

ITEMS DISCUSSED

1. EXECUTIVE SESSION: REVIEW THE PERFORMANCE OF AN EMPLOYEE (RCW 42.30.110(1)(g))
2. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE
3. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE
4. PUBLIC COMMENT
5. PUBLIC HEARING: RESOLUTION NO. 2013-19, PLAT OF GROW COMMUNITY I SUBDIVISION AMENDMENT, AB 12-125
6. ORDINANCES
 - A. ORDINANCE NO. 2013-32, ESTABLISHING A MORATORIUM ON MARIJUANA GROWING OPERATIONS, AND ADOPTING INTERIM REGULATIONS FOR MARIJUANA PROCESSING, RETAILING, AND COLLECTIVE GARDENING, AB 13-136 – PLANNING
 - B. ORDINANCE NO. 2013-26, 2014-2019, CAPITAL FACILITIES PLAN, AB 13-145 – EXECUTIVE
7. UNFINISHED BUSINESS: DISCUSSION OF COST ALLOCATIONS OPTIONS, AB 13-022 – FINANCE
8. NEW BUSINESS: PUBLIC ART PROGRAM AND PUBLIC ART SUBFUND, AB 13-148 – COUNCILMEMBER LESTER
9. CONSENT AGENDA
 - A. ACCOUNTS PAYABLE VOUCHER AND PAYROLL APPROVAL
 - B. SPECIAL/REGULAR STUDY SESSION MEETING MINUTES, OCTOBER 2, 2013
 - C. SPECIAL/REGULAR BUSINESS MEETING MINUTES, OCTOBER 9, 2013
 - D. PERMITTING SYSTEM CONTRACT, AB 13-144 – EXECUTIVE
 - E. RESOLUTION NO. 2013-16, AUTHORIZING INVESTMENT IN THE STATE TREASURER'S LOCAL GOVERNMENT INVESTMENT POOL, AB 13-122 – FINANCE
 - F. RESOLUTION NO. 2013-17, APPROVING AN INTERLOCAL AGREEMENT WITH ASSOCIATION OF WASHINGTON CITIES EMPLOYEE BENEFIT TRUST, AB 13-137 – FINANCE
 - G. ORDINANCE NO. 2013-33, Q3 2013 BUDGET ADJUSTMENTS, AB 13-024 – FINANCE
10. CITY MANAGER'S REPORT
11. COMMITTEE REPORTS
12. REVIEW UPCOMING COUNCIL MEETING AGENDAS
13. FOR THE GOOD OF THE ORDER
14. ADJOURNMENT

1. EXECUTIVE SESSION: REVIEW THE PERFORMANCE OF AN EMPLOYEE (RCW 42.30.110(1)(G)) 6:30:36 PM
At 6:30 PM, Mayor Bonkowski recessed the meeting to an executive session with Councilmembers Blair, Blossom, Lester, and Ward present to review the performance of an employee. The recording system was turned off and the door to Council Chambers was posted. Councilmember Hytopoulos arrived at 6:31 PM. At 7:01 PM, Mayor Bonkowski announced executive session would be extended by 30 minutes. Councilmember Scales arrived at 7:10 PM and joined the aforementioned Councilmembers in the Planning Conference Room.

2. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE 7:39:46 PM
Mayor Bonkowski called the meeting to order at 7:39 PM with aforementioned Councilmembers present. He indicated no decisions were made in executive session. City Clerk Lassooff monitored the recording of the meeting and prepared the minutes. Everyone stood for the pledge of allegiance.

3. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE 7:41:03 PM
It was moved by Councilmember Lester, seconded by Councilmember Blair, and unanimously approved that the agenda be accepted as presented, 7-0.

Councilmember Lester disclosed that back in November 2012, she had recused herself from the conversation regarding the Grow Community project because her husband, Ryan Vancil, had represented the applicant on part of their permit. Following brief questions posted by the Interim City Attorney Haney, Councilmember Lester was allowed to participate in and vote on the item this evening.

4. PUBLIC COMMENT 7:43:00 PM
7:43:32 PM Barbara Sacerdote, Executive Director, Arts and Humanities Council, 13080 Phelps Road, commented on the public art program and read from a prepared statement explaining the value of the City's investment in public art.

7:47:20 PM Amy Alspell, 11469 Kallgren Road, commented on reestablishing the public art program.

7:51:21 PM Jenny Conaty, 1181 Nakata, Squeaky Wheels, thanked the Council for placing the top five safety improvement projects as named by the Non-Motorized Transportation Advisory Committee on the Capital Improvement Plan for the next five years.

**5. PUBLIC HEARING: RESOLUTION NO. 2013-19, PLAT OF GROW COMMUNITY I SUBDIVISION
AMENDMENT, AB 12-125 7:53:16 PM**

Associate Planner Beckmann, gave a PowerPoint presentation showing the proposed amendments to the subdivision. Following brief comments regarding non-motorized, project phasing, mailbox placement, parking issues and traffic calming, Mayor Bonkowski opened the public hearing at 8:08 PM.

8:08:49 PM Marji Preston, Grow Community representative, clarified earlier comments made regarding parking. Mayor Bonkowski closed the public hearing to 8:10 PM. Councilmember Blossom commented on traffic emptying out to Wyatt Way. Ms. Preston explained how this phase of the project worked.

8:13:02 PM **MOTION:** *I move that the City Council adopt Resolution 2013-19, including findings of fact and conclusions of law, approving the amendment to the Plat of Grow Community I single and multifamily subdivision.*
BLOSSOM/WARD – Motion carried 6-1 with Councilmember Blossom, Bonkowski, Hytopoulos, Lester, Scales, and Ward voting in favor. Councilmember Blair voting against.

6. ORDINANCES/1ST READING

**A. ORDINANCE NO. 2013-32, ESTABLISHING A MORATORIUM ON MARIJUANA GROWING AND
ADOPTING INTERIM REGULATIONS FOR MARIJUANA PROCESSING, RETAILING AND
COLLECTIVE GARDENS, AB 13-136 – PLANNING 8:14:00 PM**

Planning Director Cook introduced the item. She indicated staff was recommending scheduling a public hearing for November 13. Councilmember Blair asked what happens when the moratorium expires. Interim City Attorney Haney described the three options available. Councilmember Ward thought it would be appropriate to notice all affected property owners within the business industrial zone which would be affected and that the description should be much more specific so that people understand where the activity is being directed. Planning Director Cook replied staff would send out notices to both the addresses within that area as well as addresses within 500 feet of the boundary of the zone.

MOTION: *I move to schedule a Public Hearing on Ordinance 2013-32, establishing a moratorium on marijuana growing operations and adopting interim regulations for marijuana processing, retailing and collective gardens for November 13, 2013.*

BLAIR/LESTER – Motion carried unanimously, 7-0.

B. ORDINANCE NO 2013-26, 2014-2019 CAPITAL FACILITIES PLAN, AB 13-145 – EXECUTIVE 8:20:19 PM

Deputy City Manager Smith explained this item was a continuation of last week's discussion. She noted the two motions made last week regarding SR 305 Shoulder Improvements and Knechtel Way projects.

8:22:21 PM Interim Public Works Director Cunningham explained the three possible alternatives for Knechtel Way. Councilmember Ward asked if there was a viable option that would solve the drainage issue, improve the pavement, and spare the five significant trees. Project Manager Hammer explained how it could be done. Councilmember Lester shared photographs on how many residents and social services there are in the area which are affected. Councilmember Hytopoulos wondered if there was a way to be creative with the trees. Interim Public Works Director suggested City Council consider putting the full project in the CIP and then, as part of the design work, staff can come back with options or alternatives. Engineering Manager Hammer explained how a thin asphalt overlay procedure could work. Councilmember Blair appreciated the suggestion of adding \$120,000 into the CIP and then reconsider it after it gets to the 30% design phase.

8:36:08 PM **MOTION:** *I move that we add option 3 of the Knechtel project to the CIP and relook at the options, particularly on the trees versus the sidewalk when the City's at the 30% design phase.*
WARD/LESTER – Motion carried unanimously, 7-0.

8:37:00 PM Engineering Manager Hammer explained key changes to the proposed capital improvement plan. He said staff was recommending that the City go ahead and allocate an additional \$75,000 to begin right-of-way work on Wing Point Way. He reviewed other changes in the 2014 CIP and considerations for 2015-2017 Budget. Mayor Bonkowski proposed having projects that total approximately \$2M dollars in non-motorized for 2015-2016 in order to set ourselves up for grant funding opportunities.

SPECIAL/REGULAR CITY COUNCIL MEETING
OCTOBER 23, 2013

City Manager Schulze spoke to the additional workload created by nearly doubling the number of projects. Councilmember Lester asked staff what they would be doing with information provided by the Non-Motorized Transportation Advisory Committee and other groups regarding spot projects and transportation related trails. Engineering Manager Hammer said he would want to talk to the NMTAC and get some community input on it.

8:55:42 PM **MOTION:** *I move to provide \$75,000 in City funds towards right-of-way acquisition in conjunction with the Wing Point project.*

LESTER/BLAIR – Motion carried unanimously, 7-0.

8:55:10 PM **MOTION:** *I would move that, in fact, we do relabel that funding that was allocated during our last budget discussion and we had at that point sort of labeled it trails but it is connecting pathways and by using that distinction will make it distinct from the parks department and their work on trails. So my motion is that we relabel the funds connecting pathways.*

BLAIR/LESTER – Motion carried unanimously, 7-0.

8:57:34 PM City Manager Schulze explained discussion of the 2015-2020 CIP will take place sometime in the first quarter of 2014. Mayor Bonkowski suggested moving the top five projects into 2015-2016, which is near \$2M mark he had mentioned earlier.

7. UNFINISHED BUSINESS

A. DISCUSSION OF COST ALLOCATION OPTIONS, AB 13-022 – FINANCE 9:02:45 PM

Finance Director Schroer gave a brief presentation regarding other jurisdictions allocate their costs and fielded questions.

8. NEW BUSINESS

A. PUBLIC ART PROGRAM AND PUBLIC ART SUBFUND, AB 13-148 9:14:14 PM

Councilmember Lester gave a brief PowerPoint presentation which showcased public art island-wide. She spoke about future public art opportunities, which could include Waterfront Park, non-motorized projects, walkabout bridge, etc. She explained possible ways of reviving the program. Following a brief discussion, information on public art conservation will be developed and brought back to a future meeting.

9. CONSENT AGENDA 9:36:56 PM

A. ACCOUNTS PAYABLE VOUCHER AND PAYROLL APPROVAL

Accounts Payable Void Manual Check Number 333997, Manual Check Numbers 334067 through 334076, Regular Run Check Numbers 334077 through 334198 for a total of \$299,280.38. Retainage Release Check Number 108 for a total of \$2,711.72, Travel Advance Check Numbers 57 through 58 for a total of \$200.00. Payroll Direct Deposit Check Numbers 028874 through 028980, Payroll Regular Check Numbers 106411 through 106413, Payroll Vendor Check Number 106414 through 106425 and Federal Tax Electronic Transfer for a total of \$398,294.53.

B. SPECIAL/REGULAR STUDY SESSION MEETING MINUTES, OCTOBER 2, 2013

C. SPECIAL/REGULAR BUSINESS MEETING MINUTES, OCTOBER 9, 2013

D. PERMITTING SYSTEM CONTRACT, AB 13-144 – EXECUTIVE

E. RESOLUTION NO. 2013-16, AUTHORIZING INVESTMENT IN THE STATE TREASURER'S LOCAL GOVERNMENT INVESTMENT POOL, AB 13-122 – FINANCE

F. RESOLUTION NO. 2013-17, APPROVING AN INTERLOCAL AGREEMENT WITH ASSOCIATION OF WASHINGTON CITIES EMPLOYEE BENEFIT TRUST, AB 13-137 – FINANCE

G. ORDINANCE NO. 2013-33, Q3 2013 BUDGET ADJUSTMENTS, AB 13-024 – FINANCE

MOTION: *I move we approve the consent agenda item A. Accounts Payable Voucher and Payroll Approval; item B. Special/Regular Study Session Meeting Minutes, October 2, 2013, item C. Special/Regular Business Meeting Minutes, October 9, 2013, item D. Permitting System Contract, AB 13-144, Executive, item E. Resolution 2013-16, Authorizing Investment in the State Treasurer's Local Government Investment Pool, AB 13-122, F. Resolution No. 2013-17, approving an Interlocal Agreement with Association of Washington Cities Employee Benefit Trust, AB 13-137 and G. Ordinance No. 2013-33, Q3 2013 Budget Adjustments, AB 13-024.*
WARD/BLAIR – Motion carried unanimously, 7-0.

SPECIAL/REGULAR CITY COUNCIL MEETING
OCTOBER 23, 2013

10. CITY MANAGER'S REPORT 9:38:13 PM

City Manager Schulze reported on items from his weekly report. He gave Council an update on various agenda topics.

11. COMMITTEE REPORTS 9:49:39 PM

Councilmember Blair reported on a Kitsap Regional Coordinating Council meeting held yesterday. She suggested merging the Non-Motorized Transportation Advisory and Roads End Committees to come up with a subcommittee specifically in support of road ends. Councilmember Ward reported on a CENCOM Executive Committee meeting held yesterday.

12. REVIEW OF UPCOMING COUNCIL MEETING AGENDAS 9:55:18 PM

Councilmembers and staff discussed the October 30 special meeting/public hearing on the SMP and setting up a process so the public is clear how the hearing would be conducted. Following a brief discussion, there was consensus to limit comments to only the changes made by the Department of Ecology and staff, that public testimony would be limited to one hour (each speaker given 2-3 minutes each depending on number of speakers signed up) and Council deliberation would follow. Council discussion of the SMP at the November 6 meeting was moved up on the agenda so that Councilmember Scales could call in.

13. FOR THE GOOD OF THE ORDER 10:23:25 PM

Councilmember Lester announced upcoming events which included the drug take back program event at the Police station, last weekend for SHREK at BPA, Olympic Drive to Winslow Way pedestrian/bicycle improvements public meeting at City Hall, first Friday Art Walk and the Bainbridge Celluloid Film Festival. Councilmember Hytopoulos would like to invite PSE to make a presentation regarding coal before the end of the year.

14. ADJOURNMENT 10:26:33 PM

The meeting adjourned at 10:26 PM.



Steven Bonkowski, Mayor



Rosalind D. Lassoff, City Clerk