

ITEMS DISCUSSED

1. CALL TO ORDER / ROLL CALL
2. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE
3. CITY MANAGER'S REPORT
4. PRESENTATION
 - A. PUBLIC ART PROGRAM: PLANNING FOR WAYPOINT PROJECT AND PROGRAM FUNDING OPTIONS, AB 15-022
5. STAFF INTENSIVE
 - A. COMMUNITY RESOURCE OFFICER GRANT APPLICATION, AB 15-006
 - B. WASHINGTON STATE PARKS AND RECREATION COMMISSION BOATING PROGRAMS: SAFER BOATING GRANT APPLICATION, AB 15-017
 - C. MEMORANDUM OF UNDERSTANDING BETWEEN WASHINGTON TRAFFIC SAFETY COMMISSION AND THE CITY OF BAINBRIDGE ISLAND FOR SPEEDING EMPHASIS PATROL, AB 15-023
 - D. WATERFRONT PARK DESIGN PHASE 1 PROFESSIONAL SERVICES AGREEMENT, AB 13-025
 - E. PROPOSED REVISIONS TO THE COMPREHENSIVE PLAN VISION, AB 15-018
 - F. ORDINANCE NO. 2015-05, ESTABLISHING A TREE FUND, AB 15-011
 - G. EASEMENT REQUEST AND STREAM RESTORATION/STORMWATER PROJECT IMPROVEMENTS AT JOHN T. NELSON PARK AT STRAWBERRY CANNERY COVE, AB 15-019
 - H. REVIEW OF CITY'S 2014 WORKPLAN RESULTS AND 2015 CITY-WIDE WORKPLAN PRIORITIES, AB 15-020
 - I. LICENSE AGREEMENT WITH MADISON DINER FOR TRAIL ACCESS, AB 15-021
6. COMMITTEE REPORTS
 - A. UTILITY ADVISORY COMMITTEE LIAISON REPORT, JANUARY 26, 2015
7. REVIEW UPCOMING COUNCIL MEETING AGENDAS
 - A. NEW APPROACH: WORK SESSIONS AT REGULAR BUSINESS MEETINGS
8. FOR THE GOOD OF THE ORDER
9. ADJOURNMENT

1. CALL TO ORDER / ROLL CALL 7:00 P.M.

Deputy Mayor Roger Townsend called the meeting to order at 7:00 p.m. Councilmembers Blair, Bonkowski, Scott, Blossom and Roth were in attendance. Councilmember Tollefson was absent and excused. Records Manager Jahraus monitored the recording of the meeting and prepared the minutes.

2. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE 7:00 P.M.

7:00 P.M.

***MOTION:** I move to accept the agenda as presented
BLAIR/BONKOWSKI: The motion carried 6-0.*

3. CITY MANAGER'S REPORT 7:01 P.M.

City Manager Schulze shared information regarding Bainbridge Island Public Defender Thomas Alpaugh. Mr. Alpaugh was recognized by the Kitsap County Bar Association with the Professionalism Award for his long-time service as a public defender in the Bainbridge Island Municipal Court.

Three candidates were sent offer letters to join the Police Department. All three have verbally accepted.

Systems Administrator Kathleen McKnight retired; she had been with the City for 27 years. There are no immediate plans on how to fill the position.

The Police Department has completed and implemented the Lexipol system.

4. PRESENTATION 7:06 P.M.

A. PUBLIC ART PROGRAM: PLANNING FOR WAYPOINT PROJECT AND PROGRAM FUNDING OPTIONS, AB 15-022

The City's Municipal Code establishes a Public Art Program and designates BIAHC as the agency to oversee this program. The Code establishes a Public Art Committee (PAC) that is structured such that the Chair of the PAC is a member of the BIAHC Board of Directors (see BIMC 3.80.010, 3.80.020, and 3.80.040).

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The following materials were provided as additional background:

- Staff memo on recent decisions related to funding and expenditures for Public Art.
- BIAHC memo on proposed planning for a public art project at the Waypoint.
- BIAHC memo on funding options for the Public Art Program.

Barbara Sacerdote, Executive Director at Bainbridge Island Arts & Humanities Council, briefed Council on proposed plans for a public art project at the Waypoint site.

7:36 P.M.

MOTION: *The motion to approve the plan to spend 45K and authorize the Arts and Humanities Council to proceed with the plan as presented carried 5-1. (Blossom)*

BONKOWSKI/SCOTT: *The motion carried 5-1. (Blossom)*

Ms Sacerdote continued the discussion with Council, focusing on the funding portion of the program.

Deputy City Manager Smith summarized next steps: that an ordinance would retain a 2% allocation but would change the base of that to be the actual project cost itself. The council should have a discussion regarding the eligibility of projects and whether utilities would or would not be part of that base.

5. STAFF INTENSIVE

A. COMMUNITY RESOURCE OFFICER GRANT APPLICATION, AB 15-006 8:04 P.M.

Police Chief Hamner introduced the agenda item and addressed Council. The Community Resource Officer (CRO) will be focused on Bainbridge Island Police Department's Community Policing Plan and building relationships of trust within the community. The CRO is responsible for the Citizen Police Academy, National Night Out, the Coffee with a Cop Program, Police Youth Advisory Group, liaison with all of the island schools and other tasks related to community policing. The CRO is an extension of Community Policing and dedicates a full time officer. The officer, in addition to the duties assigned regarding community awareness, will conduct walking beats and bicycle patrol to support the goal of building and enhancing BIPD's Community Policing.

Public Comment

Dave Henry, saying he has history interfacing with the schools and the police department. He cautions about bugs in the program.

8:16 P.M.

MOTION: *I move that the City Council authorize staff to apply for the grant.*

BONKOWSKI/BLAIR: *The motion carried 6-0.*

B. WASHINGTON STATE PARKS AND RECREATION COMMISSION BOATING PROGRAMS: SAFER BOATING GRANT APPLICATION, AB 15-017 8:16 P.M.

Police Chief Hamner introduced the agenda item and addressed Council. The purpose of the Boating Federal Financial Assistance Grant is to distribute proceeds from watercraft excise tax and a portion of boat registration fees to local governments for boating safety enforcement and education programs, and to help defray costs for training and equipment.

The Washington State Parks and Recreation Commission Boating Program will provide the Bainbridge Island Police Department (BIPD) up to \$19,057 for fiscal year 2015.

The Boating Federal Financial Assistance Grant Program is facilitated by the Washington State Parks & Recreation Commission Recreational Boating Program. Funding for the grant is specifically for the performance of recreation boating safety services in the areas of boating education and enforcement of boating regulations. Performed services comply with the agency contract established under WAC 352-65 *Boating Safety Program Approval*.

8:19 P.M.

MOTION: *I move that the City Council authorize staff to apply for the grant.*

BLAIR/ROTH: *The motion carried 6-0.*

C. MEMORANDUM OF UNDERSTANDING BETWEEN WASHINGTON TRAFFIC SAFETY COMMISSION AND THE CITY OF BAINBRIDGE ISLAND FOR SPEEDING EMPHASIS PATROL, AB 15-023 8:20 P.M.

Chief Hamner introduced the agenda item. The purpose of this agreement is to provide overtime funding to law enforcement agencies to conduct speed-focused, multi-jurisdictional, high visibility enforcement patrols under the management of the county Target Zero Manager. The dates of such patrols will be October 1, 2014 through September 30, 2015 for a total funding amount of \$1,680.00.

Citizen _____ asked Chief Hamner about a traffic problem on Crystal Springs.

8:25 P.M.

***MOTION:** I move City Council forward the memorandum of understanding between the Washington Traffic Safety Commission and the City of Bainbridge Island for speed emphasis patrols on the February 10, 2015 consent agenda.*

***SCOTT/BLAIR:** The motion carried 6-0.*

D. WATERFRONT PARK DESIGN PHASE 1 PROFESSIONAL SERVICES AGREEMENT, AB 13-025 8:26 P.M.

The Waterfront Park improvements are included in the Winslow Master Plan and part of the City's Comprehensive Plan. In 2013, the City undertook an extensive public outreach effort that culminated a 30% design for the Park.

The City advertised for Request for Qualifications in December 2014 for completion of the design, permitting, and construction support services. The top three firms were interviewed and Walker Macy was selected as the most qualified consultant to design the project.

8:29 P.M.

***MOTION:** I move that the City Council forward the Professional Services Agreement with Walker Macy in the amount of \$83,978.00 for the Waterfront Park Phase 1 design to the February 10, 2015 consent agenda.*

***ROTH/BLAIR:** The motion carried 6-0.*

E. PROPOSED REVISIONS TO THE COMPREHENSIVE PLAN VISION, AB 15-018 8:30 P.M.

8:40 P.M.

***MOTION:** I move to endorse the draft Vision statement for the Comprehensive Plan, with the understanding that the Vision could change over the course of the 2016 Comprehensive Plan Update process.*

***BLAIR/BONKOWSKI:** The motion carried 6-0.*

F. ORDINANCE NO. 2015-05, ESTABLISHING A TREE FUND, AB 15-011 8:40 P.M.

Special Planner Sutton addressed council. Through the discussion of existing tree and landscaping regulations, the Tree Ordinance Ad Hoc Committee and City Council have broadly discussed the concept of creating a new City *Tree Fund* where fines collected by the City's Code Enforcement officer for tree related offenses could be directed.

The Tree Ordinance Ad Hoc Committee and City Council both discussed future Tree Fund policy questions at their January 20 meetings. Finance Director Schroer then translated the discussion into draft Ordinance No. 2015-05, creating new BIMC Chapter 3.39.

8:42 P.M.

***MOTION:** I move that the City Council forward Ordinance No. 2015-05 to the February 10, 2015 consent agenda.*

***BLAIR/ROTH:** The motion carried 6-0.*

G. EASEMENT REQUEST AND STREAM RESTORATION/STORMWATER PROJECT IMPROVEMENTS AT JOHN T. NELSON PARK AT STRAWBERRY CANNERY COVE, AB 15-019 8:43 P.M.

On November 6, 2014, DeNova Northwest submitted a subdivision application (PLN50074SUB) for a 19-lot subdivision located on Wyatt Way between Grow Avenue and Nicholson Place, abutting unopened Shepard right-of-way. The application is currently under review. As with all subdivisions, the applicant is required to treat their stormwater. As an alternative to on-site stormwater treatment, DeNova Northwest is proposing an off-site treatment that includes restoration to portions of Weaver Creek that lead to and terminate at John Nelson Park at Strawberry Cannery Cove. Because the proposed work is on public property, it would require an easement from the City.

The project is located in the lower Weaver Creek stream reach, south of Shepard Way through John Nelson Park at Strawberry Cannery Cove, as it outlets to Eagle Harbor. The restoration project includes the installation of a flow diversion structure and stream channel and

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buffer enhancements. The flow diversion structure would be constructed to collect flows east of Weaver Creek and south of Wyatt Way and divert the high flows from this area to the shoreline, while keeping the low flows going into the creek (see attached Confluence Environmental Report dated November 21, 2014).

All proposed work is on City-owned property and portions are located in the shoreline jurisdiction. The Park is zoned R-2 and the shoreline designation is Island Conservancy. The proposed work is permitted in the Island Conservancy and R-2 zoning district as an accessory utility.

The applicant held a pre-application meeting with City staff to understand the permitting requirements for this proposal. The applicant is seeking the Council's approval to apply for a temporary use easement to perform the improvements; which after completion, would be owned and maintained by the City. These improvements would not occur until after preliminary subdivision approval, during the plat utility phase.

Public Comment

Stan Palmer lives in the Leslie Landing neighborhood and asked about stormwater catchment.

Adam Wheeler, of Browne Wheeler Engineers, spoke to Mr. Palmer's concerns.

Charles Schmid, Manitou Beach, believes it is critical to look at the streams and easements, especially the possible forfeiture of the easement.

City Attorney Marshall stated the reason this is before Council is timing; it is critical the planning department and developer have some predictability of whether an easement will be granted or not.

8:56 P.M.

***MOTION:** I move that the City Council forward the easement request to the February 10, 2015 consent agenda.*

***BLAIR/BONKOWSKI:** The motion carried 6-0.*

H. REVIEW OF CITY'S 2014 WORKPLAN RESULTS AND 2015 CITYWIDE WORKPLAN PRIORITIES, AB 15-020 8:57 P.M.

Deputy City Manager Smith addressed Council. In January 2014, the City staff and City Council identified a workplan for the year that highlighted key activities, projects, and initiatives. The status of those items as of year-end 2014 was provided in the agenda packet.

The City has identified key priorities for 2015 and these are provided in a separate report. Each item identified for the 2015 Workplan has been connected with one or more of the target "Results" that were developed within the Priority Based Budgeting process. This workplan will be used throughout the year to guide the allocation of City resources and to provide accountability on high priority tasks.

At their Annual Advance on January 27, 2014, the City Council developed a preliminary list of priority tasks for the City Council. A draft of this list was provided for City Council review and discussion.

I. LICENSE AGREEMENT WITH MADISON DINER FOR TRAIL ACCESS, AB 15-021 9:09 P.M.

City Attorney Marshall addressed Council. The 305 Madison Diner property contains a well-used pedestrian pathway that connects Shepard Way to Madison Avenue. When the Diner property was developed about 14 years ago, the developer constructed a staircase on the western boundary of his property to accommodate access from his property to Shepard Way. Pedestrian traffic typically enters the property from the east, travels across the Diner parking lot, up the stairs on the westerly border of the property, and onto Shepard Way.

The City was approached by the attorney for the Madison Diner several months ago regarding the proposed license agreement, attached. The Madison Diner property owner desires to enter into the agreement to prevent any legal exposure to the Diner that may arise from the public's use of the Diner property as a trail connection. Under the agreement, the City does not pay for the use of the Diner property. The City's use of the property without paying for it is something the Diner property owner is giving up; in exchange for use of the property without charge, the City is accepting possible liability for personal or property damage on the trail. The term of the initial license agreement is for five years, renewing for successive five-year periods thereafter. The agreement requires the City to maintain insurance; if personal injury arose from the public's use of the Diner property, it would most likely be covered by the City's insurance carrier (WCIA).

Public Comment

Charles Schmid, Manitou Beach, stated the trail is a very important link.

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9:13 P.M.

MOTION: *I move the City Council forward the license agreement to the February 10, 2015 consent agenda.*

ROTH/SCOTT: *The motion carried 6-0.*

6. COMMITTEE REPORTS 9:14 P.M.

A. UTILITY ADVISORY COMMITTEE LIAISON REPORT, JANUARY 26, 2015

Councilmember Tollefson was absent and excused; he submitted a written report. Mayor Blair also submitted a report.

7. REVIEW UPCOMING COUNCIL MEETING AGENDAS

A. NEW APPROACH: WORK SESSIONS AT REGULAR BUSINESS MEETINGS

Council very briefly discussed an approach to tailoring the regular business meetings to include work session items. This will shorten the study session meetings that tend to last longer.

February 10

Ordinance No. 2015-06, Six-Month Aquaculture Moratorium (Public Hearing)

Advance Follow-up

Citizen Committee/Commission Liaisons & Regional Appointments

Resolution No. 2015-02 Revisions to the Commute Trip Reduction Program (Approve)

Ordinance No. 2015-01 Public Disturbance Noises (Approve)

Washington State Parks and Recreation Commission Boating Programs: Safer Boating Grant

Waterfront Park Design Phase 1 PSA (Approve)

License Agreement with Madison Diner for Trail Access (Approve)

Ordinance No. 2015-03 (Formally 2014-38) Land Clearing (Approve)

WTSC MOU - Speed Emphasis (Approve)

Ordinance No. 2015-05 Establish Tree Fund (Approve)

Resolution No. 2015-01 Amending Fee Schedule, After-the-Fact Clearing Permit (Approve)

8. FOR THE GOOD OF THE ORDER 9:35 P.M.

Mayor Blair wanted Council to acknowledge the passing of former Mayor Darlene Kordonowy's husband Mr. Jay Abbott.

9. ADJOURNMENT 9:37 P.M.

Deputy Mayor Townsend adjourned the meeting at 9:37 p.m.

/s/ 
Anne S. Blair, Mayor

/s/ 
Kelly Jahraus, Records Management Coordinator