

Oak Harbor City Council
Regular Meeting Minutes
January 21, 2014

CALL TO ORDER

Mayor Scott Dudley called the meeting to order at 6:00 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Pastor Matt Oliver of Church of Christ, gave the Invocation, and Mayor Dudley led the Pledge of Allegiance.

ROLL CALL

Present:

Mayor Scott Dudley
Mayor Pro Tempore Danny Paggao
Councilmember Rick Almberg
Councilmember Jim Campbell
Councilmember Tara Hizon
Councilmember Joel Servatius
Councilmember Beth Munns

Staff Present:

City Administrator Larry Cort
Finance Director Doug Merriman
Development Services Director Steve Powers
Fire Chief Ray Merrill
Police Chief Ed Green
Senior Planner Rajesh (Cac) Kamak
City Attorney Nikki Esparza
City Clerk Anna Thompson

Councilmember Bob Severns was excused.

HONORS AND RECOGNITIONS

Caught in the Act Award

Councilmember Hizon introduced the Caught in the Act Award Caught by the Oak Harbor Youth Commission.

Oak Harbor High School Assistant Principal Raynette Woods nominated Melissa Panfield as the winner of the Caught in the Act Award, accompanied by High School Resource Officer Dennis Dickinson. Officer Dickinson shared the story of how Melissa found a wallet on the street and turned it in to him.

Mayor Dudley thanked Melissa for her act of service on behalf of Oak Harbor.

APPROVAL OF AGENDA

Motion: Councilmember Hizon moved to approve the agenda as presented. The motion was seconded by Councilmember Campbell and carried unanimously.

CONSENT AGENDA

- a. Minutes of the Regular City Council meeting held January 7, 2014

- b. Approval of Accounts Payable Voucher Nos. 15675 through 156887 in the amount of \$693,472.77; and Voucher Nos. 156753 through 156964 in the amount of \$551,379.65

CITIZEN COMMENT PERIOD

Mayor Dudley opened the public comment period at 6:07 p.m.

No public comment, closed at 6:07 p.m.

Motion: Councilmember Hizon moved to approve the agenda as presented. The motion was seconded by Councilmember Servatius and carried unanimously

STAFF AND COUNCIL COMMENTS

City Administrator Dr. Cort reminded the Council that the Auditor's Exit Conference will be held tomorrow in the Mayor's Conference Room at 2:30 p.m. and immediately following the conference will be the Council Workshop at 3:00 p.m.

Dr. Court welcomed Anna Thompson as City Clerk.

Mayor Dudley showed his support for the Sea Hawks.

Mayor Pro Tem Paggao also supported the Sea Hawks.

Councilmember Campbell mentioned he is ready for baseball season to begin.

Councilmember Munns spoke in favor of the upcoming AWC action conference which will rally in front of capitol building to show we are a force and are listening.

Councilmember Hizon thanked citizens who donated prizes for the Caught in the Act Award.

Councilmember Servatius supported the Sea Hawks.

ORDINANCE AND RESOLUTIONS

Resolution 14-05: Relating to Navy Participation in the WWTP Project

Public Works Engineer Joe Stowell presented the staff report including Power Point Presentation

Mayor Dudley opened public comment at 6:26 p.m.

No comment, public comment closed at 6:26 p.m.

Councilmember Hizon added that she would have preferred the Navy's support here but the City has no choice but to move forward as there is an urgency to comply. She supported the resolution to re-work the numbers without Navy support.

Councilmember AlMBERG noted that the City made sincere effort to include the Navy the waste water plans and encouraged to continue the partnership relationship with the Navy in future projects.

Mayor Pro Tem Paggao asked whether it is still possible for Navy to participate at a later date and supported the fact that the City must forward with the project. He also encouraged staff that if the Navy can join in the project later that the City should make an allowance in the project plans for that possibility.

Councilmember Campbell inquired about the plan of action if the Navy decided to join in several months into building the project. Councilmember Campbell encouraged staff to make a plan to include the Navy in the project if they can team up with the City in the near future.

Mayor Dudley commented that the reason the City wrote the Navy in the summer of 2013 was to provide the Navy with enough time to receive clearance to join in with this project.

Councilmember Munns stated that the City must move on and recommended the City and Navy make a joint press release on this issue.

Councilmember Servatius asked staff questions about the letter from the U.S. Navy dated 1/17/14 on amortizing costs. He pointed out that the Council would like to make sure they have a strong relationship with the Navy and unfortunately the Navy cannot step in until 2015 and this project cannot wait.

Finance Director Doug Merriman explained the financial aspect of the issue and Navy's uninvolvedness.

Resolution 14-05 Relating to Navy Participation in the WWTP Project

Motion: Councilmember AlMBERG moved to adopt Resolution 14-05. The motion was seconded by Councilmember Munns and carried unanimously.

Ordinance 1683: Relating to Panhandling

Police Chief Ed Green presented the staff report.

Mayor Dudley opened public comment at 6:44 p.m.

No public comment, public comment closed at 6:44 p.m.

Councilmember Servatius questioned the wording of the statute, specifically the definition of "coercion" and whether the Police Department planned to actually cite misdemeanors based on this statute.

Chief Green noted that the particular section provided some discretion to the Police Officer.

Councilmember Servatius was concerned that some citizens who that are not actually panhandling will be unlawfully prosecuted while exercising their freedom of speech.

Chief Green assured the Council that the intent of the ordinance was to ensure safety of citizens and prevent harm caused by some panhandlers.

Councilmember Munns shared a recent incident where a panhandler was hustling a child at Safeway. The child's mother witnessed the harassment and contacted the Police Department, who informed her that they could not take action because the incident occurred on private property. Councilmember Munns asked whether the Police Chief can determine whether the primary panhandling locations are in private or public forums.

Chief Green responded that his department can make that determination and will work with business owners on the issue.

Councilmember Campbell spoke in support of the ordinance.

Mayor Pro Tem Paggao lent his full support of the proposed ordinance.

Councilmember Almberg supported the ordinance and encouraged citizens to give to local charities. Councilmember Almberg asked Chief Green whether their department had experienced specific traffic concerns around the Safeway and Barrington intersection. He also asked whether the panhandling sign would be erected in primary panhandling locations.

Chief Green replied that they have experienced traffic accidents in the area but not necessarily attributed to panhandling in isolation and noted that they planned to place the signs in common panhandling locations.

Councilmember Hizon supported the ordinance and thanked the Police Department for the sign. She added that the Help House and local charities can provide sufficient aid to meet the needs of individuals in need.

Ordinance 1683 Relating to Panhandling

Motion: Councilmember Hizon moved to adopt Ordinance 1683. The motion was seconded by Councilmember Servatius and carried unanimously.

Resolution 14-04: Amending the Six-Year Transportation Improvement Plan
Senior Planner Rajesh (Cac) Kamak provided the staff report.

Mayor Dudley opened the Public Hearing at 6:57 p.m.

No public comment, the public hearing was closed at 6:57 p.m.

Councilmember Hizon, Councilmember Almberg and Mayor Pro Tem Paggao spoke in support of the Resolution.

Councilmember Campbell extended gratitude to Ron Hancock, who had originally espoused this proposal several years ago.

Councilmember Munns and Councilmember Servatius thanked the Planning Department for finding the financial resources for this resolution.

Resolution 14-04 Amending the Six-Year Transportation Improvement Plan

Motion: Councilmember Servatius moved to adopt Resolution 14-04. The motion was seconded by Councilmember Munns and carried unanimously.

EXECUTIVE SESSION

At 7:00 p.m. Mayor Dudley announced a 90-minute executive session to discuss pending litigation.

At 8:30 p.m., Mayor Dudley announced another 30 minutes would be necessary.

The meeting reconvened at 9:04 p.m.

ADJOURNMENT

Motion: Councilmember Hizon moved to adjourn the meeting. The motion was seconded by Councilmember Campbell and carried unanimously.

The meeting adjourned at 9:04 p.m.

Anna M. Thompson, City Clerk