



**CITY COUNCIL REGULAR BUSINESS MEETING  
TUESDAY, JULY 23, 2019**

**Meeting Minutes**

**1) CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**

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

Mayor Medina, Deputy Mayor Tirman, and Councilmembers Blossom, Deets, and Peltier were present. Councilmember Schneider arrived at 6:04 p.m. Councilmember Nassar was absent and excused.

**2) APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**

Deputy Mayor Tirman moved and Councilmember Deets seconded to approve the agenda as presented. The motion was approved by unanimous consent.

There were no conflicts of interest disclosed.

**3) PUBLIC COMMENT**

Matt Perry, Puget Sound Energy, spoke about a telephone town hall on July 30, 2019.

Pete Brady spoke against LGBTQ advocacy.

Larry Koss spoke about the public records lawsuit.

Amy Aspell thanked Council for addressing affordable housing.

Kat Gjovik thanked Mayor Medina and Councilmember Tirman for their work on the 550 Madison project.

Patti Dusbabek spoke against the food farm on the M&E Property and Friends of the Farms.

Larry Koss spoke about affordable housing.

**4) MAYOR'S REPORT**

Mayor Medina mentioned the upcoming South Ward Meeting and the fact that there is no Council meeting next week.

## 5) CITY MANAGER'S REPORT

City Manager Smith provided an update on the lifting of the no contact advisory for Island beaches, the first Friday Artwalk and Something New pieces, a podcast on City topics, factual information on Initiative I-976, the Design Guidelines scheduled to go to Planning Commission in August, and planning for wildfires by Emergency Management Coordinator Sage in conjunction with the Bainbridge Island Fire Department.

## 6) PRESENTATION(S)

### 6.A Update from Kitsap Economic Development Association (KEDA)

[Cover Page](#)

John Powers from KEDA provided an update on their work and addressed Council's questions.

## 7) UNFINISHED BUSINESS

### 7.A Biosolids Contract - Public Works

[Cover Page](#)

[Proposed Biosolids Contract - Clean](#)

[Proposed Biosolids Contract - Track Changes](#)

[Staff Memo](#)

Public Works Director Loveless introduced the agenda item.

**MOTION:** I move to approve the contract with King County and Boulder Park, Inc., for the City's biosolids disposal, reject the May 2019 Request for Proposals for Biosolids Hauling and Beneficial Use, and waive the procurement manual policy regarding purchased services.

**Tirman/Deets:** The motion carried unanimously, 6 – 0.

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

**NOES:** None

**ABSENT:** Rasham Nassar

**ABSTAIN:** None

### 7.B 2019 Chip Sealing Project Contract Award - Public Works

[Cover Page](#)

[Bid Form - 2019 Chip Sealing Project](#)

[Contract for Construction - 2019 Chip Sealing Project](#)

[2019 Chip Sealing Map](#)

Public Works Director Loveless introduced the agenda item.

**MOTION:** I move to approve the award to Doolittle Construction in the amount of \$393,376.00 for the 2019 Chip Sealing Project.

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

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

**NOES:** None

**ABSENT:** Rasham Nassar

**ABSTAIN:** None

## 7.C Ordinance No. 2019-09 Relating to Accessory Dwelling Units (ADUs) - Planning

Cover Page

Staff Memo on ADUs Tiny Homes and RVs

City Zoning Map

Ordinance 2019-09 Draft

Staff Memo re tiny home Appendix Q adoption

Appendix Q

BIFD memo - RVs - CC 23 Jul 2019.pdf

October 2018 Legal Memo on ADUs

ADU Use Specific Standards 18.09.030 Attachment A

Senior Planner Sutton introduced the agenda item. Council discussed the policy questions concerning ADU common ownership regulations posed by staff.

### Public Comment

Sonya Quitslund spoke in favor of ADUs and the use of trailers.

Sal DeRosalia spoke in favor of recreational vehicles (RVs).

Jeb Thornburg spoke in favor of ADUs.

Belinda Thornburg inquired about the proposed language and ownership.

Kat Gjovik spoke about previous ADU recommendations.

**MOTION:** Councilmember Blossom moved to amend the ordinance in the packets to include the language in front of Council [Proposed ADU Ownership Text in Presentation Materials].

**Blossom/Tirman:** The motion carried, 5 – 1.

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

**NOES:** Ron Peltier

**ABSENT:** Rasham Nassar

**ABSTAIN:** None

**AMENDED MOTION:** I move to remove the second sentence of Subsection E that reads, “This prohibition does not apply to the accessory or single-family dwelling unit if one or both are providing affordable housing as defined by Chapter 18.21 BIMC and BIMC 18.36.030.16,” and direct staff to place further review of this item on the workplan.

**Blossom/Tirman:** The motion carried, 6 – 0.

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

**NOES:** None

**ABSENT:** Rasham Nassar

**ABSTAIN:** None

There was consensus to allow tiny homes and RVs as a primary residence or ADU in zones R-5 to less dense in the next draft.

There was consensus to allow two tiny homes or RVs, with one primary and one an ADU, in the next draft.

Council discussed design standards and development standards for tiny homes and ADUs.

**MOTION:** I move the City should relax lot coverage requirements for ADUs on lots smaller than 40,000 square feet.

**Blossom/Deets:** The motion carried 4 – 2.

**AYES:** Sarah Blossom, Joe Deets, Leslie Schneider, Kol Medina

**NOES:** Ron Peltier, Matt Tirman

**ABSENT:** Rasham Nassar

**ABSTAIN:** None

### **Public Comment on RVs**

Patti Dusbabek spoke about water issues and development.

Pascal Schuback spoke about fire safety issues.

Council asked staff to include RVs in the next draft for further discussion.

### **7.D Review and Assessment of Critical Area Regulations, BIMC Chapter 16.20 - Planning**

[Cover Page](#)

[20190723\\_CC\\_Staff\\_Memo.docx](#)

[20190509 PC Staff Memo.docx](#)

Senior Planner Carr introduced the agenda item. Council discussed the topic, and there was consensus to proceed with the update.

### **7.E Ordinance No. 2019-03, Relating to Subdivision Update - Planning**

[Cover Page](#)

[20190723 CC Staff Memo Subdivision Update.docx](#)

[Ord 2019-03.docx](#)

[Ord 2019-03 Exhibit A.docx](#)

[Ord 2019-03 Exhibit B.docx](#)

[Ord 2019-03 Exhibit C.docx](#)

Senior Planner Carr introduced the agenda item.

Councilmember Blossom proposed moving freestanding Landmark trees to Secondary Natural Areas, and Council concurred for the next draft.

Council clarified that the maximum home site area in the R-8 zone and above includes a garage.

Councilmember Blossom inquired about the home site designation.

### **Public Comment**

Jon Quitslund spoke about subdivision design and home site designations.

Patti Dusbabek spoke against the regulations.

Charlie Wenzlau spoke in favor of the home site designation and modified criteria for garages.

**MOTION:** I move to modify Ordinance No. 2019-03 to not require maximum home site sizes in the 0.4 and R-I zones.

**Blossom/Tirman:** The motion carried, 3 – 2.

**AYES:** Sarah Blossom, Matt Tirman, Kol Medina

**NOES:** Ron Peltier, Joe Deets

**ABSENT:** Rasham Nassar

**ABSTAIN:** Leslie Schneider

Council clarified that bus shelters should be allowed in roadside buffers. There was consensus to allow only low impact fencing around an entire subdivision.

**MOTION:** I move to set a public hearing for August 27, 2019 for Ordinance No. 2019-03 with the changes made tonight.

**Blossom/Peltier:** The motion carried unanimously, 6 – 0.

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

**NOES:** None

**ABSENT:** Rasham Nassar

**ABSTAIN:** None

## 8) NEW BUSINESS

### 8.A Memorandum of Understanding with the Suquamish Tribe for Impact Mitigation Grant Funding - Police

[Cover Page](#)

[2019 Impact Mitigation Grant MOU](#)

Interim Police Chief Horn introduced the agenda item.

**MOTION:** I move to forward the Suquamish Tribe Impact Mitigation Grant Memorandum of Understanding, and related spending authority for the Bainbridge Island Police Department to use the grant funding, for approval with the August 13, 2019 Consent Agenda.

**Blossom/Deets:** The motion was approved by unanimous consent.

### 8.B Ordinance No. 2019-19, Prohibiting the Stopping, Standing, or Parking of Vehicles in Bicycle Facilities - Public Works

[Cover Page](#)

[Ordinance No. 2019-19, Prohibiting the Stopping, Standing, or Parking of Vehicles in Bicycle Facilities](#)

Public Works Director Loveless introduced the agenda item.

**MOTION:** I move to forward Ordinance No. 2019-19 for approval with the August 13, 2019 Consent Agenda.

**Blossom/Schneider:** The motion was approved by unanimous consent. Councilmember Peltier was absent from Council Chambers for the vote.

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

**NOES:** None

**ABSENT:** Rasham Nassar, Ron Peltier

**ABSTAIN:** None

#### **8.C Mid-Year Report on 2019 Workplan Priorities and Comprehensive Plan Implementation - Executive**

[Cover Page](#)

[2019 MidYear Workplan Rpt - By Dept.pdf](#)

[2019 MidYear Workplan Rpt - By Goal.pdf](#)

[2019 MidYear Comp Plan Implementation Rpt.pdf](#)

City Manager Smith provided information on the Mid-Year Report, and Council discussed the report.

#### **8.D Request for Proposals for 2020-2021 Cultural Funding Award Cycle - Executive**

[Cover Page](#)

[2020-2021 Cultural Funding RFP for CC 07232019](#)

[2020-21\\_Cultural\\_Funding\\_RFP-Slides\\_for\\_CC\\_07232019.pptx](#)

Deputy City Manager Schroer introduced the agenda item.

**MOTION:** I move to forward authorization for City staff to issue the Request for Proposals, as attached, as part of the City's 2020-2021 cultural funding award cycle for approval with the August 13, 2019 Consent Agenda.

**Tirman/Schneider:** The motion carried unanimously, 6 – 0.

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

**NOES:** None

**ABSENT:** Rasham Nassar

**ABSTAIN:** None

Mayor Medina adjourned the meeting for a break at 9:20 p.m. and re-convened the meeting at 9:27 pm.

### **9) CITY COUNCIL DISCUSSION**

#### **9.A Discussion of Potential Changes to the City's Ethics Program Regarding Third-Party Article I Complaints - Mayor Medina**

[Cover Page](#)

[List of Possible Approaches - Third-Party Article I Complaints](#)

Mayor Medina introduced the agenda item. He noted that Approach #5 should say it combines Approach #2 and #4.

Following discussion, there was consensus to require a reconciliation process prior to moving forward with a complaint.

**MOTION:** I move to direct staff to draft language revising the City's Ethics Program to implement Approach #5 for the handling of third-party Article I complaints.

**Deets/Schneider:** The motion carried, 5 – 0.

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

**NOES:** None

**ABSENT:** Rasham Nassar

**ABSTAIN:** Ron Peltier

## **9.B Consider New Appointments to Multi-Modal Transportation Advisory Committee**

[Cover Page](#)

Councilmember Schneider introduced the agenda item, and Council discussion followed.

**MOTION:** I move that we authorize the remaining members of MTAC to proceed with writing their final report, and they will be subject to the OPMA but not the higher standard that is in our governance manual.

**Schneider/Deets:** The motion carried, 4 – 2.

**AYES:** Sarah Blossom, Joe Deets, Leslie Schneider, Kol Medina

**NOES:** Ron Peltier, Matt Tirman

**ABSENT:** Rasham Nassar

**ABSTAIN:** None

## **10) CONSENT AGENDA**

### **10.A Agenda Bill for Consent Agenda**

[Cover Page](#)

### **10.B Accounts Payable and Payroll**

[Cover Page](#)

[Payroll.pdf](#)

[Report to Council of Cash Disbursements 07-24-19.pdf](#)

Payroll: normal direct deposit check sequence 045279 – 045410 = \$336,232.96; regular payroll check sequence 109041 – 109047 = \$8,176.20; vendor check run sequence 109048 – 109057 = \$134,110.66; Federal Tax Electronic Funds Transfer = \$130,436.15; ACH \$237.50. Total disbursement = \$609,193.47.

Accounts Payable: check number 351005 from previous run = \$559.48; manual check number sequence 351006 – 351014 = \$74,025.25; regular check number sequence 351015 – 351136 = \$630,487.38. Total disbursement = \$704,512.63.

### **10.C City Council Study Session Minutes, July 2, 2019**

[Cover Page](#)

[CCMIN 070219 STUDY SESSION](#)

### **10.D City Council Regular Business Meeting Minutes, July 9, 2019**

[Cover Page](#)

[CCMIN 070919 BUSINESS](#)

- 10.E Request for Proposals for 2020 Lodging Tax Projects - Executive**  
[Cover Page](#)  
[2020\\_LTAC\\_RFP\\_-for\\_CC 07092019](#)  
[LTAC Presentation for CC 9 July 2019](#)  
[MRSC - Lodging Tax \(Hotel-Motel Tax\)](#)
- 10.F Interlocal Agreement for Navigator Behavioral Health Support - Police**  
[Cover Page](#)  
[Navigator Services ILA](#)  
[Poulsbo Navigator Policy - Updated 03.01.2019](#)
- 10.G Resolution No. 2019-23, Adopting a Vehicle License Fee Rebate Program - Finance**  
[Cover Page](#)  
[Resolution No. 2019-23, Adopting a Vehicle License Fee Rebate Program](#)  
[TBD Vehicle License Fee Rebate Program Summary](#)  
[Vehicle License Fee Rebate Application Form](#)
- 10.H Olympic Drive Design Professional Services Agreement Amendment No. 1 - Public Works**  
[Cover Page](#)  
[Amendment No. 1 to PSA with MIG SvR Design](#)  
[Exhibit A to Amendment No. 1](#)  
[Original PSA With MIG SvR Design - Executed April 15, 2019](#)
- 10.I Municipal Court Lease Extension - Public Works**  
[Cover Page](#)  
[Amendment No. 2 to the Commercial Lease Agreement for the Municipal Court Building](#)
- 10.J Police Vehicle Procurement - Public Works**  
[Cover Page](#)  
[POLICE Vehicle DES WA Specifications](#)
- 10.K Resolution No. 2019-22, Supporting a County-Wide Ban on the Aerial Spray of Glyphosate and Stating the City's Intent to Pursue a Ban on the General Use and Sale of Glyphosate on Bainbridge Island - Councilmember Nassar**  
[Cover Page](#)  
[Resolution No. 2019-22 Supporting Ban on Aerial Spraying of Glyphosate](#)

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

**Peltier/Tirman:** The motion was approved by unanimous consent.

## 11) COMMITTEE REPORTS

### **11.A Committee Reports**

[Cover Page](#)  
[Climate Change Advisory Committee Meeting Minutes, June 19, 2019](#)  
[Ethics Board Meeting Minutes, May 20, 2019](#)  
[Race Equity Task Force Meeting Minutes, June 6, 2019](#)

**12) FOR THE GOOD OF THE ORDER**

Councilmember Deets provided an update on the North Ward meeting.

**13) ADJOURNMENT**

Mayor Medina adjourned the meeting at 10:05 p.m.

  
City