



CITY OF
BAINBRIDGE ISLAND

**CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, FEBRUARY 11, 2020**

MEETING MINUTES

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

Mayor Schneider called the meeting to order at 6:01 p.m. in Council Chambers.

Mayor Schneider, Deputy Mayor Nassar, and Councilmembers Deets, Hytopoulos, Medina, Pollock and Tirman were present.

2) EXECUTIVE SESSION

2.A Pursuant to RCW 42.30.110(1)(g), to evaluate the qualifications of an applicant for employment or to review the performance of a public employee, and 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 Schneider adjourned the meeting to an executive session at 6:03 p.m. pursuant to RCW 42.30.110(1)(g) and RCW 42.30.110(1)(i).

Council returned from executive session at 6:37 p.m., and Mayor Schneider reconvened the meeting at 6:38 p.m.

3) APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE

Councilmember Medina moved and Councilmember Deets seconded to amend the agenda to add a discussion of the Harbor Square fence and open space issue. The motion carried unanimously, 7 – 0. It will be added before public comment.

Councilmember Pollock moved and Councilmember Medina seconded to amend the agenda to add a report on the Island Center open house under Committee Reports. The motion carried unanimously, 7 – 0.

Councilmember Deets moved and Councilmember Pollock seconded to approve the agenda as amended. The motion carried unanimously, 7 – 0.

There were no conflicts of interest disclosed.

Mayor Schneider mentioned that Council will take a break before New Business.

HARBOR SQUARE FENCE AND TRAIL [ADDED]

Councilmember Medina introduced the agenda item, and Council discussed the item. City Manager Smith will bring back information for Council by the end of March.

RESIGNATION [ADDED]

Councilmember Tirman announced that he will resign from City Council as of February 28, 2020.

4) PUBLIC COMMENT

Michael Sherry spoke about concerns with the Triangle Property.

Nick Masla spoke about concerns with the Triangle Property.

Wendy Tyner spoke about concerns with the Triangle Property.

Larry Kida spoke about the Harbor Square open space.

Bernice O'Brien spoke about housing affordability.

Erin Phillips said she would comment on the affordable housing sales tax at the next meeting.

Dave Henry spoke about ethics.

Cindy Anderson spoke about the purchase of police vehicles and ethics.

Cynthia Ballas spoke against density.

Frances Atherton spoke about the Harbor Square path and fence.

Richard Isomaki spoke against the path at Harbor Square.

Marcia Aldrich spoke against the path at Harbor Square.

Mary Clare Kersten spoke against the path at Harbor Square.

Larry Kida spoke against the path at Harbor Square.

Lee Shugart spoke about the heritage tree at Harbor Square.

Jon Rose spoke about Suzuki.

5) MAYOR'S REPORT

Mayor Schneider mentioned the Council retreat, and a request from Kitsap Transit for letters in support of grants.

6) CITY MANAGER'S REPORT

City Manager Smith mentioned an upcoming closure of the Public Works and Planning Counters and closure for President's Day.

7) FUTURE COUNCIL AGENDAS

7.A Future Council Agendas

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City Council Study Session February 18, 2020

City Council Regular Business Meeting February 25, 2020

City Council Study Session March 3, 2020

2020 List of Pending Council Meeting Topics.docx

2020 List of Proposed Future Council Topics.docx

Council discussed the January 18, 2020 meeting.

MOTION: I move to cancel the January 18, 2020 meeting.

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

AYES: Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider, Tirman

NOES: None

ABSENT: None

ABSTAIN: None

Councilmember Medina asked to add the Council liaison guidelines to a future meeting.

Council scheduled a discussion on the Ethics Program for March 17, 2020.

Deputy Mayor Nassar asked to add a discussion of the changes to the permit approval process to a future study session.

8) PRESENTATION(S)

8.A Proclamation Declaring February 2020 as "Black History Month" - Mayor Schneider

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Black History Month Proclamation 2020

Councilmember Deets read the proclamation. Sal DeRosalia accepted the proclamation.

9) UNFINISHED BUSINESS

9.A Code of Conduct and Ethics Program Review - Executive

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Resolution No. 2019-26 Updating the City's Ethics Program - Approved 112619

Cover Page - April 30, 2019 Ethics Workshop

Greg Rubstello - Ethics Workshop Presentation - April 30, 2019

Steve Gross - Ethics Workshop Presentation - April 30, 2019

Port Townsend Code of Ethics - Chapter 2.80 PTMC

HCR 4401 Regarding Code of Conduct

Resolution No. 2019-13 - Revising Ethics Program Related to Article I (Previously Tabled by CC and Never Adopted)

Councilmember Hytopoulos Note to Council 02 04 2020

Mayor Medina provided information on the Code of Conduct and Ethics Program.

Public Comment

Lara Lant spoke against the new program.

Ron Peltier spoke about a point of order.

Mayor Schneider adjourned the meeting for a break at 8:12 p.m. and reconvened the meeting at 8:18 p.m.

9.B Police and Court Building Project Professional Services Agreement Amendment - Executive

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Amendment No. 2 to PSA with Coates for Police & Court Building Project Design

Project Manager Loveless introduced the agenda item which will amend the professional services agreement to incorporate analysis of sustainability features and LEED Certification into project design.

Public Comment

Doug Rauh spoke in favor of a sally port.

MOTION: I move to forward Amendment No. 2 to the Professional Services Agreement with Coates Design, Inc., for approval with the February 25, 2020 Consent Agenda.

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

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kol Medina, Kirsten Hytopoulos, Michael Pollock

NOES: Matt Tirman

ABSENT: None

ABSTAIN: None

10) NEW BUSINESS

10.A Discussion of BIMC 18.12.030 relating to Floor Area Ratio Bonus Density Options

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BIMC 18.12.030 FAR BONUS OPTIONS.docx

Mayor Schneider introduced the agenda item and invited public comment.

Public Comment

Jon Quitslund spoke about changes needed to Title 18.

Doug Rauh spoke in favor of Council deciding the Floor Area Ratio bonus density.

Mary Clare Kersten spoke about concerns with the Floor Area Ratio bonus density.

Ron Peltier spoke about the Floor Area Ratio bonus density.

Lisa Neal spoke about concerns with Floor Area Ratio bonus density.

Rod Stevens spoke about Floor Area Ratio bonus density.

Deputy Mayor Nassar moved and Councilmember Pollock seconded to direct staff to pursue an interim zoning control on bonus FAR in the Mixed-Use Town Center zone.

Councilmember Hytopoulos offered a friendly amendment to extend the interim zoning control to the High School Road district and Councilmember Pollock seconded the amendment. The amendment carried 6-1 with Councilmember Tirman voting against.

Councilmember Pollock moved and Deputy Mayor Nassar seconded to substitute the motion with City Attorney Levan's motion. The motion carried 5-2 with Councilmembers Tirman and Medina voting against.

SUBSTITUTE MOTION: I move to direct the City Manager to pursue an interim zoning control related to BIMC Section 18.12.030.E to have that section be suspended.

Pollock/Nassar: The motion carried 5 – 2.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock
NOES: Matt Tirman, Kol Medina
ABSENT: None
ABSTAIN: None

MOTION: I move to refer Title 18, Chapters [18.]12.030, and Title 18, Chapter 21, to the Planning Commission for review and recommendation on potential amendments and Code changes to the City Council.

Nassar/Pollock: The motion was tabled.

Councilmember Pollock moved and Councilmember Hytopoulos seconded to table the preceding motion and take it up at the next meeting. The motion was approved 4-3 with Councilmembers Tirman and Medina and Deputy Mayor Nassar voting against.

Councilmember Hytopoulos moved and Mayor Schneider seconded to reconsider the first motion that was approved. The motion carried 6 – 1, with Deputy Mayor Nassar voting against.

Council will reconsider the first motion at the February 25, 2020 business meeting.

10.B Ordinance 2020-03 "Housekeeping" Changes: Revising Chapters 2.14, 2.16, 18.09, 18.12, 18.15, and 18.36 BIMC - Planning

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Staff Memorandum 021120

Ordinance No. 2020-03

Exhibit A Title 2 Housekeeping Changes

Exhibit B BIMC 18.09.020 Use Table Excerpt Temporary Uses

Exhibit C Title 18 Housekeeping Changes

PLANNING COMMISSION MINUTES 102419.pdf

This item was deferred due to a lack of time.

10.C Front Broom Sweeper Procurement - Public Works

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[Front Broom Sweeper Sales Order.xls](#)

Public Works Director Wierzbicki introduced the agenda item.

MOTION: I move to forward the Front Broom Sweeper procurement, in the amount of \$73,377.85, for approval with the February 25, 2020 Consent Agenda.

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

Mayor Schneider invited public comment on item 10.A.

Public Comment

Rod Stevens commented on Floor Area Ratio and Code issues.

Councilmember Medina left Council Chambers at 9:33 p.m. and returned at 9:34 p.m.

10.D Police Vehicle Procurement - Public Works

[Cover Page](#)

[Columbia Ford Vehicle Quote.pdf](#)

Public Works Director Wierzbicki introduced the agenda item and addressed Deputy Mayor Nassar's questions.

Councilmember Pollock left Council Chambers at 9:35 p.m.

MOTION: I move to forward the procurement of three (3) Police Vehicles from Columbia Ford, in the amount of \$127,159.70, for approval with the February 25, 2020 Consent Agenda.

Deets/Medina: The motion carried, 6 – 0, with Councilmember Pollock absent from Council Chambers.

AYES: Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina, Kirsten Hytopoulos

NOES: None

ABSENT: Michael Pollock

ABSTAIN: None

10.E Police Vehicle Equipment Upfitting Service Agreement- Public Works

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[Police Vehicle Upfitting Agreement for Purchased Services.docx](#)

Public Works Director Wierzbicki introduced the agenda item.

MOTION: I move to forward the Agreement for Purchased Services with Financial Consultants International, Inc. in the amount of \$180,190.32 for approval with the February 25, 2020 Consent Agenda.

Deets/Nassar: The motion carried, 6 – 0, with Councilmember Pollock absent from Council Chambers.

AYES: Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina, Kirsten Hytopoulos

NOES: None

ABSENT: Michael Pollock

ABSTAIN: None

10.F Ordinance No. 2020-01, Updating the City's General Code Enforcement Process Contained in Chapter 1.26 BIMC

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[Ordinance No. 2020-01, Updating the City's General Code Enforcement Process Contained in Chapter 1.26 BIMC](#)

[Exhibit A to Ordinance No. 2020-01 - Redline Showing Changes from Current Ch. 1.26 BIMC](#)

This item was deferred due to a lack of time.

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 02-12-20.pdf](#)

Check number 352764 from previous run = \$60.03; manual check number sequence 352765 – 352781 = \$147,380.73; regular check number sequence 352872 – 352886 = \$348,723.59; EFT 374 = \$5,169.82; ACH 375 – 376 = \$1,870.00; Wire 377 – 379 = \$9,349,548.63. Total disbursement = \$9,856,617.06.

[Payroll.pdf](#)

Payroll: normal direct deposit check sequence 47009 – 47136 = \$326,237.96; regular payroll check sequence 109262 – 109263 = \$13,470.72; vendor check run sequence 109264 – 109276 = \$327,504.27; Federal Tax Electronic Funds = 131,422.88; Federal Tax Electronic Transfer = \$237.50. Total disbursement = \$798,873.33.

11.C City Council Study Session Minutes, January 21, 2020

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[City Council Study Session Minutes January 21, 2020](#)

11.D City Council Business Meeting Minutes, January 28, 2020

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[City Council Regular Business Meeting Minutes January 28, 2020](#)

11.E Resolution No. 2020-01 Relating to a Fee Schedule Update - Finance

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[Resolution No. 2020-01 Updating Fee Schedule](#)

11.F Amendment No. 2 to the Master Lease Agreement between the City of Bainbridge Island and Friends of the Farms - Executive

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[Amendment No. 2 to Master Lease Agreement](#)

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

Medina/Deets: The motion carried, 6 – 0, with Councilmember Pollock absent from Council Chambers.

AYES: Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina, Kirsten Hytopoulos

NOES: None
ABSENT: Michael Pollock
ABSTAIN: None

12) COMMITTEE REPORTS

12.A Committee Reports - Executive

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Climate Change Advisory Committee Minutes, December 18, 2019

Race Equity Task Force Minutes, January 9, 2020

Utility Advisory Committee Minutes, January 8, 2020

The report on the Island Center open house was added to the agenda under Committee Reports at the request of Councilmember Pollock, but he was absent from Council Chambers.

13) FOR THE GOOD OF THE ORDER

Mayor Schneider asked Council for support of Kitsap Transit's letters relating to grants, and Council concurred.

Councilmember Nassar mentioned the Library of Things.

Councilmember Pollock returned to Council Chambers at 9:40 p.m. He spoke favorably about the Island Center open house.

14) ADJOURNMENT

Mayor Schneider adjourned the meeting at 9:46 p.m.



Leslie Schneider, Mayor



Christine Brown, CMC, City Clerk