



CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, AUGUST 10, 2021

MEETING MINUTES

1) [CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE](#)

Mayor Nassar called the meeting to order at 6:00 p.m. in Council Chambers.

Mayor Nassar and Councilmembers Carr, Deets, Fantroy-Johnson, Hytopoulos and Schneider were present. Deputy Mayor Pollock attended remotely.

2) [EXECUTIVE SESSION](#)

- 2.A Pursuant to RCW 42.30.110(1)(b) to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price, 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 Nassar adjourned the meeting to an executive session at 6:01 p.m. Council returned from executive session at 6:31 p.m., and Mayor Nassar reconvened the meeting.

3) [APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE](#)

Councilmember Hytopoulos asked to add a discussion on returning to remote meetings. City Manager King stated that remote meetings will resume with the meeting on August 17, 2021.

Councilmember Deets moved and Councilmember Fantroy-Johnson seconded to approve the agenda as amended with the removal of agenda item 5.E from the Consent Agenda. The motion carried unanimously, 7-0. There were no conflicts of interest disclosed.

4) [PUBLIC COMMENT](#)

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

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[Instructions for Providing Public Comment 080521.pdf](#)

Doug Rauh spoke against the State Route 305 property transfer to the Washington State Department of Transportation.

David Swartling spoke in favor of a Bethany Lutheran affordable housing project.

Scott Anderson spoke against suspending the Island Center Subarea Planning Process.

David Smith spoke in favor of the Wintergreen affordable housing project.

Bob Russell spoke about a conflict of interest among Council members.

Hayes Gori spoke in favor of the Wintergreen affordable housing project.

Sal DeRosalia thanked City staff for their service during the pandemic.

Asaph Glosser spoke against suspending the Island Center Subarea Planning Process

Micah Strom spoke against suspending the Island Center Subarea Plan Planning Process.

Tom Hansen spoke in favor of Puget Sound Energy's proposed project.

5) [CONSENT AGENDA](#)

5.A [Agenda Bill for Consent Agenda](#)

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Councilmember Fantroy-Johnson moved and Councilmember Deets seconded to approve the Consent Agenda as modified, with the removal of item 5.E. The motion carried unanimously, 7-0.

5.B [Approve Accounts Payable and Payroll](#)

[Cover Page](#)

[Council Report PR 8-5-21.pdf](#)

[AP Report to Council of Cash Disbursements 08-11-21.pdf](#)

5.C [Approve City Council Meeting Minutes](#)

[Cover Page](#)

[Special City Council Meeting, Annual Retreat, Minutes.pdf](#)

[City Council Study Session Minutes, July 20, 2021.pdf](#)

[Regular City Council Business Meeting Minutes, July 27, 2021.pdf](#)

5.D [Approve Confirmation of Recommended Appointments to the Environmental Technical Advisory Committee - Council](#)

[Cover Page](#)

[Frazer - ETAC \(Redacted\).pdf](#)

[Gander - ETAC \(Redacted\).pdf](#)

[Harmon - ETAC \(Redacted\).pdf](#)

[Kossik - ETAC \(Redacted\).pdf](#)

[Kratzer - ETAC \(Redacted\).pdf](#)

5.E [\[Pulled from the Consent Agenda\] Consider Property Transfer to Washington State Department of Transportation \(WSDOT\) in support of the State Route 305 Roundabout Project](#)

[Cover Page](#)

[Quitclaim Deed, WSDOT Format, COBI Grantor.docx](#)
[Real Estate Excise Tax \(REETA\).pdf](#)
[WSDOT Deed AFN 201711070031 from 2017.pdf](#)
[COBI Parcel 332602-2-050-2000 Vicinity Map.pdf](#)

5.F Authorize an Increase to the City Manager's Change Order Authority by up to \$150K for Annual Roads Preservation Contract

[Cover Page](#)
[Annual Roads 2021 CO Approval Limits Memo.docx](#)

5.G Review Criteria for 2022 Lodging Tax Award Cycle and Authorize Issuance of RFP with Total Award Amount of \$350,000 - Executive

[Cover Page](#)
[2021 LTAC RFP for 2022](#)
[LTAC Award Summary 2019-2021](#)
[MRSC - Lodging Tax \(Hotel-Motel Tax\) Accessed 05212021](#)

5.E [Moved from the Consent Agenda] Consider Property Transfer to Washington State Department of Transportation (WSDOT) in support of the State Route 305 Roundabout Project

[Cover Page](#)
[Quitclaim Deed, WSDOT Format, COBI Grantor.docx](#)
[Real Estate Excise Tax \(REETA\).pdf](#)
[WSDOT Deed AFN 201711070031 from 2017.pdf](#)
[COBI Parcel 332602-2-050-2000 Vicinity Map.pdf](#)

Public Works Director Wierzbicki introduced the agenda item, and Council discussed the topic. Additional discussion will be scheduled for a future meeting.

6) COUNCIL ANNOUNCEMENTS

Councilmember Fantroy-Johnson mentioned the grand opening of the Port Gamble S'Klallam Tribe Health Center.

Councilmember Carr mentioned an Indopino film showing in October and her Walk the Ward event on the 2nd Saturday of August.

7) CITY MANAGER'S REPORT

7.A Present City Manager's Report

[Cover Page](#)
[WWTP Capacity Memo 081021CW .docx](#)
[Affordable Housing Sales Tax Memo](#)

City Manager King provided an update on the Wastewater Treatment Plant and an option for an affordable housing sales tax.

Further discussion on the affordable housing sales tax will be scheduled on the August 24, 2021, agenda.

8) FUTURE COUNCIL AGENDAS

8.A Review Future Council Agendas

[Cover Page](#)

[Council Agenda Topics for Upcoming Meetings 080621.pdf](#)

City Manager King reviewed future Council agendas.

9) UNFINISHED BUSINESS

9.A Confirm Council Direction from July 17 Retreat

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[Council Priority Projects 2021-2022](#)

[City Advisory Group Council Role](#)

[Councilmember liaison job description approved 03102020.pdf](#)

[Policy 2 - Agenda Preparation](#)

[Workplan items to pause - Staff memo for CC 08102021](#)

City Manager King introduced the agenda item.

AMENDED MOTION: I move to direct the City Manager to forward the Council High Priority List for review and approval on the August 24 Consent Agenda.

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

MOTION: I move to approve the revised Council meeting agenda-setting process described in the attached memorandum on that topic, and to direct the City Manager to update the Governance Manual to include that revised process.

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

Council discussed the Council liaison role.

MOTION: I move to confirm the initial direction provided by the Council at its retreat on July 17, 2021, to direct the City Manager to work with the Mayor to review the role of Council Liaisons to City Advisory Groups.

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

MOTION: I move to change the status of the following City workplan activities, as described in the attached memorandum on that topic: continue to defer work related to completing administrative review of the Critical Areas Ordinance; defer work on the SEPA ordinance update; prioritize work on completing and considering for adoption an ordinance related to new regulations regarding floor area ratio; and initiate work on the Winslow Master Plan update process.

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

9.B Confirm Suspension of Island Center Subarea Planning Process - Executive

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City Manager King introduced the agenda item, and Council discussed the topic.

MOTION: I move to 1) direct the Planning Commission to provide a recommendation to the City Council related to the termination of the contract zoning designation on the Bainbridge Gardens property

and for updating the City's Municipal Code to revise dimensional standards for the existing neighborhood center zoned properties in the Island Center study area, except for changes to base and bonus residential density, as shown in figure 15 of the draft Subarea Plan, and 2) to indefinitely suspend the Island Center Subarea Planning Process and end the terms of the existing Island Center Subarea Planning Process Steering Committee members, such that the work of that committee is hereby deemed complete.

Carr/Deets: The motion carried 6 – 1.

AYES: Rasham Nassar, Joe Deets, Kirsten Hytopoulos, Michael Pollock, Christy Carr, Brenda Fantroy-Johnson

NOES: Leslie Schneider

ABSENT: None

ABSTAIN: None

9.C Consider Purchase of Islander Mobile Home Park Floor Area Ratio - Planning

[Cover Page](#)

[Declaration of Housing Restrictive Covenants & Agmt for Transfer of FAR \(10-29-04\).pdf](#)

City Attorney Levan introduced the agenda item, and Council discussed the proposed purchase.

MOTION: I move to direct the City Manager to move forward and update the City Council on possible next steps related to potential purchase of floor area ratio from the Islander Residents Association.

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

9.D Ordinance 2021-10 Amending Bonus Floor Area Ratio (FAR) Options, BMC 18.12.030.E., Consider holding public hearing - Planning

[Cover Page](#)

[20210810 CC Staff Memo.docx](#)

[Ordinance No. 2021-10 Revising Bonus FAR Regulations.docx](#)

[Exhibit A to Ordinance No. 2021-10.pdf](#)

[CC_Presentation.pptx](#)

[Tawresey 20210728 Comment to Planning Commission.pdf](#)

[MUTC and HS Rd Map.pdf](#)

[ORD 2021-10 PC Recorded Motion 072921.pdf](#)

[20200924 PC Staff Memo.pdf](#)

[WMP Goals & Policies Related to FAR.pdf](#)

City Manager King introduced the agenda item. Senior Planner Sutton provided a presentation, and Council discussed the topic.

Councilmember Deets moved and Councilmember Fantroy-Johnson seconded to amend the recommended motion to change the sunset date to one year. The amendment carried unanimously, 7-0.

AMENDED MOTION: I move to schedule a public hearing on the amended draft Ordinance No. 2021-10 with a sunset date of one year for the City Council meeting on August 24, 2021.

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

9.E Schedule Public Hearing on Ordinance No. 2021-22, Bonus FAR Interim Control, 6 Month Extension - Planning

[Cover Page](#)

[Ordinance No. 2021-22 Extending Interim Zoning Control Related to Bonus Density](#)
[Ordinance No. 2021-09 Extending Interim Zoning Control Related to Bonus Density Approved 022321.pdf](#)

Mayor Nassar introduced the agenda item. Council agreed to take no action to schedule a public hearing.

Mayor Nassar adjourned the meeting for a break at 8:56 p.m. and reconvened the meeting at 9:03 p.m.

9.F Consider Adoption of Resolution No. 2021-13 Relating to Working with the Fire Department Regarding Wildfire Mitigation

[Cover Page](#)

[Resolution No. 2021-13 Relating to Wildfire Mitigation.docx](#)

[Exhibit A - What is the Home Ignition Zone?](#)

[Staff Memo re Planning Commission Recommendation.pdf](#)

[Planning Commission Recorded Motion December 17, 2020](#)

City Manager King introduced the agenda item.

MOTION: I move to approve Resolution No. 2021-13.

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

10) NEW BUSINESS

10.A Consider Ordinance No. 2021-20, Complete Streets Ordinance - Public Works

[Cover Page](#)

[Ordinance 2021-20 Relating to Complete Streets.docx](#)

Public Works Director Wierzbicki introduced the agenda item.

Mayor Nassar moved to amend the motion on the floor to change the second to the last whereas clause that appears on page one of five of the ordinance to read: The City has demonstrated the values of complete street policies in recently completed transportation project, including the Winslow Way reconstruction, the Sound to Olympics Trail Project, Phase One, the Olympic Drive Improvements and the Wyatt way Reconstruction. The amendment failed for lack of a second.

MOTION: I move to forward Ordinance No. 2021-20 for consideration of approval with the August 24, 2021, Consent Agenda.

Deets/Fantroy-Johnson: The motion carried 6 – 1.

AYES: Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Christy Carr, Brenda Fantroy-Johnson

NOES: Rasham Nassar

ABSENT: None

ABSTAIN: None

10.B Consider Confirmation of Recommended Appointment to the Utility Advisory Committee - Council

[Cover Page](#)

[Brandt-Erichsen - UAC \(Redacted\).pdf](#)

Mayor Nassar introduced the agenda item.

MOTION: I move to forward the confirmation of the appointment to the Utility Advisory Committee of Svend Brandt-Erichsen to Position 3 through June 2024 to the August 24, 2021, Consent Agenda.

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

11) COUNCIL DISCUSSION

I I.A Consider Formation of a Subcommittee of Planning Commissioners and Design Review Board Members

[Cover Page](#)

Councilmember Carr introduced the agenda item.

MOTION: I move to move forward this joint subcommittee without City Council members.

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

I I.B Consider Revisions to the Ethics Program

[Cover Page](#)

[COBI Ethics Program-Simplified.docx](#)

[Summary of Proposed Revisions to COBI Ethics Code.docx](#)

[National Association of Hearing Officials Model Code of Ethics.docx](#)

Mayor Nassar introduced the agenda item. Deputy Mayor Pollock provided additional information, and Council discussed the proposal. Council's consensus was not to add it to this year's work program.

12) COMMUNICATIONS

There were no items for discussion.

13) COMMITTEE REPORTS

Councilmember Deets reported on the SR305 working group and Climate Change Advisory Committee.

14) ADJOURNMENT

Mayor Nassar adjourned the meeting at 10:01 p.m.



Rasham Nassar, Mayor



Christine Brown, CMC, City Clerk