

**Oak Harbor City Council
SPECIAL MEETING
Thursday, June 7, 2012, 6:00 p.m.**

*As a courtesy to Council and the audience, **PLEASE TURN YOUR CELL PHONES OFF** before the meeting begins. During the meeting's Public Comments section, Council will listen to your input regarding subjects of concern or interest that are not on the agenda. For scheduled public hearings, please sign your name to the sign up sheet, located in the Council Chambers if you wish to speak. The Council will take all information under advisement, but generally will not take any action during the meeting. To ensure your comments are recorded properly, state your name and address clearly into the microphone. Please limit your comments to three minutes in order that other citizens have sufficient time to speak. **Thank you for participating in your City Government!***

CALL TO ORDER

ROLL CALL

NON-ACTION COUNCIL ITEMS

Public Comments regarding Agenda Items Only

COUNCIL CONSIDERATION AND POSSIBLE ACTION ON THE FOLLOWING MATTERS

Tabled from the 4/17/12 City Council Meeting (original motion occurred during the 4/3/12 Council meeting to bring these items forward on 4/17/12):

1. 4/17/12 Agenda Bill - Parliamentary Procedure and Rules
Parliamentary Procedure was covered during City Council's May 30, 2012 Workshop with Ann Macfarlane. Items remaining from this agenda bill include:
 - A. Meeting Start and Ending Times
 - B. Public Comment Period
 - C. Deletion of Standing Committee Reports since they are video-taped.
2. 4/17/12 Agenda Bill - City Council Voting Method
3. 4/17/12 Agenda Bill - City Council Meeting Rule banning the wearing of Hats in the Council Chambers.

Minutes excerpt from the 4/17/12 meeting are also attached.

ADJOURN

If you have a disability and are in need of assistance, please contact the City Clerk at (360) 279-4539 at least two days before the meeting.

City of Oak Harbor City Council Agenda Bill

Bill No.

Date:

April 17, 2012

Subject:

City Council Meeting Parliamentary
Procedure and Rules

FROM: Steve Powers 
Interim City Administrator

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

 Scott Dudley, Mayor
 Doug Merriman, Finance Director
 Bill Hawkins, City Attorney, as to form

PURPOSE

This agenda bill arises from a motion by Councilmember Almberg, and a second by Councilmember Hizon, to have an item placed on the agenda related to parliamentary procedure and rules for City Council meetings.

AUTHORITY

OHMC 1.04.020(3)

Public Notice for full council agenda – Introduction of action.

(3) Matters introduced by a councilmember which are seconded by another councilmember and not on the agenda shall be set over to another full council meeting for consideration and action, if any. Every councilmember-initiated agenda item shall be stated by the initiating councilmember for the agenda in the form of a proposed action item such as council discussion, a motion, resolution or ordinance. As an exception to the provision of this subsection, the following matters after motion and second may be considered and acted upon during the same meeting they are introduced:

- (a) Matters declared an emergency;
- (b) Directions to staff to prepare documents or reports or both for consideration; or
- (c) Scheduling of meetings.

(Ord. 1578 § 4, 2010; Ord. 1115 § 1, 1997; Ord. 1031 § 1, 1996; Ord. 817 § 1, 1988).

FISCAL IMPACT DESCRIPTION

Funds Required: N/A

Appropriation Source: N/A

SUMMARY STATEMENT

At the April 3, 2012 City Council meeting, Mr. Almberg made the following motion which was seconded by Ms. Hizon:

City of Oak Harbor City Council Agenda Bill

Councilmember Almberg moved that the April 17, 2012 Council Agenda include an agenda item covering the following topics:

1. The City Attorney provides a Parliamentary Procedure and Council Rules presentation covering the rights, rules, and conduct of the Mayor, Council, and public during Council meetings.
2. The Council discusses and takes possible action to create a more efficient and business-like atmosphere by considering the following changes to our Council format:
 - a. Start time at 6:00 p.m. and mandatory stop time at 9:00 p.m. unless extended by the majority vote of the Council.
 - b. Schedule the Public Comment Period at the end of Council meetings and be subject to the time available.
 - c. Delete the Council's Standing Committee reports (these meetings are video-taped).

Per OHMC 1.04.020(3), the full City Council shall consider this motion and decide whether or not to take action on the motion.

STANDING COMMITTEE REPORT

N/A

RECOMMENDED ACTION

Consider motion and decide whether or not to take action on the motion

ATTACHMENTS

None

**City of Oak Harbor
City Council Agenda Bill**

Bill No. _____
Date: April 17, 2012
Subject: City Council Voting Method

FROM: Steve Powers *SP*
Interim City Administrator

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

SD Scott Dudley, Mayor
DM Doug Merriman, Finance Director
BH Bill Hawkins, City Attorney, as to form

PURPOSE

This agenda bill arises from a motion by Councilmember Servatius, and a second by Councilmember Almberg, to have an item placed on the agenda related to requiring a show of hands in addition to a verbal vote by City Council members.

AUTHORITY

OHMC 1.04.020(3)
Public Notice for full council agenda – Introduction of action.

(3) Matters introduced by a councilmember which are seconded by another councilmember and not on the agenda shall be set over to another full council meeting for consideration and action, if any. Every councilmember-initiated agenda item shall be stated by the initiating councilmember for the agenda in the form of a proposed action item such as council discussion, a motion, resolution or ordinance. As an exception to the provision of this subsection, the following matters after motion and second may be considered and acted upon during the same meeting they are introduced:

- (a) Matters declared an emergency;
- (b) Directions to staff to prepare documents or reports or both for consideration; or
- (c) Scheduling of meetings.

(Ord. 1578 § 4, 2010; Ord. 1115 § 1, 1997; Ord. 1031 § 1, 1996; Ord. 817 § 1, 1988).

FISCAL IMPACT DESCRIPTION

Funds Required: N/A

Appropriation Source: N/A

SUMMARY STATEMENT

At the April 3, 2012 City Council meeting, Councilmember Servatius moved to add a resolution amending Council Rule No. 17 (1) - Voting, to include a show of hands in addition to a verbal vote. The motion was seconded by Councilmember Almberg.

City Council Voting Method

April 17, 2012

City of Oak Harbor City Council Agenda Bill

Per OHMC 1.04.020(3), the full City Council shall consider this motion and decide whether or not to take action on the motion.

STANDING COMMITTEE REPORT

N/A

RECOMMENDED ACTION

Consider motion and decide whether or not to take action on the motion

ATTACHMENTS

None

City of Oak Harbor City Council Agenda Bill

Bill No.

Date:

April 17, 2012

Subject:

City Council Meeting Rule Banning
the Wearing of Hats in the Council
Chambers

FROM: Steve Powers *SP*
Interim City Administrator

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

SD Scott Dudley, Mayor
DM Doug Merriman, Finance Director
WH Bill Hawkins, City Attorney, as to form

PURPOSE

This agenda bill arises from a motion by Councilmember Servatius, and a second by Councilmember Almberg, to have an item placed on the agenda related to establishing a policy or procedure that would ban the wearing of hats in the Council chambers during Council meetings.

AUTHORITY

OHMC 1.04.020(3)

Public Notice for full council agenda – Introduction of action.

(3) Matters introduced by a councilmember which are seconded by another councilmember and not on the agenda shall be set over to another full council meeting for consideration and action, if any. Every councilmember-initiated agenda item shall be stated by the initiating councilmember for the agenda in the form of a proposed action item such as council discussion, a motion, resolution or ordinance. As an exception to the provision of this subsection, the following matters after motion and second may be considered and acted upon during the same meeting they are introduced:

- (a) Matters declared an emergency;
- (b) Directions to staff to prepare documents or reports or both for consideration; or
- (c) Scheduling of meetings.

(Ord. 1578 § 4, 2010; Ord. 1115 § 1, 1997; Ord. 1031 § 1, 1996; Ord. 817 § 1, 1988).

FISCAL IMPACT DESCRIPTION

Funds Required: N/A

Appropriation Source: N/A

City of Oak Harbor City Council Agenda Bill

SUMMARY STATEMENT

At the April 3, 2012 City Council meeting, Councilmember Servatius moved to bring forward on April 17, 2012, a policy or procedure to ban the wearing of hats in Council Chambers out of respect for the City, Mayor, and Council. The motion was seconded by Councilmember Almberg.

Per OHMC 1.04.020(3), the full City Council shall consider this motion and decide whether or not to take action on the motion.

STANDING COMMITTEE REPORT

N/A

RECOMMENDED ACTION

Consider motion and decide whether or not to take action on the motion

ATTACHMENTS

None

Mr. Johnston added the permit is taking longer to acquire than was anticipated, but it should be issued within the next two weeks.

Mr. Johnston noted the eight week timeframe should be sufficient to field test the recovery protocols and gauge the pace of the recovery effort. In addition, information gathered from this period will be used to project a reliable estimate for how much time and money will be needed to complete the project. Mr. Johnston noted that estimate would then be built into a second contract amendment covering Phase 3 which would cover the balance of the required field work.

Mr. Johnston added funding for this phase of the archaeology recovery is available within the funding plan previously authorized by Resolution 10-16 for the SE Pioneer Project. He noted this is possible because the actual construction costs for the project were less than the budgeted costs.

Mayor Dudley opened the meeting for public comment.

There being none, the comment period was closed.

City Engineer Johnston addressed questions of Council regarding costs associated with the amendment, overall project costs and the source of the funding. Councilmember Munns expressed appreciation to staff for the recent tour of the Pit Road site, noting it was educational and helpful in the decision-making process.

MOTION: Councilmember Munns made a motion to authorize the Mayor to sign Amendment No. 1 to the Professional Services Agreement with Equinox Research and Consulting International (ERCI) to expand the scope of services to include Phase 2 of the Archaeological Recovery project and increasing the not to exceed contract amount by \$288,758.25 from \$30,000 to \$318,758.25. The motion was seconded by Councilmember Severns and carried unanimously.

The Council took a five minute recess at 6:25 p.m.

Three Council motions from 4/3/12 meetings:

- **Parliamentary Procedure, Conduct, Start/End Times, Comments**
- **Voting, to include a show of hands in addition to a verbal vote**
- **A policy or procedure to ban the wearing of hats in Council Chambers**

Mayor Dudley advised Council and members of the audience that normally we turn to City staff to introduce an agenda bill, once that introduction is made, public comment is taken and then the item is brought back to the City Council for discussion and possible action. Mayor Dudley added that due to the fact the next three bullet items have been introduced by City Council members, the procedure will be to take each bullet item and turn to each City Council member for introduction, turn to the public for comment, then

to the City Council for discussion. Mayor Dudley turned to Councilmember Almberg to address the first bullet item.

Councilmember Hizon stated that due to the obvious level of interest in this item and the time it will take to discuss each one, she would like to make a **motion to table Agenda Item 6 all together for a future special meeting or workshop. The motion was seconded by Councilmember Almberg.**

Mayor Dudley noted this item had not been introduced yet and after introduction by the Councilmember responsible for the item and public comment, the item will be returned to the City Council for discussion. The item could then be tabled if the Council took such an action.

Councilmember Hizon stated she was under the impression the item had been introduced.

City Attorney Hawkins advised that Councilmember Almberg can table his motion if he so chooses and noted he was not aware if Councilmember Almberg seconded Councilmember Hizon's motion.

Councilmember Hizon withdrew her motion, Councilmember Almberg withdrew his second.

MOTION: Councilmember Almberg stated that due to the complex issue, he would like to table his original motion to have it be deferred to a future special meeting to be determined by staff and the Council to discuss Item #6 in its entirety. The motion was seconded by Councilmember Campbell.

Mayor Dudley noted he did not recognize the motion or the second because the item had not been introduced as he previously described. He reiterated his position the item be introduced by the Councilmember responsible for the item, public comment be taken and then the item can be discussed by the City Council for action.

City Attorney Hawkins advised the Mayor and Council that Councilmember Almberg introduced the item in the manner he desired, he made a motion to table his own issue, it was seconded and is now a non-debatable item that receives no public comment. The item now needs to go for a Council vote.

Councilmember Campbell noted that according to the agenda bill on this issue, matters introduced by a councilmember which are seconded by another councilmember and not on the agenda shall be set over to another **full** council meeting for consideration and action, if any.

Councilmember Servatius called for a point of order and asked if Councilmember Campbell's discussion is considered debating on a non-debatable motion.

Councilmember Hizon stated she would like to hear what Councilmember Campbell has to say.

City Attorney Hawkins asked Councilmember Campbell if his discussion was making a point and not debating the motion.

Councilmember Campbell advised he is making a point that the agenda bill states the Council needs all seven members to continue and there are only six members present.

City Attorney Hawkins advised at this point there is a motion and second on the floor and it is non-debatable.

The motion carried unanimously.

The Council took a five minute recess at 6:40 p.m.

Public Hearing – Sewer Code Revision

City Engineer Johnston advised the Mayor and Council that the purpose of this agenda bill is to consider proposed changes to Chapter 14.03.061 of the Oak Harbor Municipal Code related to mandatory sewer connection. He added the proposed change extends the prohibition on requiring connection by grinder pump to December 31, 2017.

Mr. Johnston noted the draft ordinance was distributed for comment to those people who attended the LID special benefit workshop and added their email list to a contacts list. He noted two people responded with comments, one by email and one by telephone. Since the ordinance under consideration at this time is narrowly focused on grinder pump connection, it is recommended that the comments be addressed with the broader, citywide policy discussion on septic systems and conversion to sewers currently underway as part of the wastewater treatment facility plan process.

Mayor Dudley opened the meeting to public comment.

Joanna Hardy, Oak Harbor. Ms. Hardy asked what the average cost would be for property owners to hookup to the system and what the monthly cost would be thereafter.

There being no further public comment, the comment period was closed.

In response to Ms. Hardy's question, City Engineer Johnston advised the flat rate monthly fee for the sewer connection will be approximately \$42. He added for a routine, non-complicated connection to the system the fee could be between \$10,000 and \$15,000. He added cost is one of the reasons why staff is looking at a citywide policy.