



CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, FEBRUARY 26, 2019

MEETING MINUTES

1) CALL TO ORDER/ROLL CALL

Mayor Medina called the meeting to order at 6:03 p.m. in Council Chambers.

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

2) EXECUTIVE SESSION

2.A Pursuant to RCW 42.30.110(1)(i), to discuss with legal counsel matters relating to litigation or potential litigation to which the city, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

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Mayor Medina adjourned the meeting to an executive session at 6:04 p.m. pursuant to RCW 42.30.110(1)(i). Council returned from executive session at 6:32 p.m.

3) APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE / PLEDGE OF ALLEGIANCE

Mayor Medina re-convened the meeting at 6:34 p.m. with the aforementioned Council members present.

Councilmember Peltier moved and Councilmember Nassar seconded to approve the agenda as presented. The motion was approved by unanimous consent.

Councilmember Tirman moved and Councilmember Deets seconded to amend the agenda to consider Item 10.B sooner on the agenda. The motion was approved by unanimous consent.

Councilmember Peltier noted that he will recuse himself from voting on Item 8.B.

Councilmember Nassar noted that she is the subject of ethics complaints but plans to participate in the Ethics Program discussions.

4) PUBLIC COMMENT

Bill Booth spoke on affordable housing.

Kelsey Hulse from Puget Sound Energy reported on the storm event.

5) MAYOR'S REPORT

Mayor Medina discussed Council's policy on public comment and noted that the Washington State Department of Transportation will hold an open house on April 10, 2019 in Council Chambers to discuss improvements to State Route 305.

6) CITY MANAGER'S REPORT

There was no City Manager's report.

7) PRESENTATION(S)

7.A Proclamation Declaring the Month of March 2019 as "Bainbridge Island Girl Up Month" - Mayor Medina

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[Bainbridge Island Girl Up Month Proclamation](#)

Deputy Mayor Schneider read the proclamation.

MOTION: I move to authorize the Mayor to sign the proclamation declaring the month of March 2019 as "Bainbridge Island Girl Up Month."

Nassar/Blossom: The motion was approved by unanimous consent.

Merrill Keating, Bainbridge Island Girl Up Club, accepted the proclamation from Mayor Medina and thanked Council for their support.

7.B Proclamation Declaring February 2019 as "Black History Month" - Mayor Medina

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[Black History Month Proclamation 2019](#)

Mayor Medina read the proclamation and presented it to Karen Vargus. Ms. Vargus thanked Council for their support.

10) UNFINISHED BUSINESS [MOVED]

10.B Project Options for Dave Ullin Open Water Marina - Public Works

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[DUOWM Conditions Existing in 2017](#)

[DUOWM Option I](#)

[DUOWM Option IA](#)

[Eagle Harbor Buoys South](#)

[DNR Eagle Harbor Buoy Inventory South](#)

Mayor Medina introduced the agenda item. Public Works Director Loveless provided information on the project and the southern buoys.

Public Comment

Jason Deitchler spoke about the need for larger boats for liveaboards.

Nikolai Sublett, Varsity Team Captain and coxswain for Bainbridge Island Rowing (BIR), explained the difficulty of steering the boats.

Joshua Phillip, BIR, spoke about the year-round nature of rowing and the community.

Tom Condon spoke about marking the anchorage so it is visible at night and ensuring it is included in navigational charts.

Sue Entress spoke about BIR's concerns.

John Foy spoke in support of the ideas proposed tonight.

Bruce Beal spoke about BIR's program.

Jennifer Ames-Karreman provided information on BIR.

Robert Bloom spoke about the rowing program.

Roger Townsend spoke about the inclusive rowing community and finding a durable solution.

Judy Friesem spoke about the risks of buoys in the harbor to rowers.

Janine Hanson spoke about the buoy placement.

Lee Muir spoke against the project.

Tim Dore spoke about the rowing center lease.

Jenny Sheldon spoke about Dave Ullin's vision.

Sarah Prout spoke about providing opportunities to young people.

Sharon Gilpin spoke in favor of the liveboard community.

Peyton Vincent spoke about the importance of rowing.

Andy Rovelstad spoke about boat size and cost.

John Nordgren spoke about affordable housing and the issues with the open water marina.

Paul Svornich spoke the liveboard experience.

Stefan Goldby spoke in favor of the rowing community.

Erin Phillips commented on the public comment portion of the meeting.

Council discussed the project.

MOTION: I move to direct staff to proceed with the design option as shown in Option 1A, modified to provide for 4 60-foot boats, 4 50-foot boats, 4 40-foot boats, and 4 30-foot boats with the goal of allowing as wide a navigation fairway to the south end of the marina and direct staff to proceed with necessary actions to relocate private buoys that conflict with the navigation fairway, and new buoys and new boats will not be installed in the open water marina until there is an open fairway for the rowing club.

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

Mayor Medina adjourned the meeting for a break at 8:36 p.m. and re-convened the meeting at 8:44 p.m.

7) PRESENTATION(S) (CONTINUED)

7.C Design Review Board 2018 Annual Report and 2019 Work Plan

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[Design Review Board 2018 Annual Report & 2019 Work Plan](#)

Joe Dunstan, Chair of the Design Review Board, presented their 2018 report and 2019 workplan.

MOTION: I move to forward to the March 12, 2019 Consent Agenda acceptance of the Design Review Board's 2018 report and 2019 work plan as presented.

Peltier/Blossom: The motion was approved by unanimous consent.

7.D Climate Change Advisory Committee 2018 Annual Report and 2019 Work Plan

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[Climate Change Advisory Committee 2018 Annual Report and 2019 Work Plan](#)

James Rufo-Hill, member of the Climate Change Advisory Committee, presented their 2018 report and 2019 workplan.

MOTION: I move to forward the Climate Change Advisory Committee's 2018 report and 2019 work plan, as presented, for acceptance with the March 12, 2019 Consent Agenda.

Deets/Nassar: The motion was approved by unanimous consent.

7.E Historic Preservation Commission 2018 Annual Report and 2019 Work Plan

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[Historic Preservation Commission 2018 Annual Report and 2019 Work Plan](#)

Adrienne Wolf, member of the Historic Preservation Commission, presented their 2018 report and 2019 workplan.

MOTION: I move to forward the Historic Preservation Commission's 2018 annual report and 2019 work plan, as presented, for acceptance with the March 12, 2019 Consent Agenda.

Nassar/Blossom: The motion was approved by unanimous consent.

8) CITY COUNCIL DISCUSSION [MOVED]

8.A Resolution No. 2019-13 Related to Amendments to Article I of the Ethics Program - Executive

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[Resolution No. 2019-13 Revising Ethics Program Related to Article I](#)

HCR 440I Regarding Code of Conduct
Resolution No. 2018-10 Updating Ethics Program (Approved 3-27-18)

City Attorney Levan introduced the agenda item.

Public Comment

Chris Van Dyke spoke against the resolution.

David Schutz spoke against the resolution.

Ross Hathaway spoke against the resolution.

Olemara Peters spoke against the resolution.

Doug Hotchkiss spoke against the resolution.

Sylvia Carlton spoke against the resolution.

Lisa Neal spoke against the resolution.

Angela Sandri spoke against the complaints.

Charlotte Rovelstad spoke against the resolution.

Larry Koss spoke against the resolution.

David Johnson spoke about his objective.

Scott Strickland spoke against the complaints.

MOTION: I move to table Resolution No. 2019-13 for a future date.

Tirman/Nassar: Motion carried 6 – 1.

AYES: Sarah Blossom, Ron Peltier, Rasham Nassar, Joe Deets, Matt Tirman, Kol Medina

NOES: Leslie Schneider

ABSENT: None

ABSTAIN: None

8.B Article I Advisory Opinions Related to Allegations Filed Against Councilmember Peltier - Mayor Medina

Cover Page

Request 2018-03 - Advisory Opinion (Johnson v Peltier).pdf

Request 2018-03 - Johnson Request re Peltier Redacted

Request 2018-03 - Response by Peltier re Johnson.pdf

Request 2018-05 - Advisory Opinion (McBryan v Peltier).pdf

Request 2018-05 - McBryan Request re Peltier Redacted

Request 2018-05 - Response by Peltier re McBryan.pdf

Mayor Medina introduced the agenda item. Councilmember Peltier spoke about the advisory opinions.

Public Comment

Bob Conoley spoke against sanctions.

Dennis Sutter expressed support for Councilmember Peltier.

Lisa Neal expressed concerns with the Ethics Board's opinions.

Chris Van Dyke suggested Council acknowledge receipt of the opinions.

Mary Clare Kersten spoke in favor of Councilmember Peltier.

Sylvia Carlton spoke against the complaints.

Ross Hathaway expressed support for Councilmember Peltier.

Sharon Gilpin spoke in favor of free speech.

Charlotte Rovelstad expressed concerns with the process.

Kenneth Nelson expressed support for Councilmember Peltier.

David Schutz expressed concerns with the proposed motions.

Mary Hall spoke in favor of Councilmember Peltier.

Olaf Ribeiro expressed support for Councilmember Peltier.

Bonnie McBryan expressed concerns with the process.

Doug Rauh expressed support for Councilmember Peltier.

Doug Hotchkiss expressed support for Councilmember Peltier.

John Wright commented on the importance of candor in Council discussions.

Maris Favel expressed support for Councilmember Peltier.

Erin Phillips spoke in favor of moving forward.

Dick Haugan expressed support for Councilmember Peltier.

Brian Wilkinson expressed frustration with Council.

Councilmember Nassar moved to acknowledge receipt of the Ethics Opinions. The motion failed for lack of a second.

MOTION: I move to accept Advisory Opinion 2018-03.

Blossom/Deets: Motion carried 5 – 1.

AYES: Sarah Blossom, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina

NOES: Rasham Nassar
ABSENT: None
ABSTAIN: Ron Peltier

MOTION: I move to concur with Advisory Opinion 2018-05.

Blossom/Tirman: Motion carried 5 – 1.

AYES: Sarah Blossom, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina
NOES: Rasham Nassar
ABSENT: None
ABSTAIN: Ron Peltier

9) CLOSED RECORD PROCEEDING

9.A The Landing Final Long Subdivision, Resolution No. 2019-10 - Planning

Cover Page
Resolution No. 2019-10 The Landing Final Subdivision
Exhibit A Compliance Notation Report.pdf
Exhibit B The Landing Final Plat.pdf
Exhibit C Easements and Agreements.pdf
Exhibit D Hearing Examiner Decision.pdf

Mayor Medina recused himself from the vote. Senior Planner Greetham introduced the agenda item.

City Attorney Levan provided information on the Appearance of Fairness doctrine. There were no disclosures or Appearance of Fairness challenges.

MOTION: I move to approve Resolution No. 2019-10 relating to The Landing Final Long Subdivision.

Nassar/Tirman: Motion carried 6 – 0.

AYES: Sarah Blossom, Ron Peltier, Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider
NOES: None
ABSENT: None
ABSTAIN: Kol Medina

10) UNFINISHED BUSINESS

10.A Shoreline Master Program Periodic Review Process Public Participation Program and Work Plan - Planning

Cover Page
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This item was deferred to a future meeting.

10.C Olympic Drive Non-Motorized Improvements Project Construction Award - Public Works

Cover Page
Olympic Drive Bid Form
OLYMPIC DRIVE NM CONTRACT

Public Works Director Loveless introduced the agenda item.

Public Comment

David Peterson, Active Construction, spoke about their bid.

Council discussed the award.

MOTION: I move to authorize the City Manager to award the contract for the Olympic Drive Non-Motorized Improvements Project to Sound Pacific Construction LLC in the amount of \$1,981,315.75.

Blossom/Deets: The motion was withdrawn following discussion.

MOTION: I move to authorize the City Manager to award the contract for the Olympic Drive Non-Motorized Improvements Project to Sound Pacific Construction LLC in the amount of \$1,981,315.75 provided that the first low bidder is not successful in their protest. In the event they are, I authorize the City Manager to award the contract to the first low bidder.

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

11) NEW BUSINESS

11.A Ordinance No. 2019-05 Revising the BIMC Sewer Code to Allow a Limited Number of Onsite Systems in Sewer Service Areas - Public Works

[Cover Page](#)

[Ordinance No. 2019-05 Relating to Sewer Connection Requirements](#)

This item was deferred to a future meeting.

11.B Amendment No. 2 to the Interlocal Agreement with the Washington State Department of Licensing to Increase Bainbridge Island's Portion of the State Vehicle License Fee from \$20 to \$30 – Finance

[Cover Page](#)

[Amendment No. 2 to the ILA with the WA DOL](#)

This item was deferred to a future meeting.

12) CONSENT AGENDA

12.A Agenda Bill for Consent Agenda

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12.B Accounts Payable and Payroll

[Cover Page](#)

[Report to Council of Cash Disbursements 02-27-19.pdf](#)

[Payroll.pdf](#)

Accounts Payable: last check number 349064 from previous run = \$319.10; manual check number sequence 349797 – 349820 = \$218,192.97; regular check number sequence 349821 – 349889 = \$237,338.66. Retainage release = \$7,103.06. Total disbursement = \$455,531.63.

Payroll: normal direct deposit check sequence 044004 – 044127 = \$322,965.72; normal payroll check sequence 108865 – 108867 = \$25,385.84; vendor check run sequence 108868 – 108879 = \$129,762.76; ACH = \$308.69; Federal Tax Electronic Funds Transfer = \$135,138.30. Total disbursement = \$613,561.31.

12.C City Council Study Session Minutes, February 5, 2019

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[CCMIN 020519 STUDY SESSION](#)

12.D Regular City Council Business Meeting Minutes, February 12, 2019

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[CCMIN 021219 BUSINESS MEETING](#)

12.E Utility Advisory Committee 2018 Annual Report and 2019 Work Plan

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[2018 Annual Report and 2019 Work Plan \(Utility Advisory Committee\).pdf](#)

[Recommendations on Fire and Other Municipal Codes Impacting Island Water Systems \(Approved by the Utility Advisory Committee - May 9, 2018\)](#)

[Recommendations for a Utility Review Process \(Approved by the Utility Advisory Committee - June 27, 2018\)](#)

12.F Amendment No. 1 to the Option and Water Tower Lease Agreement with Verizon Wireless - Executive

[Cover Page](#)

[Amendment No. 1 to the Option and Water Tower Lease Agreement](#)

[Coverage Plot of Upgraded Telecommunications Equipment](#)

[October 13, 2011 Option and Water Tower Lease Agreement](#)

MOTION: I move to approve the Consent Agenda, as presented.

Nassar/Tirman: The motion was approved by unanimous consent.

13) COMMITTEE REPORTS

13.A Committee Reports

[Cover Page](#)

[Environmental Technical Advisory Committee Minutes - December 13, 2018](#)

[Utility Advisory Committee Minutes - January 9, 2019.pdf](#)

14) FOR THE GOOD OF THE ORDER

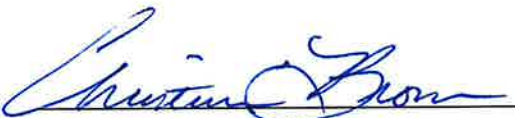
Councilmember Schneider thanked staff for their work in installing Steve Wilson's photo exhibit on homelessness.

15) ADJOURNMENT

Mayor Medina adjourned the meeting at 11:49 p.m.



Kol Medina, Mayor



Christine Brown, CMC, City Clerk