEGATING AUTHORITY TO CITY MANAGER FOR LICENSE AGREEMENTS, AB 13-052 – EXECUTIVE 7:52:01 PM
City Manager Schulze explained the item was a follow-up discussion from previous meetings. He said the resolution would provide the City Manager the authority to handle license agreements administratively rather than having them come to the Council for approval. Mayor Bonkowski added he had brought this item forward in a effort to streamline what the Council needs to deal with. He added if there were right-of-ways associated with the streets that exclude non-motorized, he thought it would be appropriate for the Council to understand why. Councilmember Lester thought it was important that the Non-Motorized Transportation Committee review the documents to make sure potential opportunities were not being lost.

7:56:40 PM ***MOTION:*** *Then I move that the City Council approve Resolution No. 2013-09 delegating authority to the City Manager to approve licenses, permits, and agreements for the use of the City right-of-way with consideration for the Non-Motorized Transportation Plan.*
BLAIR/LESTER *– Motion carried unanimously, 7-0.*

C. NOMINATION OF MAYOR PRO TEM FOR MAY THROUGH AUGUST, 2013 7:57:17 PM

MOTION: *I nominate Councilmember Debbi Lester be elected as Mayor Pro Tem for the next four months.*
BLAIR/BLOSSOM *– Motion carried unanimously, 7-0.*

D. WING POINT WAY NON-MOTORIZED STP GRANT APPLICATION AND BUDGET AMENDMENT REQUEST, AB 13-056 – PUBLIC WORKS [ADDED] 7:58:56 PM

Public Works Director Newkirk explained the Kitsap Regional Coordinating Council has reviewed the competitiveness of our contingency projects in relation to other county projects to receive available federal grant funding. He explained the City could obligate before August 1 on this project primarily for design and right-of-way work. Staff and Council discussed how the applying for the grant would fit in with the chip-seal project.

8:11:17 PM ***MOTION:*** *I move that the City Council secure funding for the Wing Point Way Non-Motorized project and authorize a budget amendment of $57,477.00 in the Capital Construction Fund and also provide appropriation for the matching operating transfer from the General Fund.*
LESTER/WARD *– Motion carried unanimously, 7-0.*

7. UNFINISHED BUSINESS: MADISON AVENUE WATER MAIN CONSTRUCTION AWARD, LIDEN LAND DEVELOPMENT AND EXCAVATION, AB 13-045 – PUBLIC WORKS 8:12:15 PM

Public Works Director Newkirk gave a PowerPoint© presentation. Council and staff discussed the pros and cons of the project. There was an in depth discussion regarding growth paying for growth. The topic will be added to a future meeting.

8:46:37 PM ***MOTION:*** *I move that the City Council approve the contract with Liden Land Development and Excavation for the Madison Avenue Water Main project in the amount of $227,724.14 and authorize a budget amendment of $40,000 from the Water Utility Fund.*
LESTER/BLAIR *– Motion carried unanimously, 6-0. Councilmember Ward recused himself since he owns a condominium in the area.*

8. CONSENT AGENDA 8:49:58 PM

A. ACCOUNTS PAYABLE VOUCHER AND PAYROLL APPROVAL

Accounts Payable Manual Void Check Number 330996, Manual Checks 332775 through 332782 and Regular Check Run Numbers 332783 through 332881 for a total of $228,266.27. Retainage Release Check Number 101 through 102 for a total $1,712.39. Payroll Miscellaneous Check Number 106170, Direct Deposit Check Numbers 027595 through 027698, Regular Run Check Numbers 106171 through 106175, Miscellaneous Check Numbers 106176 through 106181, Payroll Vendor Check Numbers 106182 through 106193 and Federal Tax Electronic Transfer for a total of $417,636.63.

B. REGULAR BUSINESS MEETING MINUTES, MARCH 27, 2013

C. SPECIAL/REGULAR BUSINESS STUDY SESSION MEETING, APRIL 3, 2013

D. LICENSE AGREEMENT WITH KITSAP PUBLIC UTILITY DISTRICT, MEIGS FARM WELL WATER MONITORING, AB 13-047 – PUBLIC WORKS

E. CONTRACT AMENDMENT RELATING TO ENERGY EFFICIENCY CONSERVATION BLOCK GRANT CONTRACT, AB 09-024 – EXECUTIVE

F. SPORTSMAN CLUB NON-MOTORIZED IMPROVEMENTS CONSTRUCTION AWARD, LAKESIDE INDUSTRIES, AB 13-050 – PUBLIC WORKS

G. RESOLUTION NO. 2013-08, LYNWOOD CENTER STORMWATER OUTFALL PROJECT, SOLE SOURCE PURCHASE OF CHECK VALVE, AB 13-048 – PUBLIC WORKS

Item G was pulled by Councilmember Blossom regarding a concern raised regarding sand from the tides building up in front of the valves. Public Works Director Newkirk indicated staff has evaluated and there should be enough head pressure behind it.

8:52:40 PM ***MOTION:*** *I move that we approve Item A. Accounts Payable Voucher and Payroll Approval, Item B. Special/Regular Business Meeting Minutes, March 27, 2013, Item C. Special/Regular Study Session Meeting Minutes, April 3, 2013, License Agreement with Kitsap Public Utility District Meigs Farm Well Water Monitoring AB 13-047, Item E. Contract Amendment Relating to Energy Efficiency Conservation Block Grant Contract AB 09-024, Item F. Sportsman Club Non-Motorized Improvements Construction Award, Lakeside Industries AB 13-050 and Item G. Resolution No. 2013-08, Lynwood Center Stormwater Outfall Project, Sole Source Purchase of Check Valve AB 13-048.*
WARD/BLAIR *– Items A through F carried unanimously, 7-0. Item G carried unanimously 6-0 with Councilmember Blossom recusing herself from the vote.*

9. CITY MANAGER'S REPORT: 2ND QUARTER 2013 REPORT 8:54:22 PM

City Manager Schulze reported that a group from South Africa would be visiting City Hall on Saturday to learn more about municipal government practices. He shared that Ron Carr, Public Works Department, was retiring after 21 years with the City. He highlighted the following items from the work plan: Police Chief hiring; City Attorney vacancy, water utility management proposal, BITV Broadcasting, communications and public relations plan, increasing connectivity island wide, improving the permit process, Comcast franchise agreement, dais reconfiguration, professional development, Kitsap County ILA for cooperative services, Police Guild contract negotiations, software upgrades, 2013 Budget, Business & Occupation ordinance, credit card acceptance, comprehensive analysis of the stormwater utility, comprehensive plan amendments, complete street's ordinance, HDDP evaluation, SMP update, impact fee evaluation, Suzuki property, wireless facilities ordinance update, sign code amendments, temporary business on City property and use of the sidewalk on Winslow Way, business licenses for non-profits, Waterfront Park development, Police management/organizational study, CENCOM contract, Juvenile Detention Services contract, Eagle Harbor Beach Main project, Rockaway Beach Bluff Stabilization project and General Sewer Plan update). He also gave a brief update on the peer City review, initiating a performance measurement system, and level of service information and would check on when the sewer plan policies would be scheduled.

10. COMMITTEE REPORTS 9:16:23 PM
Councilmember Ward reported on a CENCOM planning retreat he attended last week. Councilmember Blair reported Kitsap Transit is preparing for the state-mandated on environmentally sound fuels and they will be taking a field trip on Friday to learn more about electric and propane powered transit buses. She reported she would be representing Bainbridge at the Puget Sound Regional Coordinating Council's annual meeting tomorrow evening. Councilmember Lester reported attending a Washington State Department of Transportation briefing along with Councilmember Blair and Mayor Bonkowski regarding design options for SR 305 and Suquamish Way and that a roundabout has been proposed for that location. Councilmember Lester gave a brief report on the Housing Advisory Team working through the granting process and how to improve the intake for the consolidated grant process and the composition/make up/appointment to the committee. Mayor Bonkowski asked whether Council would be willing to endorse Environment Washington's campaign to get more solar energy in our state to which the Council concurred.

11. REVIEW UPCOMING COUNCIL MEETING AGENDAS 9:26:11 PM
Following comments regarding the process, format and scheduling of the Shoreline Master Plan public hearing, a motion was made.

> ***MOTION:*** *I think that this should be three hours for three minutes each.*
> ***HYTOPOULOS/SCALES***

Councilmembers commented on the motion. There was a friendly amendment make to allow for one person to seed their time.

> *The motion passed unanimously, 7-0.*

The public hearing was scheduled from 7:00 to 10:00 pm. Councilmembers continued to discuss the SMP. It was suggested that Council come prepared on May 15 to propose changes and if changes weren't made, then a vote could be taken that night. Council agreed if changes were made, that a vote would be scheduled for a future meeting.

There were no changes made to the May 1, 2013 study session agenda. Mayor Bonkowski suggested changing the May 15 study session SMP action language to read consider approval and that no public comment would be taken. The internet-based and digital services business license item was added to the May 15 agenda. City Manager Schulze shared that a code amendment is scheduled to specifically exempt the Police Chief position from civil service on May 15 and 22 respectfully. Councilmember Blair suggested changing the agenda wording for the Prothman contract amendment to Interim Public Safety Director Dickerson.

12. FOR THE GOOD OF THE ORDER 9:53:53 PM
Councilmember Lester reported on recent earthquakes in the area, that an earthquake drill was being held tomorrow, reminded citizens to run for City Council, Farmer's Market weekend (Saturday at Town Square and Sunday Lynwood Community Market). Councilmembers thanked Councilmember Ward for his service as Mayor Pro Tem during the last four months.

13. ADJOURNMENT 9:58:01 PM
The special/regular meeting adjourned at 9:58 pm.

Steven Bonkowski, Mayor

Rosalind D. Lassoff
Rosalind D. Lassoff, City Clerk