



CITY OF
BAINBRIDGE ISLAND

**CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, SEPTEMBER 24, 2019**

MEETING MINUTES

1) CALL TO ORDER / ROLL CALL

Mayor Medina called the meeting to order at 6:00 p.m. in Council Chambers.

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

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

Councilmember Deets moved and Deputy Mayor Tirman seconded to approve the agenda as presented. The motion was approved by unanimous consent; no conflicts of interest were disclosed.

3) PUBLIC COMMENT

Larry Koss spoke regarding critical issues, viability, integrity, balance and sustainability.

Victoria Reilly supports the ban on fireworks.

Jay Rosenberg supports the ban on fireworks.

Marilyn McLauchlan supports the ban on fireworks.

Elizabeth Doll, Harbor Square, does not support the ban on fireworks.

4) MAYOR'S REPORT

Mayor Medina mentioned that at the October 1 meeting Council will discuss what the last quarter of the year will look like and ICE randomly stopping people asking for their paperwork.

5) CITY MANAGER'S REPORT

City Manager Smith reported the Olympic Drive video is now ready on-line and on the ferry; City Hall will be closed September 25, 2019 between 11:00 a.m. – 1:00 p.m.; 3 Days of Preparedness starts Friday evening, September 27, 2019 at City Hall; Municipal Court will hold a passport event – no appointments needed – at the courthouse in Rolling Bay on Saturday, September 28, 9:00 a.m. – 2:00 p.m.; on Wednesday October 2, 2019, Coffee with a Cop will be held at McDonalds 8:00 a.m. – 11:00 a.m.

The new city arborist was hired and currently there are seven applications for the hydrogeologist position.

6) PRESENTATION(S)

6.A Proclamation Declaring the Month of October 2019 as Resilience Awareness Month - Mayor Medina

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Resilience Awareness Month Proclamation

Mayor Medina introduced the agenda item; information only.

7) PUBLIC HEARING(S)

7.A Ordinance No. 2019-25 Relating to Design Guidelines - Planning

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20190920 CC Staff Memo

Public Hearing Draft Ordinance 2019-25

20190920 Design for Bainbridge FINAL

Senior Planner Sutton introduced the agenda item.

Mayor Medina opened the public hearing at 6:33 p.m.

Mayor Medina closed the public hearing at 6:33 p.m.

Senior Planner Sutton and Council discussed the ordinance.

MOTION: I move to approve Ordinance 2019-25.

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

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

NOES:

ABSENT:

ABSTAIN:

7.B Ordinance No. 2019-03 -- Subdivision Update - Planning

Cover Page

Subdivision Memo addressing Homesite.docx

Ord 2019-03 - Public Hearing Draft 092419

Ord 2019-03 Exhibit A

Ord 2019-03 Exhibit B

Ord_2019-03 REVISED Exhibit A

Planning Director Wright introduced the agenda item and reviewed the memo in the packet.

Mayor Medina opened the public hearing at 6:48 p.m.

Public Comment

Jonathan Davis referenced an email sent to Council with proposed language.

Mayor Medina closed the public hearing at 6:52 p.m.

AMENDED MOTION: I move to amend Ordinance No. 2019-03 to incorporate the language for home sites and other uses suggested by staff on page two of the memo.

Peltier/Deets: The motion carried, 4 – 3.

AYES: Rasham Nassar, Ron Peltier, Joe Deets, Kol Medina

NOES: Matt Tirman, Leslie Schneider, Sarah Blossom

ABSENT: None

ABSTAIN: None

MOTION: I move to approve Ordinance 2019-03 as amended with revised Exhibit A.

Peltier/Deets: The motion carried, 6 – 1.

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

NOES: Sarah Blossom

ABSENT: None

ABSTAIN: None

7.C Ordinance No. 2019-26, Related to Extending the Moratorium on Certain Development Activities - Planning

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Ordinance No. 2019-26 Extending the Development Moratorium - Public Hearing Draft 092419

Ordinance No. 2019-26 Exhibit A Work Plan

Exhibit B Winslow Master Plan Study Area Map

Affordability Consideration memo

Attachment A 2019 Median Gross Income

Ordinance No. 2019-26 Extending the Development Moratorium - Public Hearing Draft 092419 - Revised

Ordinance No. 2019-26 Exhibit A Work Plan - Revised

Mayor Medina introduced the agenda item. Planning Director Wright reviewed the memo regarding revised language in the packet.

AMENDED MOTION: I move to amend Ordinance 2019-26 so affordable housing is allowed to obtain an exemption from the ordinance for low-income housing.

Peltier/Nassar: The motion failed, 2 – 5.

AYES: Ron Peltier, Rasham Nassar

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

ABSENT: None

ABSTAIN: None

Mayor Medina opened the public hearing at 7:33 p.m.

Jonathan Davis posed a question about HDDP and the ordinance.

Mayor Medina closed the public hearing at 7:34 p.m.

MOTION: I move to approve the revised version of Ordinance No. 2019-26.

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

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

NOES:

ABSENT:

ABSTAIN:

8) UNFINISHED BUSINESS

8.A Ordinance No. 2019-04, Updating the City's Sign Code - Planning

[Cover Page](#)

[Staff Memo - Sign Code Matrix and Definitions of Key Terms \(Updated for 9-24-19 CM\)](#)

[Ordinance No. 2019-04, Updating the City's Sign Code - Track Changes](#)

[Staff memo from July 2019 - Sign Code Enforcement.docx](#)

Deputy City Attorney Sepler introduced the agenda item.

Public Comment

Andrew Berg spoke regarding the sign code ordinance.

Rex Oliver complimented the staff on all the work done on the ordinance.

Sal DeRosalia spoke regarding the sign code ordinance.

Joe Dunston spoke regarding a way finding system.

MOTION: I move to forward Ordinance No. 2019-04 to the Planning Commission for its review, recommendation, and a public hearing.

Peltier/Deets: The motion carried, 4 – 3.

AYES: Ron Peltier, Rasham Nassar, Joe Deets, Matt Tirman

NOES: Sarah Blossom, Leslie Schneider, Kol Medina

ABSENT: None

ABSTAIN: None

8.B Process to Respond to Fire Code Issues Identified by Utility Advisory Committee - Executive

[Cover Page](#)

[UAC Memo on Fire Codes - June 2019.pdf](#)

City Manager Smith introduced the agenda item. Bainbridge Island Fire Department Chief Hank Teran and Deputy Chief Jared Moravec addressed council. Chief Teran explained that the fire code is updated every three years,

Public Comment

Jeff Kanter, Utility Advisory Committee, provided comment on specific language in the code,

9) NEW BUSINESS

9.A Ordinance No. 2019-21, Banning the Use of Consumer Fireworks on Bainbridge Island - Executive

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[Ordinance No. 2019-21, Banning the Sale and Use of Consumer Fireworks on Bainbridge Island - Track Changes](#)

[Ordinance No. 2019-21, Banning the Sale and Use of Consumer Fireworks on Bainbridge Island - Clean](#)

City Manager Smith introduced the agenda item.

Deputy City Attorney Sepler addressed council.

Public Comment

Chris Neal supports the ban.

Chief Teran encouraged Council to consider the ordinance as written.

Marilyn McLaughlin spoke regarding the fireworks ban.

Deputy Chief Moravec provided statistics on fires caused by errant fireworks.

MOTION: I move to forward Ordinance No. 2019-21 for approval with the October 8, 2019 Consent Agenda.

Deets/Tirman: The motion was amended as stated below.

AMENDED MOTION: I move to forward Ordinance No. 2019-21 to the October 8, 2019 agenda under unfinished business.

Nassar/Schneider: The motion carried, 6 – 0.

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

NOES:

ABSENT:

ABSTAIN: Kol Medina

9.B Bond Delegation Ordinance No. 2019-22 Relating to the Sale of \$8.0 Million in 2019 Limited Tax General Obligation Bonds and \$3.0 Million in Refunding 2007 and 2008 Limited Tax General Obligation Bonds - Finance

[Cover Page](#)

[Bond Ordinance No. 2019-22 City of Bainbridge Island LTGO 2019 LTGO Ref 2019](#)

Finance Director Pitts introduced the agenda item.

MOTION: I move to appoint the Finance Director, or the Deputy City Manager or City Manager in the absence of the Finance Director, as the City's designated representative and authorize the designated representative to conduct the sale of bonds when the terms are deemed the most advantageous to the City.

Tirman/Schneider: The motion carried, 5 – 0.

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

NOES: None

ABSENT:

ABSTAIN: Ron Peltier, Rasham Nassar

9.C Resolution No. 2019-24, Updating the City's Procurement Policy - Public Works

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Resolution No. 2019-24, Updating the City's Procurement Policy

Exhibit A to Resolution No. 2019-24 - Updated Procurement Policy - Clean

Exhibit A to Resolution No. 2019-24 - Updated Procurement Policy - Track Changes

ESSB 5418 - Session Law

ESSB 5418 - Final Bill Report

Public Works Director Wierzbicki introduced the agenda item.

MOTION: I move to forward Resolution No. 2019-24 for approval with the October 8, 2019 Consent Agenda.

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

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

NOES:

ABSENT:

ABSTAIN:

9.D Sewer Treatment Plant Upgrades Feasibility Study and Pre-Treatment Program Development Professional Services Agreement - Public Works

Cover Page

PSA with Murraysmith, Inc.

Attachment A to PSA with Murraysmith, Inc.

WWTP Tertiary Treatment Feasibility RFQ

Public Works Director Wierzbicki introduced the agenda item.

MOTION: I move to forward the Sewer Treatment Plant Upgrades Feasibility Study and Pre-Treatment Program Development Professional Services Agreement for approval with the October 8, 2019 Consent Agenda.

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

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

NOES:

ABSENT:
ABSTAIN:

10) COUNCIL DISCUSSION

10.A Council Comments on Washington State Oil Spill Contingency Plan Rule Update - Councilmembers Peltier and Schneider

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[BI City Council Oil Spill Contingency Plan - Comment Letter](#)

[Background - Oil Spill Contingency Plan Update](#)

MOTION: I move to authorize the Mayor to sign the letter attached to this agenda item which is addressed to the Department of Ecology commenting on the Washington State Oil Spill Contingency Plan Rule Update.

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

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

NOES:

ABSENT:

ABSTAIN:

11) CONSENT AGENDA

11.A Agenda Bill for Consent Agenda

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11.B Accounts Payable and Payroll

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[Report to Council of Cash Disbursements 09-25-19.pdf](#)

[Payroll.pdf](#)

Accounts Payable: check number 351538 from previous run = \$789.16; manual check number sequence 351539 – 351550 = \$461,391.56; regular check number sequence 351551 – 351673 = \$216,984.75. Total disbursement = \$678,376.31.

Payroll: normal direct deposit check sequence 45819 – 45949 = \$342,252.88; regular payroll check sequence 109114 – 109120 = \$10,437.70; vendor check run sequence 109121 – 109310 = \$136,048.93; Federal Tax Electronic Funds Transfer = \$130,762.01; ACH \$237.50. Total disbursement = \$620,739.02.

11.C City Council Study Session Minutes, August 20, 2019

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[City Council Study Session Minutes, August 20, 2019.pdf](#)

11.D City Council Study Session Minutes, September 3, 2019

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[City Council Study Session Minutes, September 3, 2019](#)

11.E City Council Regular Business Meeting Minutes, September 10, 2019

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[City Council Regular Business Meeting Minutes, September 10, 2019](#)

11.F Engagement Letter, Bond Underwriter Piper Jaffray - Finance

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[Piper Jaffray Bond Underwriter Engagement Letter](#)

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

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

12) COMMITTEE REPORTS

12.A Committee Reports

[Cover Page](#)

[Ethics Board Minutes, August 19, 2019](#)

[Lodging Tax Advisory Committee Minutes, August 12, 2019](#)

Councilmember Peltier attended the Growth Management Policy Board meeting.

12.B Regional Committee Reports by Councilmember Liaisons - Mayor Medina

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This agenda item was forwarded to the October 8, 2019 agenda.

13) FOR THE GOOD OF THE ORDER

Councilmember Deets reported that Puget Sound Energy is putting together a community solar pilot program. This item will be brought up at the October 8, 2019 meeting when Council discusses 4th quarter work plan items.

Councilmember Peltier reported on the SR 305 Working Group meeting.

14) ADJOURNMENT

Mayor Medina adjourned the meeting at 9:03 p.m.



Kelly Jahraus, Deputy City Clerk

Kol Medina, Mayor