



REGULAR CITY COUNCIL BUSINESS MEETING
TUESDAY, FEBRUARY 9, 2021

MEETING MINUTES

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

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

Mayor Nassar, Deputy Mayor Hytopoulos, and Councilmembers Carr, Deets, Fantroy-Johnson, Pollock and Schneider 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.
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Mayor Nassar adjourned the meeting to an executive session at 6:01 p.m. in accordance with RCW 42.30.110(1)(i). At 6:35 p.m., Council extended the executive session by 15 minutes. At 6:45 p.m., Council extended the executive session for an additional ten minutes. At 6:57 p.m., Council extended the executive session for an additional ten minutes. At 7:05 p.m., Council extended the executive session for an additional ten minutes.

Council returned from executive session at 7:17 p.m., and Mayor Nassar reconvened the meeting at 7:18 p.m.

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

Councilmember Schneider asked to pull agenda item 9.C, and Mayor Nassar asked to pull agenda item 8.B. Councilmember Pollock moved and Councilmember Deets seconded to approve the agenda as modified. 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](#)

Ron Peltier spoke against the purchase of the Harrison building.

Dick Haugan spoke against the purchase of the Harrison building.

Sal DeRosalia spoke about the police station acquisition and race equity.

Fred Whittlesey spoke about the school district opening delay.

5) CITY MANAGER'S REPORT

Interim City Manager Schroer highlighted the City Manager open house, the snow forecast, community testing site hours, and vaccine distribution.

6) CONSENT AGENDA

6.A Agenda Bill for Consent Agenda [Cover Page](#)

6.B Accounts Payable and Payroll [Cover Page](#) [AP Report to Council of Cash Disbursements 02-10-21 \(1\).pdf](#) [Payroll.pdf](#)

Accounts payable: manual check number 354681 – void; manual check numbers 355497– 355506 = \$13,960.95; regular run check numbers 355507-355601 = \$ 469,987.41. Total disbursement = \$483,948.36; retainage release 126 = \$1,210.50.

Miscellaneous check run numbers 109536 – 109537 = \$94.98; normal check run numbers 50109 - 50234 = \$312,655.64; paper check run number 109538 = 2,026.11; vendor check run 109539 – 109547 = \$339,723.29; Federal Tax Electronic Transfer = \$120,136.59. Total disbursement = \$774,541.63.

6.C City Council Study Session Minutes, January 19, 2021 [Cover Page](#) [City Council Study Session Minutes, January 19, 2021.pdf](#)

6.D Special City Council Meeting Minutes, January 20, 2021 [Cover Page](#) [Special City Council Meeting Minutes January 20, 2021.pdf](#)

6.E Special City Council Meeting Minutes, January 26, 2021 [Cover Page](#) [Special City Council Meeting Minutes, January 26, 2021](#)

6.F City Council Regular Business Meeting Minutes, January 26, 2021 [Cover Page](#) [City Council Regular Business Meeting Minutes January 26, 2021.pdf](#)

6.G City Hall Repairs Change Order - Public Works [Cover Page](#) [CO #2 FORMAL.xlsx](#)

[City Hall Roof Repair CO Pictures.docx](#)

6.H Resolution No. 2021-02 - Small Water System Policies - Public Works

[Cover Page](#)

[Resolution 2021-02 Small Water System Policy](#)

[UAC Water System Memo 092320.pdf](#)

6.I Ordinance No. 2021-04 Amending BIMC 15.04.020 Relating to City Building Codes - Planning

[Cover Page](#)

[Ordinance No. 2021-04 Building Code Update](#)

6.J Climate Change Advisory Committee 2021 Workplan

[Cover Page](#)

[CCAC 2020 Progress Report and 2021 Workplan January 27th 2021.docx](#)

[Status of immediate actions January 27th 2021.docx](#)

6.K Resolution No. 2021-06 Proclaiming and Declaring an Emergency at NE Yeomalt Point Drive and Approving Emergency Work - Public Works

[Cover Page](#)

[Resolution No. 2021_06 Proclaiming an Emergency at NE Yeomalt Drive.docx](#)

6.L Extension of Salary Commission Review Period – Executive [Pulled from the Consent Agenda]

[Cover Page](#)

Councilmember Carr asked to pull agenda item 6.L from the Consent Agenda.

Councilmember Pollock moved and Joe Deets seconded to approve the Consent Agenda with agenda item 6. L removed. The motion carried unanimously, 7-0.

6.L Extension of Salary Commission Review Period – Executive

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Human Resources Manager Brown introduced the agenda item, and Council discussed the extension.

MOTION: I move to approve an extension of the review period for the Salary Commission for an additional 60 days.

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

7) FUTURE COUNCIL AGENDAS

7.A Future Council Agendas

[Cover Page](#)

[February 10 Community Open House to Meet City Manager Finalist Blair King.pdf](#)

[February 10 Special City Council Meeting - Executive Session.pdf](#)

[February 16 City Council Study Session.pdf](#)

[February 23 City Council Regular Business Meeting.pdf](#)

[March 2 City Council Study Session.pdf](#)

Interim City Manager Schroer reviewed upcoming agendas.

Councilmember Deets requested and Councilmember Pollock seconded a request from the Climate Change Advisory Committee to schedule a ten-minute discussion of the Puget Sound Energy franchise process, and Council concurred.

Councilmember Fantroy-Johnson asked to place hazard pay for grocery workers on a future agenda, and Council concurred.

There was consensus to move the Multi-Family Tax Exemption (MFTE) discussion from March 2, 2021 to a future study session.

Mayor Nassar called a Special City Council meeting on Thursday, February 11, 2021 at 5 p.m. to consider adoption of a new ordinance relating the Joint City Council and Planning Commission Land Use Subcommittee's triage code changes regarding affordable housing.

7.B Discussion of Potential Future Council Agenda Items - Police/Court Facility Costs

[Cover Page](#)

[Proposal from Councilmember Pollock.docx](#)

[Police Facilities Comparison Chart.pdf](#)

Councilmember Pollock introduced the agenda item.

MOTION: I move to schedule a discussion of the Police/Court facility cost for the next business meeting of the City Council and to form an ad hoc committee comprised of myself, the Mayor should be involved, and I would suggest Joe Deets on it because he has been involved in this, to form an ad hoc committee to work with the City Manager to bring a discussion of it and so to provide a framework for what we are going to discuss.

Pollock/Fantroy-Johnson: The motion failed 3 – 4.

AYES: Rasham Nassar, Michael Pollock, Brenda Fantroy-Johnson
NOES: Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Christy Carr
ABSENT: None
ABSTAIN: None

MOTION: I move to add to an upcoming agenda the following, that we will review process options for evaluating the following aspects of the police court project: (1) the valuation method used to determine the purchase price of the Harrison property and whether it comported with industry standards, and (2) the reliability of cost projections for construction of the project as designed and what steps the city can take to ensure the project comes in on budget.

Hytopoulos/Schneider: The motion carried unanimously, 7-0.

Mayor Nassar adjourned the meeting for a break at 9:01 p.m. and reconvened the meeting at 9:08 p.m.

8) UNFINISHED BUSINESS

8.A Schedule Public Hearing on Ordinance No. 2021-09, Bonus FAR Interim Control, 6 Month Extension - Planning

[Cover Page](#)

[Memo City Council re Draft Ordinance Bonus FAR](#)

[Ordinance No. 2021-09 Extending Interim Zoning Control Related to Bonus Density](#)

[BACKGROUND 20200924 PC Staff Memo from Jennifer Sutton](#)

[BACKGROUND 20201008 PC Cover Letter to CC on Bonus FAR](#)

[Ordinance No. 2020-20 Extending Interim Zoning Control Related to Bonus Density Approved 082520.pdf](#)

[20201117 City Council Mtg Minutes.pdf](#)

[DRAFT Ordinance No. 2021-10 formerly 2020-16.docx](#)

[Exhibit_A Ord. 2021-10.docx](#)

Senior Planner Sutton introduced the agenda item.

MOTION: I move to set the public hearing on Ordinance No. 2021-09 for February 23, 2021, which would extend the bonus floor area ratio interim regulations to September 10, 2021.

Fantroy-Johnson/Pollock: The motion carried unanimously, 7-0.

8.B Revise Governance Manual - Mayor Nassar

[Cover Page](#)

[Proposed Changes to GM246.docx](#)

[Duties of the Chair .docx](#)

This item was removed from the agenda.

9) NEW BUSINESS

9.A Ordinance No. 2021-01 Amending Chapter 20.04 BIMC Relating to City Fire Code - Public Works

[Cover Page](#)

[Fire Code 2021 Slides_020921.pptx](#)

[UAC Fire Code Memo 050918.pdf](#)

[Ordinance No 2021-01 Updating City Fire Code.docx](#)

Deputy Fire Chief/Fire Marshal Moravec from the Bainbridge Island Fire Department provided an introduction to the ordinance.

MOTION: I move to forward Ordinance No. 2021-01 for consideration of approval with the February 23, 2021 consent agenda.

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

9.B Ordinance No. 2021-02 Amending Chapter 13.10 BIMC Relating to Regulation of Fire Hydrants & Water Mains - Public Works

[Cover Page](#)

[Ordinance No. 2021-02](#)

Mayor Nassar asked Council to put the motion on the floor. There was no discussion.

MOTION: I move to forward Ordinance No. 2021-02 for consideration of approval with the February 23, 2021 consent agenda.

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

9.C Schedule the Public Hearing on Ordinance No. 2021-03 Joint City Council/Planning Commission Land Use Subcommittee Phase I "Triage" Code Changes

[Cover Page](#)

[Ordinance No 2021-03 Triage Code Updates.docx](#)

[Ord 2021-03 Exhibit A.docx](#)

[ORD 2020-40 Planning Commission Recorded Motion 121020](#)

[Background Planning Commission Workplan for Joint Land Use Subcommittee Recommendations](#)

[Background Joint Land Use Subcommittee Memorandum Initial Recommendations](#)

[Background Joint Land Use Subcommittee Attachment A Table](#)

This item was removed from the agenda.

10) COMMITTEE REPORTS

Councilmember Deets reported on the Green Building Task Force and Climate Change Advisory Committee (CCAC) meetings. Council authorized the CCAC to hold an exploratory meeting with a bio-digester company.

Deputy Mayor Hytopoulos raised an issue regarding Council interactions with the CCAC.

11) FOR THE GOOD OF THE ORDER

Councilmember Deets provided an update on the Swedish clinic.

Councilmember Fantroy-Johnson reported on the Race Equity Advisory Committee's Courageous Conversations community event on February 4, 2021.

Councilmember Pollock left the meeting at 9:38 p.m.

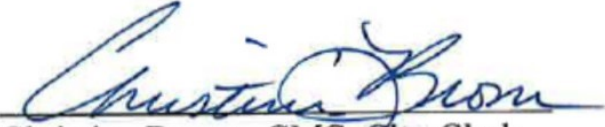
Mayor Nassar asked Council to authorize the opening of the process to fill the vacancies on the Ethics Board, and Council concurred.

12) ADJOURNMENT

Mayor Nassar adjourned the meeting at 9:40 p.m.



Rasham Nassar, Mayor



Christine Brown, CMC, City Clerk