



**CITY COUNCIL REGULAR BUSINESS MEETING  
TUESDAY, SEPTEMBER 8, 2020**

**MEETING MINUTES**

**1) CALL TO ORDER/ROLL CALL**

Mayor Schneider called the meeting to order on the Zoom webinar platform at 6:00 p.m.

Mayor Schneider, Deputy Mayor Deets, and Councilmembers Carr, Hytopoulos, Medina, Nassar and Pollock 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 and pursuant to RCW 42.30.110(1)(b), to consider the selection of a site or acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price.**

[Cover Page](#)

Mayor Schneider adjourned the meeting to an executive session pursuant to RCW 42.30.110(1)(i) and 42.30.110(1)(b) at 6:04 p.m.

At 6:24 p.m., the executive session was extended for an additional five minutes.

Council returned from executive session at 6:32 p.m., and Mayor Schneider reconvened the meeting.

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

Councilmember Pollock moved and Councilmember Medina seconded to approve the agenda as presented. The motion carried unanimously, 7-0. There were no conflicts of interest disclosed.

**4) PUBLIC COMMENT**

**4.A Instructions for Providing Public Comment - City Clerk**

[Cover Page](#)

[Instructions for Providing Public Comment at Remote Meetings.docx](#)

Ellen Lockert commented on wildfire smoke and climate change.

Jane Lindley spoke about the Puget Sound Energy franchise renewal.

Cindy Anderson commented on the Police Department town hall meeting.

Sal DeRosalia commented on the use of the word "master" in City documents.

Erika Shriner spoke about the Puget Sound Energy franchise renewal.

## **5) MAYOR'S REPORT**

Mayor Schneider mentioned the International Day of Clean Air for Blue Skies in conjunction with the current air quality and provided information on the Capital Improvement Plan.

## **6) CITY MANAGER'S REPORT**

City Manager Smith reported on the burn ban and the Emergency Operations Center status; additional Coronavirus Aid, Relief, and Economic Security (CARES) Act funding;; a clean financial audit with no findings; and the application form for the Planning Commission vacancy.

## **7) FUTURE COUNCIL AGENDAS**

### **7.A Future Council Agendas**

[Cover Page](#)

[September 15 City Council Study Session.pdf](#)

[September 22 City Council Regular Business Meeting.pdf](#)

[October 6 City Council Study Session.pdf](#)

City Manager Smith reviewed future Council agendas.

## **8) PRESENTATION(S)**

### **8.A Proclamation Declaring September 11, 2020 as "A Day of Service and Remembrance" - Mayor Schneider**

[Cover Page](#)

[A Day of Service and Remembrance 2020.docx](#)

Councilmember Carr read the proclamation.

### **8.B Proclamation - Declaring September 2020 as "Community Preparedness Month" - Executive**

[Cover Page](#)

[Preparedness Month Proclamation 2020.docx](#)

Deputy Mayor Deets read the proclamation.

**MOTION:** I move to authorize the Mayor to sign the Proclamation declaring September as "Community Preparedness Month" and to add this proclamation to the list of annual proclamations that may be signed by the Mayor without further Council action.

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

**AYES:** Carr, Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**8.C 2020 Emergency Management Annual Briefing - Executive**

[Cover Page](#)

[09082020 EM Presentation to CC Final.pdf](#)

Emergency Management Coordinator LeSage provided the annual briefing and addressed Council's questions.

**9) CLOSED RECORD PROCEEDING**

**9.A Resolution No. 2020-03, Madison Place Final Subdivision - Planning**

[Cover Page](#)

[Resolution No. 2020-03 Madison Place Final Subdivision](#)

[Exhibit A Compliance Notation Report](#)

[Exhibit B Performance Bond \\$125,738.69](#)

[Exhibit B\(1\) Approved Estimate for Bonding](#)

[Exhibit B\(2\) Maintenance Bond \\$32,889.80](#)

[Exhibit C Final Plat](#)

[Exhibit D Hearing Examiner Decision on Preliminary Plat](#)

[Exhibit E City Development Engineer Recommendation](#)

[Exhibit F - Public Benefit, Development, and Permit Processing Agreement](#)

City Attorney Levan explained the Appearance of Fairness Doctrine. There were no disclosures or Appearance of Fairness challenges. Senior Planner Tayara introduced the agenda item.

**MOTION:** I move to approve Resolution No. 2020-03, approving the Madison Place Final Long Subdivision.

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

**AYES:** Carr, Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**10) UNFINISHED BUSINESS**

**10.A Position Profile for City Manager Search - Executive**

[Cover Page](#)

[Bainbridge Island WA City Manager Brochure 9.4.20.pdf](#)

[Council Comments on City Manager Brochure.pdf](#)

[Public Comment Included in September 1, 2020 Agenda Packet](#)

[Additional Public Comment.pdf](#)

Ron Holifield of Strategic Government Resources introduced the agenda item. Council provided input on the profile and forwarded it to the September 15, 2020 agenda for further discussion and approval.

**10.B Ordinance No. 2020-25, Adopting the 2021-2026 Update of the City's Capital Improvement Plan - Public Works**

[Cover Page](#)

[Presentation - 2021-26 CIP Discussion September 8](#)

[Ordinance No. 2020-25, Adopting the 2021-2026 Update of the City's Capital Improvement Plan 2021\\_2026 CIP Combined.pdf](#)

Public Works Director Wierzbicki provided a presentation on the Capital Improvement Plan and addressed Council's questions.

**MOTION:** I move to forward Ordinance No. 2020-25 to Unfinished Business on October 13, 2020.

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

**AYES:** Carr, Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**10.C 2020 Annual Drainage Project Reject Bid - Public Works**

[Cover Page](#)

[Drainage Bid Form.docx](#)

Public Works Director Wierzbicki introduced the agenda item.

**MOTION:** I move to reject the one bid received by Pape & Sons Inc. at the August 21, 2020 bid opening and re-advertise the work at a later date.

**Carr/Deets:** The motion was approved unanimously, 7 – 0.

**AYES:** Carr, Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

Mayor Schneider adjourned the meeting for a break at 9:24 p.m. and reconvened the meeting at 9:33 p.m.

**10.D Self-Service Storage Moratorium Research, Findings and Council Direction - Planning**

[Cover Page](#)

[20200908\\_Staff Memo\\_findings Final.pdf](#)

[Attachment 1 existing storage data table](#)

[Attachment 2 Regulations from Other Communities](#)

[Self-Storage Potential in Bus Ind.pdf](#)

[Self-Storage Potential in NC.pdf](#)

[Ordinance No. 2020-12 Extending Moratorium on Self-Service Storage Facilities Approved 051220.pdf](#)

Planning Director Wright and Senior Planner Sutton provided a presentation on self-service storage and options for Council's consideration.

**MOTION:** I move to direct the City Manager to work with staff to develop an ordinance eliminating self-storage as an allowed use.

**Nassar/Deets:** The motion was withdrawn following discussion.

**AMENDED MOTION:** I move to direct the City Manager to have staff develop an ordinance that eliminates self-storage as an allowed and as an accessory use.

**Nassar/Pollock:** The amended motion was withdrawn following discussion.

**MOTION:** Councilmember Hytopoulos moved to direct the City Manager to have staff develop an ordinance that eliminates self-storage as a conditional use in the Neighborhood Service Centers and remove it as an outright use in the Business/Industrial Zone.

**Hytopoulos/Pollock:** The motion carried 6 – 0 with one abstention.

**AYES:** Carr, Deets, Hytopoulos, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** Medina

**I0.E Resolution No. 2020-16, Withdrawing from Consideration by the Washington State Department of Ecology the Shoreline Master Program Aquaculture Limited Amendment - Planning**

Cover Page

Resolution No. 2020-16 - Withdrawal of SMP Aquaculture Limited Amendment from Ecology Consideration

Ordinance No. 2016-06 SMP Aquaculture Limited Amendment

Planning Director Wright introduced the agenda item.

**MOTION:** I move to approve Resolution No. 2020-16 to formally withdraw from consideration by the Washington State Department of Ecology the City's Shoreline Master Program Aquaculture Limited Amendment.

**Nassar/Pollock:** The motion carried 6 – 1.

**AYES:** Deets, Hytopoulos, Nassar, Pollock, Schneider Pollock

**NOES:** Carr

**ABSENT:** None

**ABSTAIN:** None

**I0.F Set the Public Hearing for Ordinance No. 2020-17 Relating to the Shoreline Master Program Amendment for Critical Areas Ordinance Integration and Amendments to Nonconforming Uses, Structures, and Lots - Planning**

Cover Page

September 8, 2020 Staff Memo to the Council

Ordinance No.2020-17 (Public Hearing Draft) Adopting SMP CAO Amendment

Exhibit A to Ordinance No. 2020-17 Shoreline Master Program Amendment

Exhibit B Table of Changes to Draft SMP Amendment

Determination of Initial Concurrence from the WA Department of Ecology

Ecology Recommendations to Resolve Issues Identified as Required and Recommended

FOR BACKGROUND Resolution No. 2019-05, directing staff to submit the draft Amendment to Ecology for initial review

FOR BACKGROUND June 23, 2020 Staff Memo to the Council, summarizing Ecology's comments

**MOTION:** I move to schedule a public hearing on September 22, 2020 related to Ordinance No. 2020-17.  
**Nassar/Pollock:** The motion carried unanimously, 7 – 0.

**AYES:** Carr, Deets, Hytopoulos, Nassar, Pollock, Schneider Pollock  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**I 0.G Schedule a Public Hearing on Ordinance No. 2020-24, Related to Extending the Moratorium on Certain Development Activities - Planning**

[Cover Page](#)

[Ordinance No. 2020-24 Extending the Development Moratorium \(Public Hearing Draft\)](#)

[Exhibit A to Ordinance No. 2020-24 - Work Plan](#)

[Exhibit B to Ordinance No. 2020-24 - Winslow Master Plan Study Area Map](#)

[Ordinance No. 2020-09 Extending the Development Moratorium](#)

[Moratorium Summary.pdf](#)

[Abbreviated moratorium work program status report \(August 28, 2020\)](#)

Senior Planner Sutton introduced the agenda item.

**MOTION:** I move to schedule a public hearing on September 22, 2020, related to Ordinance No. 2020-24, which would extend the moratorium on certain development activities for six months.  
**Nassar/Deets:** The motion carried unanimously, 7 – 0.

**AYES:** Carr, Deets, Hytopoulos, Nassar, Pollock, Schneider Pollock  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**11) NEW BUSINESS**

**I 1.A John T. Nelson Park at Strawberry Cannery Cove Monitoring Well License Agreement - Public Works**

[Cover Page](#)

[Revocable License Agreement.pdf](#)

[Construction Easement.pdf](#)

[Tosco Site NW3070 Opinion Letter 8-4-2020 Final.pdf](#)

This item was deferred due to time constraints.

**I 1.B Update on AT&T Discussions related to Cellular Coverage and Service Gaps – Executive**  
[Cover Page](#)

This item was deferred due to time constraints.

**I 1.C Appointments to the Salary Commission - Mayor Schneider**

[Cover Page](#)

[Haugan - Salary Commission - Redacted.pdf](#)

[Hermanson - Salary Commission - Redacted.pdf](#)  
[Lakich - Salary Commission - Redacted.pdf](#)  
[Neal - Salary Commission - Redacted.pdf](#)  
[O'Rourke - Salary Commission - Redacted.pdf](#)  
[Whittlesey - Salary Commission - Redacted.pdf](#)

This item was deferred due to time constraints.

## 12) CONSENT AGENDA

### 12.A Agenda Bill for Consent Agenda

[Cover Page](#)

### 12.B Accounts Payable and Payroll

[Cover Page](#)

[AP Report to Council of Cash Disbursements 09-09-20.pdf](#)

[Payroll.pdf](#)

**Accounts Payable:** check number 354372 from previous run = \$22,450.35; manual check number sequence 354373 – 354384 = \$ 32,089.87; regular check number sequence 354385 – 354468 = \$270,367.59; EFT #403 = \$13,411.83; ACH 404 – 405 = \$5,930.419. Total disbursement = \$270,367.599.

**Payroll:** normal direct deposit check sequence 48833 – 48965 = \$314,821.83; regular payroll check sequence 109438 = \$1,995.86; vendor check run sequence 109439 – 109449 == \$315,769.72; Federal Tax Electronic Funds Transfer = \$115,571.32. Total disbursement = \$748,158.73.

### 12.C Regular City Council Meeting Minutes, August 25, 2020

[Cover Page](#)

[082520 CCMIN BUSINESS MEETING.pdf](#)

### 12.D Ordinance No. 2020-21, Relating to 2020 2nd Quarter Budget and Updated Capital Improvement Plan Amendments - Finance

[Cover Page](#)

[2020\\_2nd\\_QTR\\_BUA\\_Transmittal\\_Memo\\_for 08252020.docx](#)

[Ordinance No. 2020-21, Relating to 2020 2nd Quarter Budget and Updated Capital Improvement Plan Amendments](#)

[Ord\\_2020-21\\_Attachment\\_A\\_-\\_Q2\\_Budget\\_Amendments\\_Final.pdf](#)

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

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

**AYES:** Carr, Deets, Hytopoulos, Nassar, Pollock, Schneider Pollock

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

## 13) COMMITTEE REPORTS

Deputy Mayor Deets reported on the SR305 Working Group meeting held on September 8, 2020.

**14) FOR THE GOOD OF THE ORDER**

Council discussed the role of Council liaisons in connection with the September 8, 2020 Race Equity Task Force meeting.

Deputy Mayor Deets discussed the concern relating to the use of the word “master” and next steps.

**15) ADJOURNMENT**

Mayor Schneider adjourned the meeting at 10:41 p.m.

  
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Leslie Schneider, Mayor  
\_\_\_\_\_  
Christine Brown, CMC, City Clerk