



CITY OF
BAINBRIDGE ISLAND

**CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, SEPTEMBER 10, 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 Tirman, and Councilmembers Blossom, Deets, Nassar, Peltier, and Schneider were present.

2) CLOSED SESSION

2.A Pursuant to RCW 42.30.140(4), the Council will conduct a closed session related to collective bargaining negotiations

[Cover Page](#)

2.B. Executive Session [Added]

Pursuant to RCW 42.30.110(1)(i), held an executive session 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.

Mayor Medina adjourned the meeting at 6:03 p.m. for a closed session pursuant to RCW 42.30.140(4) and an executive session pursuant to RCW 42.30.110(1)(i).

Council returned from the closed session and executive session at 6:43 p.m. Mayor Medina re-convened the meeting with the aforementioned Council members present.

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

Councilmember Peltier 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.

4) PUBLIC COMMENT

Jeff Pfeil spoke against RVs as housing.

Kirsten Hytopoulos spoke against the Suzuki project.

Lisa Macchio spoke in favor of moving forward with non-motorized projects.

Erin Phillips spoke about community values and affordable housing.

Patti Dusbabek spoke about the ownership of the Farmer's Market.

Gary Sakuma spoke about Patriot Day.

5) MAYOR'S REPORT

Mayor Medina provided information on the Ethics Program discussion, a Washington State Department of Transportation presentation on the State Route 305 project, and the American Legion program on September 11, 2019.

6) CITY MANAGER'S REPORT

City Manager Smith provided information on outreach efforts in connection with the Olympic Drive Project, National Preparedness Month activities, passport services, and Farmer's Market signage.

7) PRESENTATION(S)

7.A Proclamation Declaring September 11, 2019 as "A Day of Service and Remembrance" - Mayor Medina

[Cover Page](#)

[Proclamation - A Day of Service and Remembrance 2019](#)

Mayor Medina read the proclamation and presented it to Mr. Gary Sakuma from the American Legion.

8) UNFINISHED BUSINESS

8.A Set Public Hearing on Ordinance No. 2019-25 Relating to Design Guidelines - Planning **Cover Page**

Senior Planner Sutton introduced the agenda item.

MOTION: I move to schedule a public hearing on Ordinance No. 2019-25 on September 24, 2019.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

8.B Possible Moratorium Extension: Items Included and Duration - Planning

[Cover Page](#)

[WMP Study Area Zoning Map.docx](#)

[Ordinance No 2019-10 Extending the Development Moratorium Approved 032619.pdf](#)

[Development Moratorium Summary Effective 20190403.pdf](#)

City Manager Smith introduced the agenda item. Council discussed a moratorium extension.

Public Comment

Jonathan Davis spoke about the moratorium extension.

MOTION: I move to include the core district in the draft ordinance.

Peltier/Blossom: The motion failed, 3 – 4.

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

Council directed staff to develop an ordinance to extend the moratorium for two months; then extend the moratorium until June 30, 2020 within the Winslow Master Plan Study Area (excluding the Central Core and excluding subdivisions), unless ten percent of the project is dedicated to affordable housing (up to 80% AMI).

8.C Schedule a Public Hearing on Ordinance No. 2019-26, Related to the Extending the Moratorium on Certain Development Activities - Planning
[Cover Page](#)

MOTION: I move to schedule a public hearing on September 24, 2019, related to Ordinance No. 2019-26, which would extend the moratorium on certain development activities.

Nassar/Peltier: The motion carried, unanimously, 7 – 0.

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

Mayor Medina adjourned the meeting for a break at 8:07 p.m. and re-convened the meeting at 8:15 p.m.

8.D Ordinance No. 2019-09 Relating to Accessory Dwelling Units (ADUs) and Tiny Homes - Planning
[Cover Page](#)
[Staff Memo on Tiny Homes and RVs](#)
[Ordinance 2019-09 DRAFT 073119](#)
[October 2018 Legal Memo on ADUs](#)
[Building Official Memo RV as Permanent Living](#)
[BIFD Memo - RVs - CC 23 Jul 2019](#)
[Kitsap RV Dump Stations](#)
[Building Official Memo re Tiny Home Appendix Q Adoption](#)
[Appendix Q](#)
[City Zoning Map](#)
[ADU Use Specific Standards 18.09.030 Attachment A](#)

Senior Planner Sutton introduced the agenda item. Senior Planner Greetham, Eric Evans, Kitsap Public Health District, and Building Official Cunningham also participated in the discussion.

Public Comment

Mark Lacy spoke in favor of RVs as housing.

Sonya Quitslund spoke in favor of RVs as housing.

Jonathan Davis spoke about affordability and ownership.

Council discussed RVs. Councilmember Schneider moved to direct staff to come back with a separate ordinance specifically for legalizing RVs and finding some way to make them fully legal working with current restrictions from the Health Department. The motion failed for lack of a second.

MOTION: I move to direct staff to put together an ordinance allowing RVs as permanent residences to be regulated on a renewable basis to be determined later.

Deets/Tirman: The motion, as amended below, carried unanimously, 7-0.

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

NOES: None

ABSENT: None

ABSTAIN: None

AMENDMENT: Councilmember Blossom moved to amend the motion to remove the word "permanent."

Blossom/Deets: The amendment carried 6-0.

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

NOES: None

ABSENT: None

ABSTAIN: Ron Peltier

MOTION: I move that we amend Ordinance No. 2019-09 to go back to not allowing RVs as ADUs until such time as, potentially, we develop an RV ordinance.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

MOTION: I move to amend Ordinance No. 2019-09 to only allow tiny homes after the effective date of the State Building Code Council tiny home code adoption.

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

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

NOES: None
ABSENT: None
ABSTAIN: None

Following discussion, Council agreed to discuss tiny home communities further at a future meeting.

Councilmember Blossom moved to remove the underlying language on page one of the Ordinance that is Section 1(c) and wherever else it is mentioned. Following discussion, Council agreed to discuss Ordinance No. 2019-09 further at a future meeting.

9) NEW BUSINESS

9.A Professional Services Agreement with Framework for Island Center Subarea Plan - Planning

[Cover Page](#)

[PSA with Framework for Island Center Subarea Planning](#)

[Attachment A - Framework Island Center Subarea Planning Scope of Work](#)

Senior Planner Sutton introduced the agenda item. Council discussed the scope of work, including the sewer analysis.

Public Comment

Michael Loverich commented on consultants.

MOTION: I move to approve the professional services agreement with Framework for Island Center Subarea Planning.

Blossom/Deets: The motion carried, 5 – 2, following failure of the amendment below.

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

NOES: Ron Peltier, Rasham Nassar

ABSENT: None

ABSTAIN: None

AMENDMENT: I move to amend the motion so that it becomes a motion to approve this contract with the sewer analysis portion removed.

Peltier/Nassar: The motion failed 3-4.

AYES: Kol Medina Ron Peltier, Rasham Nassar

NOES: Sarah Blossom, Joe Deets, Matt Tirman, Leslie Schneider

ABSENT: None

ABSTAIN: None

9.B Option to Refund Outstanding 2007 and 2008 Open Space LTGO Bonds at Lower Interest Rates - Finance

[Cover Page](#)

Finance Director Pitts introduced the agenda item.

MOTION: I move to authorize the City Manager to refund approximately \$3 million in outstanding 2007 and 2008 LTGO bonds at a lower interest rate and to execute the documents necessary to effectuate such a refund.

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

9.C Engagement Letter, Bond Underwriter Piper Jaffray - Finance

[Cover Page](#)

[Piper Jaffray Bond Underwriter Engagement Letter](#)

Finance Director Pitts introduced the agenda item.

MOTION: I move to forward the engagement letter with Piper Jaffray for approval with the September 24, 2019 Consent Agenda.

Nassar/Deets: The motion carried unanimously, 7 – 0.

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

NOES: None

ABSENT: None

ABSTAIN: None

10) COUNCIL DISCUSSION

10.A Review Council Comments on Puget Sound Regional Council's Vision 2050 Plan - Councilmember Peltier

[Cover Page](#)

[Draft Comments per Vision 2050](#)

Councilmember Peltier introduced the agenda item. Council discussed the comments and authorized Mayor Medina and Councilmember Peltier to sign the letter.

11) CONSENT AGENDA

11.A Agenda Bill for Consent Agenda

[Cover Page](#)

11.B Accounts Payable and Payroll

[Cover Page](#)

[Report to Council of Cash Disbursements 09-11-19.pdf](#)

[Payroll.pdf](#)

Accounts Payable: check number 351415 from previous run = \$1,279.52; manual check number sequence 351416 – 351242 = \$29,153.99; regular check number sequence 351425 – 351538 = \$272,538.21. Retainage release check number 181 = \$4,044.42 Total disbursement = \$301,692.20.

Payroll: normal direct deposit check sequence 45684 – 45818 = \$337,090.28; regular payroll check sequence 109093 – 109100 = \$13,078.46; vendor check run sequence 109101 – 109113 = \$358,706.73; Federal Tax Electronic Funds Transfer = \$137,415.25; ACH \$237.50. Total disbursement = \$846,528.22.

- 11.C City Council Study Session Minutes, August 20, 2019**
[Cover Page](#)
[City Council Study Session Minutes, August 20, 2019.pdf](#)
- 11.D City Council Regular Business Meeting Minutes, August 27, 2019**
[Cover Page](#)
[City Council Regular Business Meeting Minutes, August 27, 2019.pdf](#)
- 11.E Memorandum of Understanding between Kitsap County Sheriff's Office and Bainbridge Island Police Department Regarding Registered Sex Offender Address/Residency Verification Program Grant - Police**
[Cover Page](#)
[MOU - Registered Sex Offender Address/Residency Verification Program Grant](#)
- 11.F Wyatt/Madison Roundabout Project Right-of-Way and Temporary Construction Easement Acquisition - Public Works**
[Cover Page](#)
[ROW Easement Agreement - MARE - Parcel No. 272502-4-184-2004](#)
[ROW Easement Agreement - MARE - Parcel No. 272502-4-185-2003](#)
[TCE - MARE - Parcel No. 272502-4-009-2007](#)
[TCE - MARE - Parcel No. 272502-4-184-2004](#)
[TCE - MARE - Parcel No. 272502-4-185-2003](#)
[Memorandum - CLS Evaluation](#)
- 11.G Amendment No. 5 to Professional Services Agreement with Contract Land Staff, LLC, in support of the Wyatt/Madison Roundabout Project - Public Works**
[Cover Page](#)
[Amendment No. 5 to PSA with Contract Land Staff LLC](#)
- 11.H Amendment No. 1 to the Interlocal Agreement with the Kitsap County Noxious Weed Control Board for Noxious Weed Control - Public Works**
[Cover Page](#)
[Amendment No. 1 to ILA for Noxious Weed Control](#)
[2017 ILA for Noxious Weed Control](#)
- 11.I Ordinance No. 2019-23, Re-establishment of the Salary Commission - Executive**
[Cover Page](#)
[Ordinance No. 2019-23, Re-establishment of the Salary Commission](#)
[Exhibit A to Ordinance No. 2019-23 - Track Changes](#)

Mayor Medina pulled Item 11.C, City Council Study Session Meeting Minutes, at the request of the City Attorney.

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

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

12) COMMITTEE REPORTS

12.A Committee Reports

[Cover Page](#)

Climate Change Advisory Committee Minutes, July 15, 2019
Race Equity Task Force Minutes, August 15, 2019
Utility Advisory Committee Minutes, June 26, 2019

Councilmember Blossom reported on the last Planning Commission meeting.

13) FOR THE GOOD OF THE ORDER

Councilmember Schneider noted Kirkland's actions to set aside housing for City employees.

Councilmembers Peltier and Deets asked to move up the Green Building discussion.

14) ADJOURNMENT

Mayor Medina adjourned the meeting at 10:31 p.m.



Kol Medina, Mayor



Christine Brown, CMC, City Clerk