



**CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, OCTOBER 13, 2020**

MEETING MINUTES

1) CALL TO ORDER/ROLL CALL

Mayor Schneider called the meeting to order on the Zoom webinar platform at 6:01 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.
[Cover Page](#)

Mayor Schneider adjourned the meeting to an executive session pursuant to RCW 42.30.110(1)(i) at 6:03 p.m. At 6:22 p.m., the executive session was extended for an additional five minutes.

Council returned from executive session at 6:27 p.m., and Mayor Schneider reconvened the meeting.

3) APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE

Councilmember Deets moved and Councilmember Pollock 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](#)

John Gustafson spoke in favor of the letter to St. Michael's Medical Center.

Tanner Baughman spoke in favor of the recommendations from the Economic Recovery Ad Hoc Committee.

Sue Wilmot spoke in favor of the letter to St. Michael's Medical Center and the Black Lives Matters proclamation.

Erin Self spoke in favor of the Black Lives Matter proclamation.

Cindy Anderson spoke about the Town Hall for Public Safety.

Pamela Kinkead spoke in favor of the recommendations from the Economic Recovery Ad Hoc Committee.

Thomas Hansen spoke in favor of the net pen resolution.

Kathy Hansen spoke in favor of the net pen resolution.

Sonja Hammes spoke in favor of the St. Michael's Medical Center letter.

Rob Shauger spoke in favor of the St. Michael's Medical Center letter.

Kaitlin Chester spoke in favor of the recommendations from the Economic Recovery Ad Hoc Committee.

Sal DeRosalia spoke against the recommendations from the Economic Recovery Ad Hoc Committee.

Helen Francis Glass spoke in favor of the net pen resolution.

Jordan Tappero spoke in favor of the net pen resolution.

Stefan Colby spoke about the recommendations from the Economic Recovery Ad Hoc Committee.

Natalie Rodriguez spoke in favor of the Black Lives Matter proclamation and the recommendations from the Economic Recovery Ad Hoc Committee.

Tori Smith-Felke spoke in favor of the recommendations from the Economic Recovery Ad Hoc Committee.

Kevin Dwyer spoke in favor of the recommendations from the Economic Recovery Ad Hoc Committee.

Pascal Schuback spoke about the recommendations from the Economic Recovery Ad Hoc Committee.

5) MAYOR'S REPORT

Mayor Schneider reported on the power outages, National Community Planning Month in October, an opening on the Lodging Tax Advisory Committee, the status of the Planning Commission vacancy, and creating a role for young people on committees.

6) CITY MANAGER'S REPORT

Deputy City Manager Schroer commented on the upcoming election and hiring for staff vacancies.

7) FUTURE COUNCIL AGENDAS

7.A Future Council Agendas

[Cover Page](#)

[October 20](#)

[October 27 City Council Regular Business Meeting.pdf](#)

[November 3 City Council Study Session.pdf](#)

Deputy City Manager Schroer reviewed the upcoming agendas. Council's consensus was to cancel the November 3, 2020 meeting and schedule a budget workshop on another evening.

Councilmember Medina announced that he is resigning his position and moving to Walla Walla, Washington, and indicated that he would be providing additional information related to the effective date of his resignation.

8) BUDGET DELIBERATIONS

8.A Budget Discussions #3, 2021-2026 Capital Improvement Plan (CIP) discussion, Internal Services departments, Community Services – Finance

[Cover Page](#)

[Presentation - 2021-26_CIP_Discussion 101320.pdf](#)

[2021_2026_CIP_Combined.pdf](#)

[Exec - Com Svc Budget Slides for CC 10132020](#)

[Finance Budget Slides for CC 10132020_Final.pdf](#)

Deputy City Manager Schroer introduced the agenda item.

Public Works Director Wierzbicki provided a presentation on the CIP.

Deputy City Manager Schroer provided a presentation on the budget for internal services departments and community services.

Finance Director Pitt asked Councilmembers to return the ranking tool responses by Friday, October 16, 2020.

8.B Set the Public Hearing for Ordinance No. 2020-30 Relating to Property Tax Levy for Collection in 2021 - Finance

[Cover Page](#)

[Presentation_Property Tax Ordinance Presentation CC_101320](#)

[City of Bainbridge Island Levy Limit 9 28 2020 TY2021.docx](#)

[Ordinance No. 2020-30 Relating to the Levy of Property Taxes for Collection in 2021.docx](#)

Budget Manager Dunscombe introduced the agenda item.

MOTION: I move to schedule a public hearing on October 27, 2020, regarding Ordinance No. 2020-30, relating to Property Tax Levy for Collection in 2021.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

8.C Ordinance No. 2020-33, Declaration and Finding of Substantial Need to Increase the Regular Property Tax Levy Rate in Excess of the Implicit Price Deflator for Collection in 2021 - Finance

[Cover Page](#)

[Presentation_Declaration of Substantial Need Ordinance CC 101320.pptx](#)
[Ordinance No. 2020-33 Declaration of Substantial Need.docx](#)
[MRSC Implicit Price Deflator Overview.pdf](#)

Budget Manager Dunscombe provided a presentation on the agenda item.

MOTION: I move to forward Ordinance No. 2020-33 to the October 27, 2020 unfinished business section of the agenda for further discussion.

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

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

8.D Set the Public Hearing for Ordinance No. 2020-31 Relating to the Preliminary 2021-22 Biennial Budget - Finance

[Cover Page](#)

[Presentation_ Budget Adoption Ordinance CC 101320 Final.pptx](#)
[Ordinance No. 2020-31 Adopting Biennial Budget for FY 2021-22.docx](#)
[2021_ Exhibit A.pdf](#)
[2022_ Exhibit B.pdf](#)

Budget Manager Dunscombe introduced the agenda item.

MOTION: I move to schedule a public hearing on October 27, 2020, regarding Ordinance No. 2020-31, relating to the Preliminary 2021-22 Biennial Budget.

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

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

9) PRESENTATION(S)

9.A Proclamation Declaring that Black Lives Matter is Not an Inherently Political Activity - Councilmembers Nassar and Hytopoulos

[Cover Page](#)

[BLM Proclamation](#)

Councilmember Nassar introduced the proclamation and noted a revision that was circulated by the City Clerk.

Mayor Schneider moved and Councilmember Deets seconded to amend the final paragraph of the proclamation to read: “NOW, THEREFORE, I, Leslie Schneider, Mayor of the City of Bainbridge Island, on behalf of the City Council, do hereby proclaim that usage and/or display of BLM terminology is not inherently political activity in the City of Bainbridge Island. I encourage all residents, businesses, and organizations to support our community in its efforts to further the goals of Black Lives Matter. The amendment carried unanimously, 7 – 0.

Councilmember Pollock moved and Deputy Mayor Deets seconded to amend the proclamation to make the proclamation from the City Council. The amendment carried unanimously, 7-0.

AMENDED MOTION: I move to approve the amended proclamation as distributed by the City Clerk [and as amended tonight], declaring that Black Lives Matter is not an inherently political activity.

Deets/Pollock: 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 Set Public Hearing on Ordinance No. 2020-22, Extending Small Wireless Facilities Design Standards Interim Official Control - Executive

[Cover Page](#)

[Ordinance No. 2020-22, Extending Interim Official Control Small Wireless Communications Facilities](#)

Deputy City Attorney Sepler introduced the agenda item.

MOTION: I move to hold a public hearing on Ordinance No. 2020-22 as part of the agenda for the October 27, 2020 Business Meeting.

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

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

10.B Recommendations from the Joint City Council and Planning Commission Land Use Subcommittee - Councilmembers Carr, Hytopoulos and Pollock

[Cover Page](#)

[20201013 Joint Land Use Subcommittee Memorandum_Initial Recommendations.docx](#)

[20201013 Joint Land Use Subcommittee Memorandum_Attachment A_Table.docx](#)

Councilmember Carr introduced the agenda item.

Councilmember Medina moved and Councilmember Pollock seconded to amend the recommendations to remove Item 13 of Attachment A and refer that item to the subcommittee for further consideration. The amendment carried unanimously, 7-0.

AMENDED MOTION: I move to forward to the Planning Commission the joint subcommittee's recommendations as presented in their October 13, 2020 memorandum with Item 13 of Attachment A removed, and to direct that the Planning Commission prioritize this work and complete their legislative review as outlined in the memorandum.

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

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

NOES: None
ABSENT: None
ABSTAIN: None

10.C Recommendations from the Economic Recovery Ad Hoc Committee - Mayor Schneider, Deputy Mayor Deets and Councilmember Medina

[Cover Page](#)

[COVID-19 Economic Recovery Plan Recommendations on eCommerce - Digital General Store.pdf](#)

[DEI Creative - SupportLocal.pdf](#)

[eCommerce 2020 Statistics.pdf](#)

[Bainbridge Island Digital General Store - Mock-Up & Demo Link.pdf](#)

Deputy Mayor Deets introduced the agenda item, and Council discussed the proposal.

MOTION: I move that a Request for Proposals be issued seeking proposals for a Bainbridge Island Digital General Store, that review of the proposals be evaluated by a committee consisting of City staff and the City Council, and that the committee will select a proposal and deliver it to the Council for final approval.

Pollock/Medina: The motion carried 6 – 1.

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

NOES: Hytopoulos

ABSENT: None

ABSTAIN: None

10.D Appointment to the Race Equity Task Force - Mayor Schneider

[Cover Page](#)

[Stahl - Race Equity Task Force \(Redacted\).pdf](#)

Mayor Schneider introduced the agenda item.

MOTION: I move to appoint Eric Stahl to serve on the Race Equity Task Force, Position 2, for a term ending on December 31, 2020.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

11) NEW BUSINESS

11.A Proposal for COVID-19 Community Based Testing Site – Executive

[Cover Page](#)

[Community Based Testing Site Presentation Oct 13 2020.pdf](#)

Emergency Management Coordinator LeSage provided a presentation on the proposal and addressed Council's questions.

MOTION: I move to authorize the City Manager to finalize and proceed with plans for a community based testing site and spend up to \$50,000 on site operations and increase spending authority in the general fund which will be included in a future budget amendment.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

II.B Resolution No. 2020-18 Relating to Net Pens and an Alternate Lease Proposal - Councilmember Carr

[Cover Page](#)

[Wild Fish Conservancy Lease Proposal Support Resolution.docx](#)

Councilmember Carr introduced the agenda item.

MOTION: I move to forward Resolution No. 2020-18 for approval with the October 27, 2020 Consent Agenda.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

II.C Amendment No. 3 to Contract for Indigent Defense Services – Executive

[Cover Page](#)

[Amendment No. 3 to Contract for Indigent Defense Services](#)

[Amendment No. 2 to Contract for Indigent Defense Services - Extension through December 31, 2020](#)

[Amendment No. 1 to Contract for Indigent Defense Services - Extension through December 31, 2019](#)

[Contract for Indigent Defense Services](#)

[2020 - Public Defense Statistic Tracking Form](#)

Deputy City Attorney Sepler introduced the agenda item.

MOTION: I move to forward Amendment No. 3 to the Contract for Indigent Defense Services for approval with the October 27, 2020 Consent Agenda.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

II.D Contract Amendment to the Legal Services Agreement with Kitsap County Prosecuting Attorney's Office – Executive

[Cover Page](#)

Contract Amendment to Legal Services Agreement (KC-535-19A)
2021 Base Salary Breakdown
Legal Services Agreement (KC-535-19) - Executed 12-4-2019

Deputy City Attorney Sepler introduced the agenda item.

MOTION: I move to forward the Contract Amendment to the Legal Services Agreement with the Kitsap County Prosecuting Attorney's Office for approval with the October 27, 2020 Consent Agenda.

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

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

11.E Agreement with West Sound Wildlife Shelter for Wild Animal Control - Executive
Cover Page
2021-26 PSA with West Sound Wildlife
2021-26 PSA - Letter from West Sound Wildlife Shelter.pdf

Deputy City Attorney Sepler introduced the agenda item and addressed Council's questions.

MOTION: move to forward the Agreement with West Sound Wildlife Shelter for Wild Animal Control for approval with the October 27, 2020 Consent Agenda.

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

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

11.F Resolution No. 2020-20, Adopting the Kitsap County Multi-Hazard Mitigation Plan - Executive
Cover Page
Resolution No. 2020-20, Adopting the Kitsap County Multi-Hazard Mitigation Plan
Exhibit A to Resolution No. 2020-20: Kitsap County Multi-Hazard Mitigation Plan

Emergency Management Coordinator LeSage introduced the agenda item.

MOTION: I move to forward Resolution No. 2020-20 for approval with the October 27, 2020 Consent Agenda.

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

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

11.G Registered Sex Offender Address and Residency Verification Memorandum of Understanding with the Kitsap County Sheriff's Office - Police

Police Chief Clark introduced the agenda item.

MOTION: I move to forward the Registered Sex Offender Address and Residency Verification Memorandum of Understanding for approval with the October 27, 2020 Consent Agenda.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

11.H Interlocal Agreement with Kitsap County Regarding Emergency Vehicle Operation Course (EVOC) Training - Police

[Cover Page](#)
[2020 KCSO EVOC ILA.pdf](#)

Police Chief Clark introduced the agenda item.

MOTION: I move to forward the Interlocal Agreement with Kitsap County Regarding Emergency Vehicle Operation Course Training for approval with the October 27, 2020 Consent Agenda.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

12) CONSENT AGENDA

12.A Agenda Bill for Consent Agenda

[Cover Page](#)

12.B Accounts Payable and Payroll

[Cover Page](#)

[Payroll.pdf](#)

[AP Report to Council of Cash Disbursements 10-14-20.pdf](#)

Accounts payable: check number 354567 for \$193.75 from last previous run; EFT number 456 for \$10,770.75; ACH 407 – 408 for \$3,296.71; manual check numbers 354568 – 354590 = \$551,079.81; regular check run 354591 – 354697 = \$461,479.21. Total disbursement: \$1,026,626.48.

Payroll: Regular check run numbers 49227 – 49355 = \$321,084.19; regular check run (paper check) \$2,319.80; vendor check run 109472 – 109478 = \$125,268.79; Federal Tax Electronic Transfer = \$116,824.45, Total disbursement = \$565,497.23.

12.C City Council Study Session Minutes, September 15, 2020

[Cover Page](#)

[City Council Study Session Minutes September 15, 2020.pdf](#)

I2.D City Council Regular Business Meeting Minutes, September 22, 2020

[Cover Page](#)

[September 22, 2020 Regular City Council Business Meeting Minutes.pdf](#)

I2.E Arts and Humanities Bainbridge/Public Art Funding Proposal - Executive

[Cover Page](#)

[PAC Presentation 9.14.20 - for CC 09222020.pdf](#)

I2.F 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](#)

I2.G Ordinance No. 2020-27, Adjusting the Number of Positions on the Salary Commission - Executive

[Cover Page](#)

[Ordinance No. 2020-27, Adjusting the Number of Positions on the Salary Commission](#)

I2.H 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](#)

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

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

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

NOES: None

ABSENT: None

ABSTAIN: None

13) COUNCIL DISCUSSION

I3.A Letter to St. Michael Medical Center - Councilmember Nassar

[Cover Page](#)

[KitsapCityCouncils-SignOnLetter.docx](#)

[CHI-Harrison-UpdatePostCOVIDOutbreak.docx](#)

[CHI-HarrisonCovid19-Advocacy.docx](#)

Councilmember Nassar introduced the agenda item and read her proposed replacement language for paragraph two. Council discussed the letter.

Councilmember Pollock moved and Councilmember Nassar seconded to amend the motion approving the letter by inserting the language suggested by Councilmember Nassar. The amendment carried 6-1 with Mayor Schneider voting against.

AMENDED MOTION: I move to approve the letter provided in the attachment with a cross-out or removal of the long sentence second paragraph that starts with “The current COVID outbreak” and with the addition of the language suggested by Councilmember Nassar.

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

14) COMMITTEE REPORTS

There were no committee reports.

15) FOR THE GOOD OF THE ORDER

Council agreed that the parliamentary training will not be broadcast live on the City’s web site; a Zoom link will be provided to the public so that they may join the meeting.

A discussion on the process for selecting a new Council member will be added to next week’s agenda. Councilmember Medina indicated that his last day on the Council will likely be November 10, 2020.

Councilmember Nassar and Deputy Mayor Deets will attend the GARE meeting on October 19, 2020.

16) ADJOURNMENT

Mayor Schneider adjourned the meeting at 10:55 p.m.



Leslie Schneider, Mayor



Christine Brown, CMC, City Clerk