



CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, DECEMBER 8, 2020

MEETING MINUTES

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

Mayor Schneider called the meeting to order at 6:02 p.m. on the Zoom webinar platform.

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

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

Deputy Mayor Deets moved and Councilmember Carr seconded to approve the agenda, as presented. The motion carried unanimously, 6 – 0.

There were no conflicts of interest disclosed.

3) **PUBLIC COMMENT**

3.A Instructions for Providing Public Comment - City Clerk,
Cover Page
[Instructions for Providing Public Comment at Remote Meetings.docx](#)

Mayor Schneider proposed shortening the time allotted to each speaker to one minute due to the number of speakers.

Councilmember Pollock moved and Councilmember Nassar seconded to allow two minutes for each speaker. The motion failed 3-3 with Councilmembers Pollock, Nassar, and Deets voting in favor.

Councilmember Hytopoulos moved and Councilmember Carr seconded to allow one minute and 30 seconds for each speaker. The motion carried unanimously, 6-0.

Ellen Lockert spoke in favor of appointing Jane Lindley to the North Ward Council vacancy.

Sarah Blossom thanked City Manager Morgan Smith for her service.

Kimi Kinoshita spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Janna Chan spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Don Willott spoke in favor of appointing Jane Lindley to the North Ward Council vacancy.
Cindy Anderson spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Linda Espinosa spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Kerrie Agosta spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Robin Hunt spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Barb Trafton, Bainbridge Island Parks Foundation, spoke in favor of the Vincent Road trail.

Monica Aufrecht spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Steven Soltar spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

James Friday spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Debby Haase spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Steve Ross spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Beth Morgan spoke against prohibiting new self-storage uses.

Sue Wilmot spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Peggi Erickson spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Holly Maynes spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Katy spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Dan Eernisse spoke in favor of self-storage facilities.

Deana Martinez spoke in favor of appointing Brenda Fantroy-Johnson to the North Ward Council vacancy.

Sal DeRosalia thanked City Manager Smith for her service; spoke about the process to select a new Councilmember; and spoke in favor of grants for small businesses.

4) MAYOR'S REPORT

Mayor Schneider acknowledged the testimonials in favor of the North Ward Council candidates.

5) CITY MANAGER'S REPORT

Deputy City Manager Schroer mentioned the Comcast open house on December 14, 2020.

6) FUTURE COUNCIL AGENDAS

6.A Future Council Agendas

[Cover Page](#)

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

[December 16 Special Joint City Council and RETF Meeting.pdf](#)

Deputy City Manager Schroer reviewed future Council agendas.

Deputy Mayor Deets moved and Councilmember Pollock seconded to add a discussion of the digital store to the next meeting. The motion carried unanimously, 6-0.

Councilmember Carr moved and Deputy Mayor Deets seconded to add a discussion of Safe Routes to School pop-up projects to the next meeting. The motion carried unanimously, 6-0.

Councilmember Nassar moved and Councilmember Carr seconded to add a discussion on Grow improvements to the next meeting. The motion carried unanimously, 6-0.

Councilmember Carr noted that the update from the Joint City Council and Planning Commission Land Use Subcommittee could be removed from the December 15, 2020 agenda.

7) NORTH WARD COUNCIL VACANCY

7.A Questions and Answers with the Council Candidates

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[Jane Lindley Council Vacancy Application](#)

[Brenda Fantroy-Johnson Council Vacancy Application](#)

Mayor Schneider introduced the agenda item. Council discussed Councilmember Pollock's suggestion for an advisory vote in early February.

Jane Lindley and Brenda Fantroy-Johnson responded to a question from each Council member.

7.B Selection and Appointment of North Ward Council Member

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Council discussed deferring the decision until after an advisory vote.

Councilmember Pollock moved and Deputy Mayor Deets seconded to defer the decision until after an advisory vote. The motion failed 3-3 with Deputy Mayor Deets and Councilmembers Pollock and Nassar voting in favor.

Each Councilmember selected their choice for the North Ward vacancy:

Carr: Lindley

Deets: Fantroy-Johnson

Hytopoulos: Lindley

Nassar: Fantroy-Johnson

Pollock: Fantroy-Johnson

Schneider: Lindley

Jane Lindley received three votes, and Brenda Fantroy-Johnson received three votes.

Councilmember Pollock moved and Councilmember Nassar seconded to hold a special meeting on Thursday at 6:00 p.m. to discuss the appointment. The motion failed 5-1 with Councilmember Pollock voting in favor.

Council forwarded the selection and appointment to the December 15, 2020 Study Session.

8) PRESENTATION(S)

8.A Utility Advisory Committee Recommendations on Small Water Systems and 2021 Work Plan Update

[Cover Page](#)

[Utility Advisory Committee Water System_Annual Report and 2021 Work.pptx](#)

[COBI Water System Memo 102320.pdf](#)

[UAC 2020 Annual Report 11-16-20.docx](#)

Public Works Director Wierzbicki introduced the agenda item. Ted Jones from the Utility Advisory Committee (“UAC”) provided a presentation on the proposed 2021 work plan. Andy Maron and Nancy Nolan of the UAC provided a presentation on the committee’s recommendations on small water systems.

MOTION: I move to forward for approval with the January 12, 2021 Consent Agenda the Utility Advisory Committee 2021 Work Plan as presented.

Deets/Pollock: The motion carried unanimously, 6-0.

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

NOES: None

ABSENT: None

ABSTAIN: None

Council directed staff to develop a resolution based on the UAC’s recommendation to develop a small water system policy.

8.B COVID-19 Community Based Testing Site Update - Executive

[Cover Page](#)

[COVID Update to Council 12082020.pdf](#)

Emergency Management Coordinator LeSage provided an update on the testing site.

8.C Winter Weather Briefing, Executive

[Cover Page](#)

[12082020 EM Presentation to CC Winter Weather.pdf](#)

Emergency Management Coordinator LeSage and Public Works Director Wierzbicki provided a presentation on winter weather issues.

9) PUBLIC HEARING(S)

9.A Ordinance No. 2020-37 Relating to 6-Month Extension of Landmark Tree Ordinance - Planning

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Ordinance No. 2020-37 Extending Landmark Tree Regulations

Exhibit A to Ord. 2020-37 (Work Plan)

Exhibit B to Ordinance 2020-37 (Winslow Master Plan Study Area)

Ordinance No. 2020-13 [For Reference]

Planning Director Wright introduced the agenda item. Mayor Schneider opened the public hearing at 10:04 p.m. There was no public comment. Mayor Schneider closed the public hearing at 10:05 p.m.

MOTION: I move to approve Ordinance No. 2020-37 to extend for six months the interim control related to the protection of landmark trees.

Deets/Pollock: The motion carried unanimously, 6-0.

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

NOES: None

ABSENT: None

ABSTAIN: None

10) UNFINISHED BUSINESS

10.A Ordinance No. 2020-34 Prohibiting New Self-Service Storage Uses, Consider Adoption - Planning

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Ordinance No. 2020-34 Self-Service Storage Facilities Moratorium

Exhibit A to Ordinance 2020-34.docx

Planning Commission Recorded Motion 2020-34.pdf

Planning Commission Public Hearing Public Comments.pdf

[For Reference] Ordinance No. 2020-36 Extending the Moratorium on Self-Service Storage Facilities Approved 11/10/20.pdf

Planning Director Wright and Senior Planner Sutton introduced the agenda item.

MOTION: I move to approve Ordinance No. 2020-34.

Nassar/Deets: The motion carried unanimously, 6-0.

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

NOES: None

ABSENT: None

ABSTAIN: None

10.B Ordinance No. 2020-41 Terminating the Self-Service Storage Moratorium - Planning

Cover Page

Ordinance No. 2020-41 Terminating the Moratorium Related to Self-Service Storage Facilities

Planning Director Wright introduced the agenda item.

MOTION: I move to adopt Ordinance No. 2020-41.

Nassar/Carr: The motion carried unanimously, 6-0.

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

10.C 2020 Annual Drainage Project Contract Award - Public Works

[Cover Page](#)

[Bid Form.doc](#)

[Small Works Roster Contract Pro Forma - WITH Amendments to Specs and Special Provisions
- RLS Rev 10-29-20.docx](#)

Public Works Director Wierzbicki introduced the agenda item.

MOTION: I move to approve the 2020 Annual Drainage contract award to the apparent low bidder, Seton Construction Inc., in the amount of \$149,519.00, and to authorize the City Manager to execute the associated contract and related documents in substantially the form as included with this agenda item to effectuate the contract award.

Nassar/Carr: The motion carried unanimously, 6-0.

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

10.D Dump Truck Cab and Chassis Procurement - Public Works

[Cover Page](#)

[RWC Group_International Dump Truck.pdf](#)

[Northend Truck Equip Hook Lift_Plow_Sander.xlsx.pdf](#)

[Northend Truck Equip Retrofit Existing Equip.pdf](#)

Public Works Director Wierzbicki introduced the agenda item and addressed Councilmember Nassar's question.

MOTION: I move to authorize and approve the Dump Truck Cab and Chassis procurement in the combined amount of approximately \$258,170.18.

Nassar/Deets: The motion carried unanimously, 6-0.

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

10.E Ordinance No. 2020-23, Creating a Standing Race Equity Advisory Committee - Executive

[Cover Page](#)

[Ordinance No. 2020-23 Creating Race Equity Advisory Committee](#)

[\[For Reference\] October 2, 2020 Staff Memo - Recommended Discussion Points](#)

City Attorney Levan introduced the agenda item.

MOTION: I move to approve Ordinance No. 2020-23 to thereby create a standing Race Equity Advisory Committee.

Deets/Carr: The motion carried unanimously, 6-0.

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

NOES: None

ABSENT: None

ABSTAIN: None

11) NEW BUSINESS

I I.A Vincent Road Property Trail Easement - Public Works

[Cover Page](#)

[Vincent Property Trail Easement](#)

[Winslow to Gazzam-cross island trail - Dec 2020](#)

Public Works Director Wierzbicki provided a presentation on the trail easement.

MOTION: I move to authorize the City Manager to execute the Public Pedestrian Access Easement and Agreement related to the City's Vincent Road property in substantially the form attached with this agenda item, and thereby convey that easement to the Bainbridge Island Metropolitan Park and Recreation District for public use.

Carr/Pollock: The motion carried unanimously, 6-0.

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

NOES: None

ABSENT: None

ABSTAIN: None

I I.B Consider Approval of Donation Agreement Related to Mobile Home at the Islander Mobile Home Park

[Cover Page](#)

[Donation Agreement - Christopherson](#)

[Subscription Agmt for Membership and Proprietary Lease - Lot 48 \(October 2004\)](#)

[Consent to Sublease - Christopherson \(October 2004\)](#)

[Sublease Agreement - Christopherson \(November 2004\)](#)

[Resolution No. 2010-24 \(ISLANDER MOBILE HOME PARK\)](#)

City Attorney Levan introduced the agenda item.

MOTION: I move to approve the donation agreement with Ms. Christopherson and to thereby accept the donation of the mobile home described in the agreement, and to authorize the City Manager to execute the agreement and associated documents to effectuate the donation.

Carr/Pollock: The motion carried unanimously, 6-0.

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

NOES: None

ABSENT: None

ABSTAIN: None

11.C Approve Appointment of Deputy City Manager Ellen Schroer as Interim City Manager

[Cover Page](#)

Mayor Schneider introduced the agenda item.

MOTION: I move to approve the appointment of Deputy City Manager Ellen Schroer to serve as Interim City Manager for the transition period between the current City Manager and a new City Manager, which transition period will begin on December 11, 2020 and will continue until a new City Manager begins employment with the City.

Carr/Deets: The motion carried unanimously, 6-0.

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

NOES: None

ABSENT: None

ABSTAIN: None

12) COUNCIL DISCUSSION

12.A Request from the Race Equity Task Force for Council to Endorse GARE Open Letter Opposing Executive Order Banning Systemic Racism Training - Councilmembers Nassar and Hytopoulos

[Cover Page](#)

[GARE An Open Letter In Support of Meaningful Conversation and Action to Address Systemic Racism in Government and all American Institutions.docx](#)

Councilmember Hytopoulos introduced the agenda item.

MOTION: I move to authorize the Mayor to sign the letter opposing the Executive Order banning systemic racism training on behalf of the City Council.

Carr/Pollock: The motion carried unanimously, 6-0.

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

NOES: None

ABSENT: None

ABSTAIN: None

13) CONSENT AGENDA

13.A Agenda Bill for Consent Agenda

[Cover Page](#)

13.B Accounts Payable and Payroll

[Cover Page](#)

[AP Report to Council of Cash Disbursements 12-09-20.pdf](#)

[Payroll.pdf](#)

Accounts payable: check number 355065 from previous run = \$415.91; EFT number 414 = \$27,556.05; ACH 415 – 417 = \$1,274,512.56; manual check numbers 355066 – 355073 = \$12,794.07; regular check run = \$487,353.53; total disbursement = \$1,802,216.21.

Payroll: check numbers 49611 – 49612 = \$2,900.32; EFTPS = \$768.37; normal check run 49613 - \$308,761.09; paper check = \$1,995.86; vendor check run 109499 – 109507 = \$111,733.16. total disbursement = \$307,677.87. Total disbursement = \$729,733.16.

I3.C Special City Council Meeting Minutes, November 16, 2020

[Cover Page](#)

[Special City Council Meeting Minutes, November 16, 2020.pdf](#)

I3.D City Council Study Session Minutes, November 17, 2020

[Cover Page](#)

[City Council Study Session Minutes, November 17, 2020.pdf](#)

I3.E Regular City Council Business Meeting Minutes, November 24, 2020

[Cover Page](#)

[Regular City Council Business Meeting Minutes, November 24, 2020.pdf](#)

I3.F Ordinance No. 2020-38, Relating to 2020 4th Quarter Budget and Updated Capital Improvement Plan Amendments - Finance

[Cover Page](#)

[2020 4th QTR BUA Transmittal Memo for 11242020](#)

[ORD 2020-38 2020 4th QTR Budget and CIP Amendments - FINAL.docx](#)

[Ord 2020-38 Attachment A - Q4 Budget Amendments.pdf](#)

I3.G Second Amendment to the Agreement for Provision of Juvenile Detention Facilities - Police

[Cover Page](#)

[2021 Juvenile Detention Facilities ILA Second Amendment.docx](#)

I3.H Amendment No. 1 to Interlocal Agreement between the City of Bainbridge Island and the Kitsap Conservation District for Agricultural Assistance, Support, and Conservation - Public Works

[Cover Page](#)

[Amendment No. 1 to 2019-20 ILA Between COBI and the Kitsap Conservation District.docx](#)

[2019-2020 Kitsap Conservation District ILA - Executed.pdf](#)

[2019 KCD and Bainbridge ILA Annual Report.pdf](#)

[2018 KCD and Bainbridge ILA Annual Report.pdf](#)

I3.I Ordinance No. 2020-32 Relating to Speed and Wake Restrictions in Blakely Harbor - Police

[Cover Page](#)

[Ordinance No. 2020-32 Speed and Wake Restrictions in Blakely Harbor.docx](#)

[Blakely Harbor No Wake.pdf](#)

I3.J Confirmation of Appointment to the Planning Commission - Mayor Schneider

[Cover Page](#)

[Planning Commission Applications \(Redacted\).pdf](#)

I3.K Appointments to the Lodging Tax Advisory Committee - Mayor Schneider

[Cover Page](#)

[Lodging Tax Advisory Committee Applications - Redacted.pdf](#)

Councilmember Nassar recused herself from the vote on the Consent Agenda due to a potential conflict of interest with item 13.H.

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

Deets/Pollock: The motion carried 5-0 with Councilmember Nassar recused from the vote.

14) COMMITTEE REPORTS

Deputy Mayor Deets reported on a forum with local business owners.

15) FOR THE GOOD OF THE ORDER

Councilmember Carr will take Councilmember Hytopoulos's place as liaison to the Planning Commission.

Mayor Schneider mentioned an upcoming presentation at a sustainable transportation seminar with Councilmember Carr and Jennifer Wieland from Nelson/Nygaard.

Council agreed that labor representatives may attend the employee open house for city manager candidates and provide feedback to Council.

16) ADJOURNMENT

Mayor Schneider adjourned the meeting at 10:50 p.m.


Christine Brown, CMC, City Clerk


