

**Regular City Council Meeting
Tuesday, January 19, 2010, 6:00 p.m.
City Hall – Council Chambers**

CALL TO ORDER Mayor Slowik called the meeting to order at 6:00 p.m.

NATIONAL ANTHEM Oak Harbor High School Choir; Darren McCoy, Director

INVOCATION Father Mark Hickenbotham, St. Stephen's Anglican Church

ROLL CALL

Jim Slowik, Mayor	Paul Schmidt, City Administrator
Seven Members of the Council,	Margery Hite, City Attorney
Rick Almberg	Doug Merriman, Finance Director
James M. Campbell	Steve Powers, Development Services Director
Scott Dudley	Cac Kamak, Senior Planner
Jim Palmer	Cathy Rosen, Public Works Director
Beth Munns	Eric Johnston, City Engineer
Danny Paggao, Mayor Pro Tem	Arnie Peterschmidt, Project Engineer
Bob Severns	Steve Bebee, Public Works Operations Manager
	Rick Wallace, Chief of Police
	Mark Soptich, Fire Chief
	Mike McIntyre, Senior Services Director
	Myrna Wilson, Human Resources Director
	Renée Recker, Executive Assistant to the Mayor

MINUTES

MOTION: Councilmember Munns moved to approve the 1/5/10 regular meeting minutes and the motion was seconded by Councilmember Campbell. Councilmembers Almberg, Campbell, Dudley, Palmer, Munns, and Paggao voted in favor of the motion. Councilmember Severns abstained from the vote. The motion carried.

NON-ACTION COUNCIL ITEMS

Recognition of Myrna Wilson, Human Resources Director

City Administrator Paul Schmidt talked about Ms. Wilson's five years of service and her upcoming retirement at the end of January. Ms. Wilson's husband, Bill, was also at this evening's meeting and had spent many weekend volunteer hours helping Ms. Wilson re-organize the Human Resources office. Ms. Wilson talked about the challenges and rewards of working for Oak Harbor and thanked staff for their dedication and commitment to the City. Mayor Slowik presented an oak leaf recognition plaque and fleece pull-over and noted that Ms. Wilson leaves behind a legacy; you will be missed but never replaced.

American Planning Association (APA) Award

Development Services Director Steve Powers introduced members of the Windjammer Committee: Former City Council members Sheila Crider and Sue Karahalios, Former Mayor Patricia Cohen, current Planning staff Cac Kamak, Ethan Spoo, and Melissa Sartorius. Mayor Slowik also introduced Committee members Phil Sykes, Jill Schacht, Cathy Collantes, Kristi Jensen, K.C. Pohtilla, Ruth Culbertson, Chris Pantoleon, Chris Saxman, and Rob Sebo. Richard Hart, AICP and Co-Chair of the 2009 APA Planning Awards Committee talked about the process for choosing award recipients and recognition of Oak Harbor as an Honorable Mention Winner in the implementation category for Oak Harbor's Windjammer Waterfront/Downtown Redevelopment Program. Mayor Slowik also presented APA Certificates to Phil Sykes, Jill Johnson, and Jill Schacht.

Presentation – U.S. Census Bureau Information for 2010, LaVerne Lamoureux

Ms. Lamoureux, representing the Regional Office of the U.S. Census Bureau, presented a short video emphasizing the importance of completing census data. The data remains confidential and is not shared. \$450 billion will be distributed to states predicated on census data. This data helps determine growth patterns and needs, and congressional and state representative lines. The last census was in 2000 and had a 66% participation level. Island County only had a 57% participation level which translates into lost funding opportunities. Washington State has added 750,000 new residents and everyone needs to be counted. Ms. Lamoureux also distributed census packets and business cards to Council Members.

Proclamation – Big Brothers, Big Sisters of Island County, Mentoring Appreciation Day

Councilmember Severns read the proclamation and presented it to Peggy Dyer, Executive Director of Big Brothers, Big Sisters. Ms. Dyer noted that January is National Mentoring Month and noted that BBBS is the national leader in mentoring. Oak Harbor BBBS has twelve years of success but cannot do this work alone. Support from the community is the key to BBBS success. Ms. Dyer introduced Board President Tamra Sipes, and Board members Kathy Jones, John Dyer, Patricia Cohen, Suzie Lazott, along with staff member Nichole Craig. Mayor Slowik thanked Peggy and John Dyer and the BBBS Board for their hard work.

Public Comments

Mayor Slowik talked about the cancelled public hearing for the subdivision code amendments and called for Pioneer Way comments at this time asking that comments be kept to two minutes or less.

Kathy Jones, 2715 Laurel Lane. Supports two-way. Reverse a bad decision and encourage economic development downtown. Many have decided to reduce or close their businesses if Pioneer becomes a one-way street. I am speaking as a shopper but I am also a downtown property and business owner. 70% of the Pioneer property owners agree with me. Terry LeDesky has another option and Kristi Jensen has

emailed the Council this plan. I am opposed to the one-way option and \$8.5 million is an expensive mistake. This choice should be data-driven; what data are you using? Other cities are converting from one-way to two-way. We are losing business opportunities and Oak Harbor is not business-friendly; it is time to change the business climate. Do what is right and reconsider your decision. Don't turn this into another legal battle.

Terry LeDesky, 411 NW 3rd. Supports two-way. Kristi Jensen gave me the plans that the consultant had presented. I could not attend the ten open houses, but I am embarrassed by the plans that have been presented which are questionable. The one-way shows more open space than the two-way design. If I had designed these plans, you would have fired me.

Mayor Slowik asked Mr. LeDesky not to "finger-point."

Mr. LeDesky had overlaid a plan using Google Earth to show the context of the City. This overlay is attached to the minutes as Exhibit A. Mr. LeDesky felt that there were questionable motives for this project which do not cater to community trust. Reconsider what the facts are in looking at the presentations and handouts given to you by the community.

Jason McFadyen, 1471 SE 8th. Supports two-way. Mr. McFadyen spoke on behalf of the SE 8th residents who, in a door-to-door poll, unanimously did not want a one-way design for Pioneer. Drivers are already avoiding other streets and using SE 8th to reach the college and Seaplane Base. Reconsider the one-way decision so the SE 8th residents can have a quieter street.

Ashley Zapata, Naval Housing. Supports two-way. One-way will be a hassle to shoppers. I use the street to get to the base and to Wal-Mart. If you close the street, look at the impact on the little shops. Not a good idea, take the money and use it for something better.

Helen Chatfield-Weeks, 1415 SE 9th. Supports two-way. Speaking for parents of baseball players who will be running across the street (Bayshore Drive), consider the safety issues.

Scott Thomas, 1398 SE 8th. Supports two-way. My home was built in 1936 by Rance Zylstra and 8th Street is being used as a runway. Barrington, the Maylors; these were men of great vision and they built the City to have it grow and planned Pioneer Way as a two-way street. Keeping Pioneer Way the way it is to benefit the community. Don't allow the developers to have their way.

Kristi Jensen, 1380 SE 8th and also representing Stan Stanley. Supports two-way. None of the previous eight studies done on downtown recommend a one-way option. Stan is also a consultant. He highly recommends a two-way street. Mr. Stanley's research is attached to these minutes as Exhibit B.

Patti Carter, 270 SE Barrington, C104. Supports two-way. Ms. Carter spoke as the president of Harbor Pride and referenced their letter supporting a two-way rather than one-way street. Ms. Carter acknowledged the need to replace sewer, sidewalks, and street but felt these could be fixed without using a one-way design.

Gloria Carothers, 2130 Stoney Beach Lane, owner of the Jewelry Gallery.

Supports two-way. 2,050 people have now signed the downtown petition and have almost doubled the number opposed to the one-way design. If a decision was made in haste, it is alright to admit it was not the best decision. We would respect that if you are willing to rescind the vote. Ms. Carothers left the petition signature sheets with the City.

Coreen Lerch, 1175 Silver Lake Road. Supports one-way. Ms. Lerch had attended meetings to evaluate all of the information that the engineer and Perteet presented.

She felt it was an excellent presentation and that choosing the one-way design was a great decision. We have to make changes to downtown. We have to make the repairs. We have been trying for the last forty years to do something with downtown. You made a decision based on an intelligent presentation. I do not think you should have to rescind or revote. Form a cohesive plan with property owners and the City. Oak Harbor, as a whole, has to come together regardless of a one-way or two-way street. We want downtown to flourish. We need a cohesive plan. Don't change your decision.

Bill Massey, 41 Midway, Suite 101. Mr. Massey spoke about one-way and two-way designs. I have been a property owner on Pioneer Way for over 30 years and have followed, with interest, the discussion and the schematics. I have noted that whether it is revitalization or new projects, small shop owners have left downtown because of the emphasis on traffic. Emphasize a design approach that is pedestrian-friendly and provides parking and supports a shopper-friendly attitude. It comes down to one-way or two-way and how merchants market their product. Some of the most successful districts have no vehicle traffic, a pedestrian mall, and parking on the perimeters. We need to be pedestrian-friendly, have adequate parking, and see merchants market their products. Parking is not adequate on the two-way design; I am impressed with the one-way configuration. My recommendations: with the one-way design, look to the planners and specifications for night construction which would lessen impact on the merchants; provide additional parking on Pioneer. You have a good plan, but look at opportunities for additional parking. If two-way becomes the design option, do not allow it to proceed with the current parking schematic.

Laura Hulse, Oak Harbor Motors. Supports two-way. Everyone I have spoken with opposes the one-way. Listen to them

Mel Vance, P.O. Box 2882. Supports two-way. Try a temporary one-way option before committing to it. I prefer two-way.

Steve Badger, 931 Walker Heights Way, and a business on Pioneer Way in the 300 block. Supports a delay. In these economic times, a hardship will be created. As a common sense approach, consider that this will do irreparable damage to a number of businesses. I believe then even in my location further west, the flow of traffic will have a negative impact on us. I would like to see more study done with a greater assessment of the economic impact on these businesses.

Frank Scelzi, P.O. Box 2249. Supports two-way. I see a lot of familiar faces who are for the two-way. Thanks for moving forward with the downtown's renovation and look at Mr. LeDesky's preparation on the two-way plan. Community members would like to work together on a two-way plan. There is overwhelming data on dollars lost with one-way designs and communities are switching back from one-way to two-way streets. I have asked for one fact: How will one-way benefit our community? Why was this rushed, why no planners and why no involvement with community members? Our

downtown community has united. The public is becoming more aware. Why would we willingly give up our source of income? Vote for our community's needs and wants. It is irresponsible to risk the livelihood of our citizens with incomplete plans and no impact study. Support your community and do the best thing for our businesses.

Amanda Coleman, 1320 North Oak Harbor Street. Supports two-way. I own a dancewear apparel shop and will not rent on Pioneer if it becomes a one-way street. I am against it.

Martha Yant, Oak Harbor. Supports two-way. Integrity and honesty. Whatever you do, you will be remembered by these words. I urge you to look at your clientele and citizens. Do what is best for them.

Michael DeRosa, business owner in downtown. Supports two-way. I own a restaurant and beauty salon and I'm from New England, the land of one way streets. This would a terrible mistake with a future reversal.

Scott Wotring, Good Times Pizza on Pioneer Way. Supports two-way. We would have never opened a restaurant on a one-way street. I have lived and worked in two of the cities that have changed from one-way to two-way streets. We never open on a one-way.

Patricia Cohen, Former Oak Harbor Mayor, Scenic Heights Road. I am not here to comment on traffic movement, but rather to comment on the process. There is a perception that many industry tools were not called out. True that much of the data is not required, but nevertheless, I have learned that citizens have great expectations of their leadership and an appearance of openness and fairness. Success depends on working in partnership and this is dividing the community. Is there a plan to work with the downtown neighborhood to address their concerns?

Dave Hand, Bay City Bistro on Pioneer Way. Supports two-way. I feel that it is important to take in citizen contributions. I felt we were not involved when the waterline was put in. We told the City our hours and when we were closed, yet our doorway was roped off on a Wednesday. I don't want this to happen again. Take more input and work with us. Night construction would be preferred. I want revitalization but it needs to be done in a way that works with the community and what everyone wants. Making a one-way street out of a two-way street doesn't seem the way to bring in people. Pioneer needs to be a two-way street. I don't think traffic will divert to downtown and will, instead, divert around it.

Al Koetje, Former Oak Harbor Mayor, SE 10th. Supports two-way. Reconsider this decision. Oak Harbor will never be a pedestrian-oriented city. It is important to look toward Oak Harbor's future. We have a nice community with wonderful families and Navy neighbors. Reconsider and keep Pioneer Way a two-way street. It is a difficult decision, but give it consideration tonight.

Patricia Harden, 1689 W. Beach Road. Supports two-way. I am a former property owner on Pioneer Way and I have rented space to some of the people who have spoken tonight. Respect the people who have put their livelihoods on the line for their success and the success of Oak Harbor. Keep Pioneer a two-way street.

Ila Schmit, Island Upholstery on Fidalgo Avenue. Supports two-way. I have lived here since 1985 and have always been proud of being from Oak Harbor. Opening Island Upholstery was a huge step. My business has increased and has been a benefit

(referrals) to Pioneer Way businesses too. A two-way street is essential for the progress and benefit of businesses. I feel that a one-way street will become a bypass. It is difficult to bring people into downtown. Any kind of discouragement and customers go elsewhere. Two-way is in the best interest to businesses and customers.

Silvia Salgado, Sports Shop on Pioneer Way. Supports two-way. I still believe that two-way is the only way.

Sandy Willmott, 466 SE Neil Street. Supports two-way. On behalf of business owners, I would like to continue business service to our community.

Jill Schacht, 690 SE Pioneer Way, owner of Casual House and Foxpointe. Supports two-way. We have been in business for forty-seven years and have invested in buildings and businesses on a two-way street. We always assumed that this would be the best possible configuration for our businesses. It is important for the economic climate on Pioneer to keep it a two-way street.

Ron Apgar, owner of Paint Your World on Pioneer Way and President of the Downtown Merchants Association. Supports two-way. We have spoken to hundreds of customers and they all ask me, why a one-way street. We like the two-way street. One-way west is the wrong way. The engineers didn't think about it. People will bypass downtown.

Ryan Nowicki, Peacock Lane. Supports two-way. I am a business owner and would like the street to remain two-way.

Raymond Prokop, Pioneer Way business owner. Supports two-way. Going from a two-way to one-way will reduce traffic, but there has to be an overwhelming advantage to two-way.

Nancy Kitchell, 90 SE Pioneer Way, Key Bank. Supports two-way. I strongly support a two-way street.

Hillary Gardner-Carpenter, Assistant Manager of Whidbey Coffee on Pioneer Way. Supports two-way. No one wants the one-way. We are going to lose business; keep it a two-way street.

Lydia Sykes, Whidbey Wild Bird on Pioneer Way. Supports two-way. We are definitely for a two street.

Amy Jones 2766 Laurel Lane, owner of Amy's Touch on Pioneer Way. Support the two-way street.

Helen Pantoleon, owner of Zorba's and other properties on Pioneer Way. Supports two-way. Pioneer should remain two-way but with improvements.

Les Bense, 2068 Barque. Supports two-way. I keep hearing about pedestrian-friendly. This is Washington not California. We don't have pedestrians up here. Keep the two-way but improve it. Why are we going through this hassle?

Theresa Huffman, 890 Haslo, manages a shop on south side of Pioneer Way. Supports two-way. Keep the two-way, but we need more parking downtown. Make what we have even better.

Gerry Oliver, 947 NW Prow. Supports one-way. I have lived here for over twenty-eight years and I am for the one-way. It is frustrating to go downtown without more parking and I believe pedestrian-friendly is the right choice. You cannot see some of the businesses' signs if you are not on-foot. One-way would make Oak Harbor a better place.

Janet Schleifer, SW 6th. Supports two-way. I'm a shopper and walker. I don't shop on one-way streets. This is not a walking town for shopping. Pedestrian-friendly is silliness. One-way is the wrong way.

Jill Johnson, Executive Director, Greater Oak Harbor Chamber of Commerce. Supports two-way. The Chamber Board voted to lend its support to the downtown merchants group. There is no egg on anyone's face if you change your decision. The Chamber will stand behind the merchants and the City.

Cheryl Weildraayer, Ace Hardware. Supports two-way. Large businesses like Wal-Mart and Home Depot do traffic studies and would not have built on a one-way street. We do need to fix downtown, stick together as business owners, and make the town work. I am for a two-way street.

Kay Coolidge, owner of Popsie's on Pioneer Way. Supports one-way. I watch the cars go by too fast. If you slow them down, they wouldn't even use Pioneer Way. I love the pedestrian idea. Another speaker made comments about a two-way design but also knows the benefits of walkers on Pioneer. I would like to close the street to vehicular traffic and make it a walking street which would bring people into Oak Harbor. Sightseers go to Coupeville or La Conner. Make this stretch of street into a city center.

Linda Roberts, 4162 Balsam Place. Supports two-way. As a shopper, I can shop off island or shop the rock. If there is no parking on Pioneer Way, I will shop elsewhere. One-way takes away options of going each direction for parking. Keep it a two-way street.

Kelly Sweet, owner of Kelly Cab. Supports two-way. One-way gives no one an option and pushes people through downtown. Keep it two-way. You just need more parking.

Diane Sullivan, owner of Wind and Tide Bookstore. Supports two-way. Keep Pioneer a two-way street, reconsider and vote again.

Panda Brietz, 2814 Alpine Drive. Supports one-way. Originally I was for the two-way, but now I like the idea of the one-way street. We could make downtown a destination and create more space for sidewalks, sitting, and walking. I go to Coupeville and La Conner because I don't find ambiance in downtown Oak Harbor and I work downtown.

Louis Barrio (spelling), Supports two-way. I work downtown and support a two-way street.

With no other comments coming forth, Mayor Slowik closed this portion of the meeting at 7:35 p.m.

Other Pioneer Way documents left for City Council during this meeting are also attached to these minutes (Attachments C and D).

COUNCIL CONSIDERATION AND ACTION ON THE FOLLOWING MATTERS

Consent Agenda

- A. Waterline Over-sizing Reimbursement – To Landed Gentry, Inc.
- B. Wallen Appeal
- C. Approval of Accounts Payable Vouchers

MOTION: Councilmember Almberg moved to approve Consent Agenda Items A, B, and C with item C paying accounts payable check numbers 139966 – 140081 in the amount of \$237,227.78, accounts payable check numbers 140082 – 140187 in the amount of \$470,162.76, and payroll check numbers 93513 – 93521 in the amount of \$89,190.00. The motion was seconded by Councilmember Severns and carried unanimously.

Break

Mayor Slowik called for a ten-minute break at 7:40 p.m. and the meeting reconvened at 7:50 p.m.

Public Hearing – Shoreline Substantial Development Permit: Windjammer Park 42-inch Stormwater Outfall Project

City Attorney Margery Hite noted that this is a closed record review of the recommendations of the Planning Commission. The City Council is the final decision-maker for the City on this permit but rests its decision on the record created by the Planning Commission. The closed record hearing is quasi-judicial in nature. Ms. Hite asked each Council member to state, for the record, what ex parte contacts they have had, whether written or oral, concerning the matter to be decided which is a City project. Each Council Member stated they had no ex parte contacts regarding the 42-inch stormwater outfall project, with Mr. Almberg and Mr. Powers noting that this matter had been discussed in standing committees which are open public meetings. Ms. Hite continued to these appearance of fairness questions which were individually asked of each Council Member:

1. Do you have knowledge of having conducted business with either the proponents or opponents of this project?	Mr. Almberg	Mr. Campbell	Mr. Dudley	Ms. Munns	Mr. Paggao	Mr. Palmer	Mr. Severns
	No	No	No	No	No	No	No
2. Do you have either a pecuniary or a non-pecuniary interest in the outcome of this proceeding?	Mr. Almberg	Mr. Campbell	Mr. Dudley	Ms. Munns	Mr. Paggao	Mr. Palmer	Mr. Severns
	No	No	No	No	No	No	No
3. Do you know whether or not your employer has a financial interest in the land or area which will be impacted by the decision in this proceeding?	Mr. Almberg	Mr. Campbell	Mr. Dudley	Ms. Munns	Mr. Paggao	Mr. Palmer	Mr. Severns
	No	No	No	No	No	No	No

4. Do you live or own property within 300 feet of the area which will be impacted by the decision in this proceeding?	Mr. Almberg	Mr. Campbell	Mr. Dudley	Ms. Munns	Mr. Paggao	Mr. Palmer	Mr. Severns
	No	No	No	No	No	No	No
5. Do you have any special knowledge about the substance of the merits of this proceeding which would or could cause you to prejudge the outcome of this proceeding?	Mr. Almberg	Mr. Campbell	Mr. Dudley	Ms. Munns	Mr. Paggao	Mr. Palmer	Mr. Severns
	No	No	No	No	No	No	No
6. Is there any member of the audience who because of the "Appearance of Fairness" doctrine wishes to disqualify any member of the Council from hearing this matter? If so, please state the name of the Council Member and the reason or reasons why you believe that Council Member should be disqualified.							
No audience members came forward.							

Development Services Director Steve Powers continued the discussion. The proposed stormwater outfall project requires a Shoreline Substantial Development permit as it does not qualify for an exemption under Section 2.06 of the Shoreline Master Program. The project will further be reviewed by State Agencies and the US Corp of Engineers. Additional conditions and mitigation measures may be imposed on the project as the result of those reviews. Currently there are two stormwater outfalls, termed west and east outfall, located in the southwest portion of Windjammer Park. The outfalls provide stormwater drainage from the City's Dry Creek Basin to Oak Harbor Bay. The Dry Creek Basin constitutes the most developed portion of the drainage basins served by the City's stormwater system. It is characterized by highly developed residential and commercial areas with very little open drainage remaining. The existing west stormwater outfall is a 42-inch corrugated metal (steel) pipe that conveys runoff from an existing upland tide gate structure (in place to restrict salt water from flowing upstream during high tide or storm events) to its discharge point on the beach. This outfall is approximately 320 linear feet long from the tide gate. Its original length was 420 linear feet. Over the years the pipe has deteriorated to its current length. The existing east stormwater outfall is a 42-inch reinforced concrete pipe that also conveys runoff from upland sites of Oak Harbor. Its current length is approximately 185 linear feet and has remained the same since its original installation.

The City is proposing to replace the existing west stormwater outfall to address the deterioration of the pipe and its susceptibility to frequent blockage by seaweed and sand. The proposed project removes the existing deteriorated corrugated metal pipe from its existing location and replaces it with a new steel pipe aligning it with the existing east stormwater outfall. This new steel pipe will be extended approximately 70 feet further into the bay than it currently does at its existing location to minimize potential clogging in the future. The existing 42-inch reinforced concrete east stormwater outfall will remain in place. However, the proposed project extends it approximately 71 feet to be flush with the relocated and realigned west outfall. The two outfalls will be held in place by helical anchors which provide minimum environment impacts and are the most efficient and cost effective method of securing the outfalls. The use of the helical anchors will allow the removal of the rip rap and concrete blocks that are currently used to secure the outfalls. The outfall replacement and realignment construction will impact a section of the waterfront trail and the west parking lot. Therefore, as part of the project, the trail along the waterfront will be enhanced and extended along the shoreline. The parking lot will also be redeveloped and re-striped.

Mayor Slowik opened the public hearing at 8:15 p.m.

Duane Dillard, 2150 SW Dillard Lane. Mr. Dillard said that he had not provided comments from the mailings, but he did comment at the Planning Commission meeting. Mr. Dillard was glad to see the City trying to alleviate the flooding problems from stormwater run-off and asked if run-off would be untreated as it is moved into the wetlands and runs into the bay. Shouldn't runoff be sent through a series of bioswales? The Puget Sound Partnership defines stormwater run-off as one of the top three polluters in the Sound.

Mel Vance, P.O. Box 2882. Mr. Vance asked about the small campground at the SW corner of the project and if it would be reduced by the walking trail, how the parking area will be redeveloped, and if joining the two outfalls would make it difficult to monitor bacteria levels (which pipe would be eliciting the bacteria). Mr. Vance asked that the boat ramp be kept open as long as possible; keep it accessible for the public.

With no other public comments coming forth, Mayor Slowik closed the public hearing at 8:20 p.m.

Council Discussion

Discussion followed about the pipes' longevity (40 year service life) and length, and Mr. Dillard's questions about stormwater treatment. Project Engineer Arnie Peterschmidt and City Engineer Eric Johnston noted that this project does not treat stormwater and run-off will have to be addressed in other ways with stormwater being addressed before it is in the collection system; the goal is not to treat at the end of the pipeline but at its source. Stormwater quality is a major issue in Puget Sound and is being addressed through our NPDES permit. It would cost \$70 million to build a stormwater treatment plant. Mr. Powers noted that the waterfront walkway will be re-routed, construction fencing will be used, parking will be addressed through low-impact development

standards, the boat ramp will be left in place with mitigation signage also directing potential users to go to the Marina, and there is a mitigation measure within the SEPA determination to keep the waterfront trail kayak campsite in place. Discussion continued about archeological finds which is also a mitigation measure in the SEPA determination. Staff does not anticipate that there will be a find, but there will be a second survey/additional scope of services survey of the new alignment for the west outfall's reconstruction. It was clarified that the two pipes will be aligned side-by-side to provide one location for ongoing maintenance. Sediment will still need to be cleared and this will minimize the City's work on the beach. Mr. Powers defined a bioswale (grass ditch), but with this volume, a bioswale could not be used at this location; stormwater will be addressed at its source point. Discussion followed about the upland sources of stormwater, if diversion will be close to private property, and that the City will be working with a landscape architect for screening per City codes. Design work is budgeted; the project itself will be tied to utilities. Fish and Wildlife has set the schedule for when this work can be done.

MOTION: Councilmember Palmer moved to adopt the Findings of Fact and approve the Shoreline Substantial Development Permit for the Windjammer Park 42-inch Stormwater Outfall Project. The motion was seconded by Councilmember Dudley and carried unanimously.

2% Hotel/Motel Tax Grant Program Awards for 2010

Finance Director Doug Merriman presented this agenda bill. The City of Oak Harbor sponsors an annual grant program funded by revenues from 2% lodging tax proceeds, known as the Lodging Tax Grant Program. Organizations are encouraged to apply for funding if they feel that their activity promotes tourism in a manner that attracts visitors to Oak Harbor from other localities. After receiving the appropriate 45-day notice from City Council on March 24, 2009, the Lodging Tax Advisory Committee advertised and called for applications for the City's Lodging Tax Grant Program on August 22, 2009. The Committee met on December 10, 2009 and reviewed the three applications received:

Oak Harbor Arts Commission – Driftwood Day	\$ 4,090
Rotary Club of Oak Harbor – 25 th Annual North Whidbey Car Show	\$ 6,000
Greater Oak Harbor Chamber of Commerce – Tourism Promotion	<u>\$38,471</u>
Total Requests:	\$48,561

With only \$15,000 available for the Grant Program, the Lodging Tax Advisory Committee made these recommendations:

Oak Harbor Arts Commission – Driftwood Day	\$ 2,850
Rotary Club of Oak Harbor – 25 th Annual North Whidbey Car Show	\$ 5,500
Greater Oak Harbor Chamber of Commerce – Tourism Promotion	<u>\$ 6,650</u>
Total Funded:	\$15,000

Mayor Slowik called for public comments but there were none.

Council Discussion

Discussion followed about the variation in amounts awarded from year to year, and the reduction in the Island-wide marketing effort to \$20,000 which will be reflected at the end of this month.

MOTION: Councilmember Munns moved to award the 2010 Lodging Tax Grants as shown and authorize payment of funds. Councilmember Palmer seconded the motion and it carried unanimously.

Assessment of the Pioneer Way Improvements Project

At the January 5, 2010 City Council meeting, Councilmember Dudley moved and Councilmember Campbell seconded a motion to place this matter on tonight's agenda in order to assess the prior City Council decision on the one-way issue for Pioneer Way. Mayor Slowik asked Councilmember Dudley to begin this discussion.

Councilmember Scott Dudley

I did not have the chance to voice an opinion on December 1, 2009 when the decision was made, and I wanted to assess what the business owners had said. Dr. Henninger, in public comment, had asked what our mission was for this project. Looking back at past minutes, we want to promote economic development and revitalization. If that is our intent, especially economic development, since then a large majority of business owners strongly oppose taking Pioneer Way and turning it into a one-way street.

If the project promotes economic development, then the Chamber would be in favor of it but tonight and at the last meeting, Jill Johnson noted that on December 8th the Chamber voted to support the Harborside Merchants in reconsideration of this plan. This evening we've also had a chance to recognize those who have worked so hard on the Windjammer Plan. It states that the project will include a traffic study and research to increase business in the core district. It also says that the success of any downtown redevelopment effort relies heavily on a commitment by the merchants and the property owners who must also invest in the program. Based on our December 1st decision, we are not involving them; we are spearheading it and doing it anyway. If one-way worked, they would support it. How can we dictate how and where the businesses will receive freight shipment? I attended the open house at the United Methodist Church and asked Perteet why all of the parking is on one side of the street with the one-way design. From a common sense standpoint, it is difficult to look over your left shoulder. Perteet (Mr. Monken) didn't know and never thought about it. I asked for an example of where this is working and he had none. We have had information on vacancy rates in the commercial core space of downtowns. After changing to a one-way design, occupancy decreases. In the transportation element of our Comp Plan, the City of Oak Harbor street system will experience little impact as we approach 2013. It never calls for Pioneer Way to be a one-way street. We heard from Harbor Pride who recommends that the City look at the concerns of shop owners and what will benefit the community as a whole. Looking at November 17th's minutes for the caregivers resource center agenda report and spending of \$18,000, it was asked what will happen to the City five years from now without a good business plan. Where is our business plan for this

project? What is our contingency plan? Can we weather the downturn in sales and property tax revenue? What will the cost to us be then? Where are the studies to support a one-way street? We need to acknowledge the business owners and listen to them. I wish I knew what our vision is for the downtown revitalization plan. It looks like more of an economic detriment than improvement. I wish I had an example of a city that has done what we are trying to do here. According to the APA (American Planning Association) many cities are switching back to two-way from one-way streets. Motorists drive faster on one-way streets. Take this evening's recommendations; we can do it and we can do it correctly and right. We are obligated to do this correctly rather than spend these funds on a great mistake.

MOTION: Councilmember Dudley moved that the Oak Harbor City Council rescind its previous decision on December 1, 2009 which was to have the Mayor instruct staff to work with Perteet on a one-way design. The motion was seconded by Councilmember Campbell.

Council Discussion

Councilmember Severns

I have heard a lot of testimony this evening and an aggressive move to go back to two-way. Looking at the math, I don't see clear new evidence. I do know that my conversations with property owners were not to push one-way or the other (two-way). I've heard that parking is essentially important. I don't think that this plan is reliable for parking. My decision was based on people feeling that there was a good reason for change. No two cities are alike and topography differs. I've lived here thirty-five years. When I first arrived, I couldn't find a place to stay, went to Anacortes, and was amazed at their wide street. I come from small towns - Chehalis, Ellensburg, Centralia – and they changed from two-way to one-way and are still one-way. My point is, some of what we have going on here is a fear of change. I did the homework. The night I made the motion to consider a third alternative, I thought what did I do? I cannot support continuation of parallel parking. I'm not convinced that we made a bad decision.

Councilmember Almberg

I concur that we did not make a bad decision. Seminars talk about effective councils; one vote is not more important than any other vote. When the decision is made, then it is one voice and the Council must successfully support the outcome of that vote. If we flip-flopped every time a special interest challenges a decision, we will lose the trust of community and staff; we will have a revolving door on every issue that we have. There must be refutable evidence to overturn. Disagreeing is not a compelling reason to overturn and it will marginalize the decision, the Council, and the process. Our Mayor took this to the community at ten open houses. There was opportunity then and at open public meetings to comment and when (comments) closed, we made a vote based on that information. Dredging this up now, what happens to our other discussions on upcoming votes if we are challenged? We will not make progress in this community. My background is weighted toward construction. I have spent more time reviewing this issue than any other. There are some things down there that will not allow you to do what you want to do. Our right-of-way is too narrow. Think about the nerf balls. You cannot pour 10 gallons of water into a 5 gallon bucket. We have buildings with different

floor level elevations. The south side buildings are lower in elevation. If you don't change the configuration of the sidewalks, we will continue to have non-conforming ramps in ten to twelve stores and we have to comply with the International Building Code. Non-conforming ramps would extend the curb line and the driving lane will not accommodate this. Up and down the street on both sides of the street, you have to include the physical properties. There is nothing safe about some of those ramps. They are not pedestrian-friendly when customers fall. The parking - why would you trade down on-street parking when only 13% would now be reduced down to 7%. 46% of parking spaces are restricted spaces behind the stores. This is not customer-friendly. There is no other way to do this but one-way. I have years in the development business and one of our projects included one-way streets, a cut through traffic, refacing of buildings, wide sidewalks, and we had the cooperation of the merchants (Lake Stevens), their Chamber, WSDOT, and that option was promoted from day one through the course of construction. Their sales went up. It was safe and easy to get into the businesses. We also reversed some of the two-way on side streets to one-way. The principles still apply here. We have a trainload of cars going east and west and people are not stopping when they travel east and west. On constructability of one-way vs. two-way: The one-way has slightly better opportunities to mitigate the activity on Pioneer with curbs moving inboard toward centerline. We can leave curbs and sidewalks in place while we are doing utilities which will be on the centerline side of the curb. Much can remain undisturbed until paving and the sidewalks can be taken out in sections. Doing two-way will cut out curbs and sidewalks to move them closer to the building and will disrupt the sidewalks. It was not just one item that made me vote one-way; it was an assemblage of all of the parts. There is nothing that I have heard to compel an overturn of this decision.

Councilmember Palmer

I'm not an engineer. I have a small business background, and I am a certified business and equipment appraiser. The confusion over 1/3, 1/3, 1/3 – leaving the street with parallel parking or going to angle parking. We talked about the third alternative and a motion was made by Councilmember Severns and I voted for it but it got voted down. I did a walk through (Pioneer) to measure the streets and there are some real narrow areas. With Mr. LeDesky's design, I question whether angle parking can be put in. The aerial doesn't look we can get to 113 standard stalls. The major issue for me is still parking. I am only aware of six businesses remaining since I moved my store in 1989. We have to do something different. I belong to the American Business Appraisers' Association and twice a year we meet in different cities. I have seen successes in all alternatives. How do you make a cookie cutter situation? Miami City, FL is somewhat like us; their Council did give in to two-way versus one-way, yet shops still deteriorated. Fayetteville, AK changed to one-way, was glad they made that choice, and still needed more parking. Ardmore, PA is half our size and their Council would not change from their two-way street design. Burlington, VT is larger than us and the whole main street is a pedestrian mall; shops are full and busy. Fargo, ND is larger than us at 90,000, the merchants were upset by a one-way design, but they like it now. I've mentioned larger city examples since Cincinnati was used as an example of two-way street design.

The two-way design is taking away rather than adding parking. The one-way design is a better choice for more parking. A pedestrian-friendly environment and parking is important to downtown. I stand by the one-way decision.

Mayor Pro Tem Paggao

I believe in the democratic process of our City government. I amended the motion for a two-way design and lost. The following day, I was ready to proceed with the one-way design. During the following weeks, we received more testimony. Each one of us voted on the facts presented by staff and based our decision on testimony; we are ready to move on. With Councilmember Dudley's motion, I am looking for a significant reason to rescind our decision. Is this life or death? This has happened only once in the past and that was with the Post Office Garry Oak and it meant the life or death of the oak. There was a second opinion from the arborist that the tree could be saved. Based on additional testimonies that we have received, is this a matter of life and death? The merchants have acquired more than 2,000 signatures from citizens and the majority of merchants are in favor of a two-way street. As stated in our Comprehensive Plan and Mr. Almberg's letter (dated 10/15/09 to fellow Council Members and attached to the 11/4/09 Council minutes) which said: The Comprehensive Plan was developed by the community, including Harbor Pride, "A Blueprint for Change," and approved by the Council for the implementation of "Oak Harbor's 2013 – A Vision for the Future." The goals and policies clearly state that "the City should maintain a pedestrian-oriented atmosphere in Old Town." And, "Within the district (CBD), pedestrian-oriented activities would be encouraged." The one-way will encourage a pedestrian atmosphere but there are other ways we can do that. It is in the Code for development to build mixed - use development there. I am going back to the question: would it be a matter of life and death for the downtown businesses?

Councilmember Campbell

I am conflicted. I am still a two-way person, and I haven't heard anything tonight to change my mind. I spent twenty-five years in an engineering organization that accepted no mistakes. I have more faith in the engineering community fixing Pioneer. I don't understand the pitch on one-way and two-way. The comment was made that 4,000 cars go down Pioneer. Will one-way increase people downtown? How can you cut that car count in half and have more people downtown? It doesn't work for me. We've all done Internet research and there are more positive things said about two-way than one-way. If we reduce the number of people downtown, it seems people drive faster on a one-way rather than two-way. It is hard to find the shops whose only signage is on the window. One-way increases speed and will make it worse. Early on, the Mayor and engineering staff did a good job of bringing information to the community through the open houses. I heard a lot of comments on problems with going one-way. All of the positives and negatives should have been included. What we got from the presentations and Perteeet were the positives. The reason I seconded Councilmember Dudley's motion is I believe there is more evidence to be seen. Look at both positives and negatives. When the pitch went out to the town, people didn't come up with what they have come up with now. I'm still supporting two-way.

Councilmember Munns

When I voted, it was very tough. I could have gone either way; a 50/50 decision, good and bad on both ways. Change is scary. The biggest thing is, we've had a democratic

process. I'm not afraid to admit when I'm wrong. I don't know why the one-way people haven't shown up. The south side of the street wanted one-way because they don't have parking. Since we have made a decision through our democratic process, they are thankful that we made a decision. When I took this oath, I didn't want to make a decision just for me, but rather for the community as a whole. I did vote for two-way, but I have no evidence to rescind our decision. Overwhelmingly, I have had people say stop the back-stabbing and join together.

Mayor Slowik asked City Administrator Schmidt if he had comments. Mr. Schmidt felt this remains a Council decision. City Attorney Hite felt that this comports with Council's rules, especially rules 6 and 11.

Mayor Slowik called for a second round of Council comments.

Council Discussion Continued

Councilmember Dudley

Mr. Dudley quoted the Windjammer Plan sentences again. It does not seem like we are following the Plan. We do see cities that revert back to a two-way from a one-way. I don't believe that a significant majority of business owners and property owners are a special interest group or small minority. We've heard from two past mayors and we continue not to listen. I do look forward to redevelopment and improvement, but we also need to be out in front of costs to owners regarding underground utilities. It is life and death – absolutely. If given the chance, an engineer can improve the two-way plan, increase parking, and have business owners onboard and behind us. We owe it to the business community to do it correctly.

Mayor Slowik reiterated what former Mayor Cohen and former Mayor Koetje had said.

Councilmember Severns

Mayor Koetje also said that Oak Harbor will never be pedestrian-friendly. We are debating what does one-way bring to the community. What it potentially brings is more pedestrians that stop their cars, park their cars, and shop. I paid someone to do my own study for 1 ½ hours on December 19th, which was a heavy shopping day, to see how many people were driving westbound. 656 cars went through, 20 cars stopped, 34 cars turned up a side street, and 27 cars came from a side street. Only 20 cars stopped downtown. People can't park; seniors can't park (parallel). This traffic count is not doing you any good if only 20 cars out of 656 cars stop. What is seen in a one-way are pedestrians who will shop. There is a decrease in parking for the two-way design. I heard that there have been eight studies, and I asked for and read three of those studies. In 2001, that study included about 40 citizens. The studies say that business is crummy in downtown and people are calling it the low rent district. Leaving it two-way is not fixing anything.

Councilmember Almberg

The preponderance favors one-way. The dimensions aren't going away. If we change to two-way, it will be an engineering nightmare to mitigate the elevation differences. Don't lose your Council over this. We've accomplished a lot of things. In summary,

one-way provides safer customer access to stores, safer on-street parking, mitigates access to stores, allows for a traffic pattern to encourage customer access, and allows traffic to recirculate. If everyone is working together, this will be a successful endeavor for this community. We have had two-way traffic forever along with pass-through traffic. Downtown doesn't invite anyone from out of town or in town. Service, product, price, place, promotion; this is marketing 101. This project is not a revitalization project. It is an infrastructure improvement project. Only the merchants can improve marketing revitalization. This decision is going to be for 20 – 40 years. We have to start some place and this starts with utilities and an inviting atmosphere. It is up to the entrepreneurs and merchants to attract customers.

MOTION: Councilmember Almberg moved to amend the original motion to allow the December 1, 2009 decision to stand without further discussion.

City Attorney Hite noted that Council cannot amend a motion to rescind. There was no second to the motion; the motion died.

Councilmember Palmer

I feel for the merchants and I have come from where they come from. I understand the fear. How many businesses can hang in their during the construction period? We need to do the best job we can to keep businesses alive during that time. On large streets, one-ways are usually going 40 mph. 19 mph is the average on Pioneer. The Internet takes business away from everyone. We have to make downtown unique and make people want to go down there. We need a good marketing plan. The fear of change is always there. I deal in forecasting and it cannot be guaranteed as accurate. There have been changes in Jill Schacht's properties and the Old Town Mall, but the majority of downtown looks the same. I do not see any reason to rescind the decision. Our street widths are set. Our focus has to be on getting through the construction period regardless of one-way or two-way. Uniqueness will bring new customers.

Councilmember Paggao

Let's go back to the main reason why we are doing this construction: revitalization and upgrades to infrastructure. In making the street one-way and looking back to the Comp Plan, nothing in the Plan says that we have to go one-way. It talks about increasing pedestrians in that area but we can do that in other ways. I think parking can be mitigated. The other problem mentioned was safety and it too can be mitigated. What Councilmember Dudley stated: in planning for this one-way street, there is no business plan, and there can be a financial impact to business owners. Are we taking their livelihood? Shouldn't we make a decision that represents the people we represent?

Councilmember Campbell

I have strayed away from one-way/two-way. It is not whether the City or business owners are doing their jobs. I will never vote strictly for a legacy or change for change's sake.

Councilmember Munns

The sidewalks are horrible. I've fallen and shattered my ankle. Walkers cannot roll on them. Crutches are difficult. You cannot walk with another person side-by-side on the south side.

Councilmember Munns called for the question.

Mayor Slowik stated that he would take a roll call vote on Councilmember Dudley's motion: Yes to rescind; no to keep the one-way decision.

Councilmember Paggao called for a point of order noting that Councilmember Munns had called for the question.

City Attorney Hite explained that the Ms. Munns' call for the question cuts off debate and requires a two-thirds vote. If there is no further discussion, then it is only a simple majority. Further discussion remained.

Vote to call for the question: Councilmembers Severns, Almberg, Palmer, and Munns voted to call for the question. Councilmembers Campbell, Paggao, and Dudley opposed. Could not call for the question so discussion continued.

Councilmember Dudley

Do we have we anything back from Perteet? Did the Mayor instruct Perteet to take a harder look at the two-way design and come up with a better two-way design?

Mayor Slowik responded that would occur only if the decision is rescinded.

CORRECTION TO THE 1-19-10 MINUTES

Mayor Slowik's response and Councilmember Dudley's reply have been corrected (see below) as part of the motion to approve these minutes during the February 2, 2010 Council Meeting.

Mayor Slowik:

We have a one-way decision. If there is no change in the one-way decision, then there is no need for Perteet to look at two-way.

Councilmember Dudley:

My understanding was that the Mayor did instruct Perteet to take a harder look at the two-way plan and come up with a better two-way plan with improved parking. Is that true?

Mayor Slowik: That is true. It would only be brought (forward) if you rescinded the decision.

Vote on Councilmember Dudley's motion with a second from Councilmember Campbell:

**Vote of yes to rescind the December 1, 2009 Council decision:
Councilmembers Campbell, Dudley, and Paggao.**

**Vote of no which will keep the December 1, 2009 Council decision:
Councilmembers Almberg, Munns, Palmer,
and Severns.**

With a vote of 4 to 3, the December 1, 2009 one-way design decision for Pioneer Way stood and was not rescinded.

MOTION: Councilmember Dudley made a motion to hold a special meeting and public hearing regarding the impact of the one-way design decision. The motion died for lack of a second.

Mayor Slowik noted that staff can report back. Councilmember Munns added that, just like the waterline project, every inch of what the City is doing will be known. We cannot leave people in the dark and this is our promise to them. City Administrator Schmidt added that Council approved sequencing for this project and we have time for mitigation. Councilmember Almberg added that it is customary in the design process to have these discussions.

MOTION: Councilmember Almberg moved to have the Mayor direct staff to proceed with Perteet and engineering of the one-way design. This motion was not needed and died for lack of a second.

City Administrator Comments

City Administrator Paul Schmidt talked about upcoming Oak Harbor meetings and the conference in Olympia that he, the Mayor, and Council will be attending. Mr. Schmidt also talked about wind damage at the Marina and the effect of high winds and tides at the Seaplane Base lagoon. Remedial action will be needed soon to prevent damage to wastewater system.

Councilmembers' Comments

Councilmembers gave their respective standing committee reports. Council Members talked about the Pioneer Way decision and that it was not made lightly. Need to pull together as community now; we are all a team. Council Severns noted that during his recent absence he got married, left the country (honeymoon), was sworn in as a newly-elected Council Member, attended the AWC elected officials workshop, and thanked Oak Harbor's citizens for the opportunity to serve as a Council Member. Councilmember Almberg talked about the high school open house and that he had chaired the high school campaign five years ago. We demonstrated a need, the community united behind a common purpose, and we have a great capital facility. The same can happen with Pioneer Way. Councilmember Dudley looked forward to attending the Olympia conference.

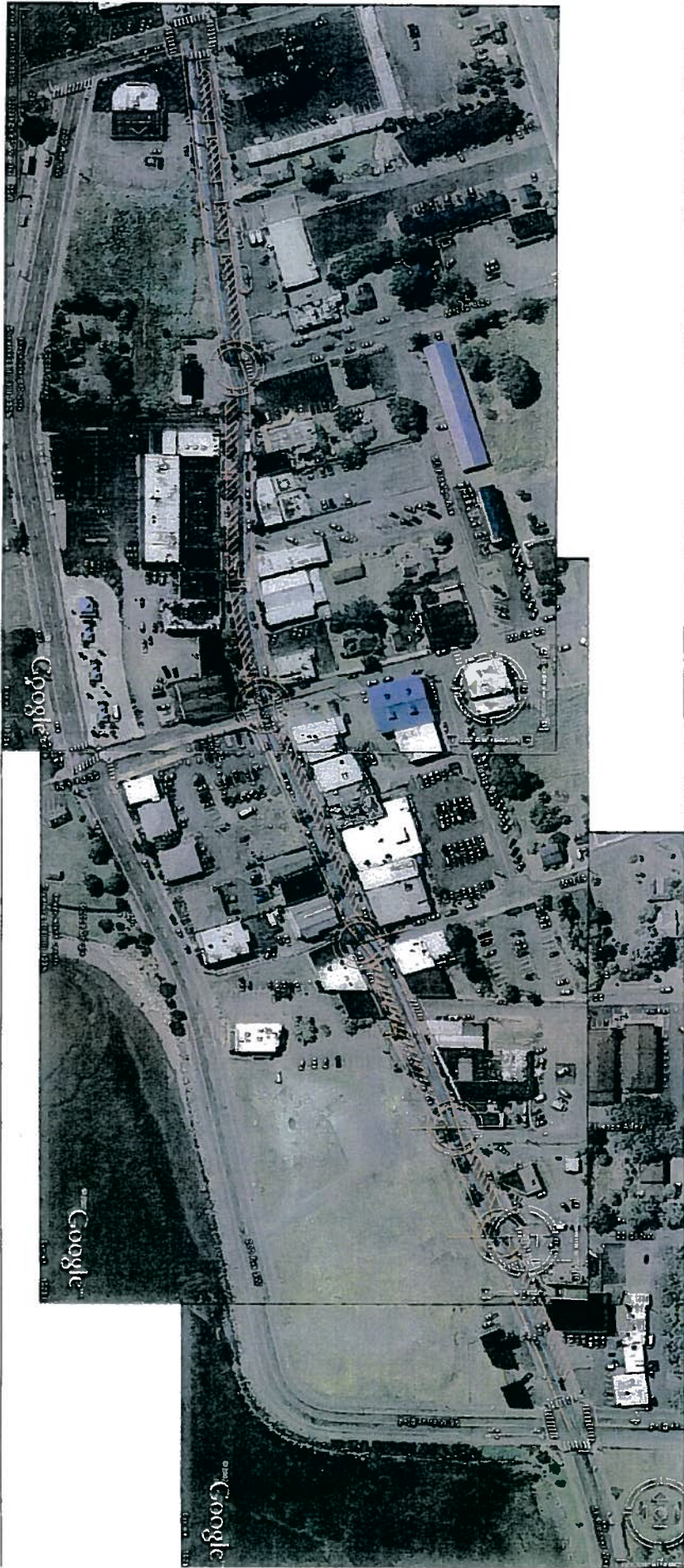
Mayor's Comments

Mayor Slowik complimented Jill Johnson on her great leadership and hard work and he encouraged the public to visit the high school and stadium. The high school represents the whole community and the voters; do not underestimate the voters' wisdom.

ADJOURN

With no other business coming before Council and with Council consensus, Mayor Slowik adjourned the meeting at 10:35 p.m.

Connie T. Wheeler
City Clerk



Pioneer Way Reconstruction

Two Way Circulation with 113 standard stalls + 7 ADA stalls

Terry Lebosky/AMA

Exhibit B

Mayor Jim Slowik

Oak Harbor City Council

The attached is a literature research project which I volunteered to do for several downtown businesses. My subject was The Impact of One and Two Way Streets on Adjacent Business.

In addition to a normal search I accessed the resources of The Main Street Project, The American Planning Association and the Institute of Traffic Engineers.

While certainly not all inclusive, I found 31 instances of:

- One way streets being converted to two way streets as a result of Downtown Revitalization.
- Recommendations against establishing a business on a one way street.
- Revisiting one way street systems established in the past.
- Results from communities which have changed one way streets to two way.

I found one reference recommending one way streets.

I believe this research is germane to the current issue of the traffic patterns on Pioneer way and recommend it prior to your making any final decision. Many of these references are lengthy so I have extracted sections of some of the articles which I believe represent the gist of the article. So that you can determine the impact of all of these articles for yourself and see the context of my extractions, I have included the URL for the every reference.

I apologize that I cannot come to the Council meeting to present my research and answer questions as I teach for Embry Riddle University every Tuesday night. I am emailing this report so that you can contact me with any questions or comments prior to the meeting.

Respectfully,

Stan Stanley

360-675-4294

stans@whidbey.net

The Impact of One and Two Way Streets on Adjacent Business.

by Stan Stanley

References supporting two way streets in Downtown retail corridors

The Worst Main Street Revitalization Ideas

<http://www.urbanreviewstl.com/?p=7012>

"Main streets across this country, from big cities to suburbs to small towns, have been abused by urban planners over the second half of the 20th Century trying to find the right formula to reverse the exit to the edge.

In big cities you had white flight and schools as explanations for flight but in many small towns these reasons didn't exist. They didn't have the mall on the edge of town drawing customers away from main street. They had only the single school district. However, many had Wal-Mart pulling customers out of the existing downtown's.

The "solutions" were almost universal from big city Central Business Districts to suburban areas to small towns. With some exceptions these all failed:

One-way traffic - charming main streets were turned into high speed roads to get through town. See Collinsville IL and many others..."

The Return of the Two-Way Street. Vancouver WA

<http://www.governing.com/column/return-two-way-street>

"Rather than wait for the \$14 million more in state and federal money it was planning to spend on projects on and around Main Street, it opted for something much simpler. It painted yellow lines in the middle of the road, took down some signs and put up others, and installed some new traffic lights. In other words, it took a one-way street and opened it up to two-way traffic.

The merchants on Main Street had high hopes for this change. But none of them were prepared for what actually happened following the changeover on November 16, 2008. In the midst of a severe recession, Main Street in Vancouver seemed to come back to life almost overnight.

Within a few weeks, the entire business community was celebrating. "We have twice as many people going by as they did before," one of the employees at an antique store told a local reporter. The chairman of the Vancouver Downtown Association, Lee Coulthard, sounded more excited than almost anyone else. "It's like, wow," he exclaimed, "why did it take us so long to figure this out?"

A year later, the success of the project is even more apparent. Twice as many cars drive down Main Street every day, without traffic jams or serious congestion. The merchants are still happy. "One-way streets should not be allowed in prime downtown retail areas," says Rebecca Ocken, executive director of Vancouver's Downtown Association. "We've proven that."

Downtown East West Corridor Study. Redmond WA

<http://www.redmond.gov/insidecityhall/documentlibrary/pdfs/Resolutions/RES1289.PDF>

"WHEREAS, the city of Redmond has a vision to reclaim our downtown as an economically healthy, people-friendly place, enhanced by the movement of pedestrians, bikes, cars, and a diversity of businesses, and

WHEREAS, the Transportation Facility Plan identifies three critical projects in Downtown Redmond Which will support Implementation of the downtown vision:

- Redmond Way and Cleveland Street improvements including the conversion of the one-way couplet to two-way streets...

Designated by Washington State Department of Transportation (WSDOT) as State Routes 908 and 202, respectively, the existing couplet was created in 1986 to maximize traffic circulation through Downtown. However, recent studies show that a majority of traffic (62%) is destined for Downtown. Because the couplet is conducive to throughput traffic and not destination traffic it does not support a healthy retail environment and is not a pedestrian-friendly place. The one-way street system also creates driver confusion, with many visitors giving lost upon entering the downtown corridor. All these factors impede redevelopment and real estate investment in business: that could contribute to thriving pedestrian environments along the corridor"

The Impact of Traffic Patterns on Corridor Retail

<http://www.co.washington.or.us/LUT/PlanningProjects/Bethany/loader.cfm?csModule=security/getfile&pageid=146651>

"Much has been written on the debate over one-way vs. two-way traffic and the inherent impacts. However, most of the information presented has been from the perspective of the traffic engineer, rather than from the perspective of the retailer. This report is an attempt to provide the perspectives of both... Among the studies discovered, most, if not all, indicated a negative relationship on "heavy streets" (defined as one-way with synchronized lights and comparatively high volumes) between both the awareness of one's surroundings and willingness to interact within those surroundings...

Arguments for two-way streets include: enhanced businesses perform better; a favorable pedestrian environment; increased storefront exposure; and, fewer service disruptions. Research has proven that businesses on two-way streets have a comparatively elevated tax base, command stronger commercial rents and net higher real estate values, versus businesses on one-way streets. This same research suggests that the improved pedestrian safety and comfort afforded by a two-way traffic environment encourages shoppers to patronize adjacent businesses by foot, creating economic synergy...

For those businesses highly dependent on passer-by traffic, two-way streets are essential...

Two-way streets tend to promote a sense of pedestrian dominance that contributes to the tax base, creates an environment that encourages urban residential development and contributes to a compact city form."

University of Georgia Small Business Development Center: Evaluating Potential Locations for Your Retail Business

<http://www.sbdc.uga.edu/pdfs/cedwards04.pdf>

"Beware of One-Way Streets – Locating on a one-way street exposes your business to the traffic traveling in only one direction. In addition, it will be more difficult for your potential customers to access your location."

Bringing Back the Two-Way Street:

<http://www.preservationnation.org/main-street/main-street-news/2002/06/bringing-back-the-two-way-street.html>

"The conversion of streets from one-way to two-way traffic seems to be a growing trend across North America. In the United States and Canada, many cities and towns have already made the change or are in the process of considering such conversions. While the circumstances motivating such changes and the logistical issues involved vary from place to place, most of the communities contemplating the conversion process cite easier access, traffic calming, and support for local businesses as reasons to make the transformation."

Converting One-way Streets to Two-way

<http://www.preservationnation.org/main-street/main-street-news/2002/06/converting-one-way-to-two-way.html>

"Many factors combine to make main street economically successful. One important, but often overlooked, aspect is the traffic pattern. One-way streets are efficient but they are not customer friendly for people coming downtown to shop two or three times a month... When should a community consider converting a street or network of streets from one-way to two-way traffic? The most important consideration is whether it will help the revitalization effort. If the area affected by the conversion is a retail district that is experiencing a comeback, then a conversion may be warranted.... Perhaps the most important reason for changing the traffic flow of a downtown street is to improve the economic well-being of the commercial district. A survey of 25 towns and cities that have converted their main streets show that many have experienced significant reductions in vacant floor space after the conversion."

Smart Growth: Main Streets and Transportation Policies

<http://www.preservationnation.org/main-street/main-street-news/2002/06/smart-growth.html>

"Transportation policies have great impacts, both positive and negative, on the economic vitality and quality of main streets. Poorly planned by-passes can spawn edge-of-town sprawl that lures businesses away from downtown. One-way road pairings can lead to increased traffic speed, turning main streets into speedways. And bans on on-street parking can make it hard for local main street businesses to accommodate their customers. For those reasons, downtown revitalization leaders should pay close attention to local transportation plans."

Downtowns: A New Look for Their Transportation?

<http://www.ite.org/membersonly/itejournal/pdf/Jha98a18.pdf>

"Instead of "more access, more traffic capacity" which we heard in days gone by, we are hearing calls for improved internal circulation for pedestrians and a need for a more localized, focused transportation system... Lower traffic volumes, slower speeds, convenient but unobtrusive parking, more neighborhood "character" and aesthetic quality, and increased safety and security are all being demanded.... Where we frequently pursued one-way streets to increase roadway capacity under the travel patterns of the past, we are now realizing that we can do as well in downtowns with more two-way streets."

Converting One-Way Streets to Two-Way. Lexington KY

<http://www.lexingtondda.com/collegetown/11UKBOOK-TRAFFIC.pdf>

"The prevailing wisdom is that in a retail district, two-way streets enhance a neighborhood's environment, reduce speeds to levels that are more compatible with pedestrian traffic, and that a "busy" street can be an indicator of a healthy business environment... Often times one-way streets create an unnecessary struggle for retail districts. They make it difficult for motorist to stop at, or return to a business they have passed. As a result, in business districts, one-way streets can have a vacuous affect. Like the one-way motorist, retail vitality moves out of town quickly."

Downtown success is a two-way street. Lexington KY

<http://tomeblen.bloginky.com/2009/02/28/downtown-success-is-a-two-way-street/>

"Downtown Lexington's legacy from 20th century traffic engineering efficiency is its one-way street pairs... It didn't work. Worse yet, those one-way streets have hampered public and private efforts to reinvent and revitalize downtown Lexington ever since.

Here's the problem: Cars go faster on one-way streets, especially when lanes are wide. That makes traffic more dangerous, especially for pedestrians, and more noisy. One-way streets hurt business and confuse tourists."

Riverwalk, Art Crawls, Two-Way Traffic Revive Downtown Waukesha. WI

<http://milwaukee.bizjournals.com/milwaukee/stories/2005/07/18/focus1.html>

"Waukesha's downtown resembled a ghost town following the shopping mall boom of the 1960s and 1970s, according to local business and community leaders.

The proliferation of one-way streets only contributed to the unwelcoming vibes of the downtown business district.

Thanks to development initiatives over the past decade, Waukesha's central business district finally has become a destination of choice.... The bounce is evident in the record-low office and retail space vacancy rates....

Downtown business leaders cite a number of factors that they say have created an environment more conducive to conducting business in downtown Waukesha. These changes include the elimination of one-way streets, the start-up of community policing programs, the city's long-term development plan, the beautification of the Fox River corridor and an active artisan community."

Effects of Two-Way Traffic Flow on High and Maple Street in the City of Holyoke MA

http://www.pvpc.org/resources/transport/hlyke_traf.pdf

"Based on the results of the Pioneer Valley Regional Transportation Model, both High Street and Maple Street are capable of accommodating two-way traffic flow between Appleton and Lyman Streets. Two-way traffic flow could assist in reducing vehicle travel speeds through downtown Holyoke, encouraging pedestrian traffic, and in conjunction with ongoing redevelopment efforts make downtown more economically successful."

Additional References supporting two way streets in Downtown retail corridors

Main Street Program

MainStreet.org

[Smart Growth: Main Streets and Transportation Policies](#)

[Main Street 101: Public Improvements Part I](#)

[Main Street 101: Public Improvements on Main Street, Part II](#)

American Planning Association

[American Planning Association](#)

[Street Design Guidelines for Healthy Neighborhoods](#)

Other Studies/Articles

[Dayton Street Conversion Project](#)

[twowaystreetstudy.pdf \(application/pdf Object\)](#)

[Evaluating Urban Downtown One-Way to Two-Way Street Conversion Using Multiple Resolution Simulation and Assignment Approach](#)

[Streetsblog Capitol Hill » Are Two-Way Streets the Way of the Future?](#)

[Going Both Ways: Are Indy's Downtown Merchants Punished by One-Way Streets? - Smaller Indiana](#)

[Let's Go KC » Yet another one-way street is being eliminated Downtown](#)

[Davenport considers more two-way streets](#)

[February_08.pdf \(application/pdf Object\)](#)

[ParkPlandMarket2way.pdf \(application/pdf Object\)](#)

[Streetfilms | Park Slope: One Way Is The Wrong Way](#)

[Downtown Development Authority - Two-Way Street Project](#)

[One Way? Wrong Way -- Courant.com](#)

[Traffic Flow Conversion Study Executive Summary.pdf \(application/pdf Object\)](#)

References supporting one way streets

One-Way Streets Are Better Than Two-Way

<http://www.i2i.org/articles/2-2005.pdf>

"Planners also sometimes argue that two-way streets are better for businesses on those streets because it is easier for patrons to reach those businesses. But traffic flows on one-way streets can be significantly higher than on two-way streets..."

Converting one-way streets to two-way traffic is one of the latest fads of urban planning. Such conversions will increase congestion, pollution, and traffic accidents, but planners ignore these problems and talk about how they will lead to more "vibrant" streets, whatever that means."




SE Pioneer Way Improvements Parcel Use and Ownership

<i>ID</i>	<i>Street Address</i>	<i>Use/Business</i>	<i>Owner</i>
1	430 PIONEER WAY	Henderson's/Queen Ann Motel	PARAM JIT SINGH, HARMEET KAUR
2	490 PIONEER WAY	Rental House	PARAM JIT SINGH, HARMEET KAUR
3	520 PIONEER WAY	Lincare Inc.	PROSPERITY INVESTMENTS FLP
4	540 PIONEER WAY	YMCA	ARMED SERVICES YMCA THE USA
5	1281 ELY ST	Angie's Oriental Market	DONALD E BETTNER ANGELINA L BETTNER
6	ELY ST	China Harbor Parking	JAMES & DANA CHO
7	630 PIONEER WAY	China Harbor	JAMES & DANA CHO
8	650 PIONEER WAY	Harbor Lite	STANLEY / JOSEFA J GROSZEK
9	645 FIDALGO AVE	Creative Kitchen, 3 Apts	EIFUEL JOSE & KATHLEEN S COLLANTES BRAD
10	690 PIONEER WAY	Casual House	JOHN M ALLGIRE, TRUSTEE T MYRTLE ALLGIRE
11	720 PIONEER WAY	Brenda's Front Portch, Fox Pointe, Bayleaf	JOHN M ALLGIRE, TRUSTEE T MYRTLE ALLGIRE
12	740 PIONEER WAY	Law Offices	CHRISTON C / DEBORAH SKINNER
13	760 PIONEER WAY	Vacant Land	CHRISTON C SKINNER DEBORAH J SKINNER
14	780 PIONEER WAY	Candy Bouquet	CHRIS H PANTOLEON HELENE PANTOLEON
15	790 PIONEER WAY	Wind and Tides Books, Baby N Me	ED FAKKEMA FAKKEMA, K A & E R 1/2 INT
16	810 PIONEER WAY	Bay City Bistro	M OLD TOWN MALL LLC
17	FIDALGO AVE	Vacant Building	M OLD TOWN MALL LLC
18	830 PIONEER WAY	#102 Gary Oakes Gallery, #101 vacant, #10	M OLD TOWN MALL LLC
19	860 PIONEER WAY	#101Whidbey Wildbird,#102 Paint Your Hea	M OLD TOWN MALL LLC
20	1160 HATHAWAY ST	TOCGS	CLAUDE L JOHNSTON
21	1175 IRELAND ST	Queen Nails, Gifts, Credit Bureau of Island	TOM COCKRELL PR COCKRELL, YOUNGSMAN & RAE
22	910 PIONEER WAY	A-1 Computer	DANIEL D DILLARD.
23	930 PIONEER WAY	Jazzbones	ATLAS VENTURE CAPITAL LLC
24	940 PIONEER WAY	Oak Harbor Tavern	KELLY HOING BEEDLE CLIFFORD J BEEDLE
25	980 PIONEER WAY	Enterprise, Whidbey Coffee	COFFEE GROUND LLC

Thursday, December 10, 2009

Page 1 of 3

O = excluded

 two way
 one way
 don't care

<i>ID</i>	<i>Street Address</i>	<i>Use/Business</i>	<i>Owner</i>
26	1008 PIONEER WAY	Vacant Land	JENSEN COMMERCIAL PROPERTIES LLC
27	PIONEER WAY	Vacant Land	ROBERT TULL c/o PATRICIA COHICK
28	1050 JENSEN ST	WAIF	PROSPERITY INVSTMT. F. L. PL
29		Parking	PROSPERITY INVSTMT. F. L. PL
30	1055 MIDWAY BLVD	Vacant Building	JESSE & BLOSSOM TORRES
31	415 PIONEER WAY	Koetje Agency	ALVIN B KOETJE ET AL
32	451 PIONEER WAY	Coldwell Banker	THE KING COMPANY
33	PIONEER WAY	Parking Lot	ROBERT J JORDANO LYNETTE A JORDANO
34	PIONEER WAY	Vacant Land	BEEKSMA, EDWARD C ET AL
35	601 PIONEER WAY	WMA Securities	EDWARD C BEEKSMA ET AL
36	656 BAYSHORE DR	Element, Dept of Licensing, Shady Lady Anti	THE SEBO FAMILY LLC C/O ROBERT C SEBO
37	705 PIONEER WAY	Valle Azul	JENSEN COMMERCIAL PROPERTIES LLC
38	726 BAYSHORE DR	Maurice's	MARCELLE ARONSON
39	1299 DOCK ST	Gifts, Polka Dot, M&L Loans	JOHN D DUNNING CHARLENE M DUNNING
40	1113 PIONEER WAY	Parking Lot	CITY OF OAK HARBOR
41	PIONEER WAY	Parking Lot	CITY OF OAK HARBOR
42	PIONEER WAY	Vacant Land	WHIDBEY HOLDINGS LLC
43	841 PIONEER WAY	Zorba's	CHRISTOPHER SAXMAN OAK HARBOR PROPERTIES INC
44	851 PIONEER WAY	Allure, Popsies	CHRISTOPHER SAXMAN OAK HARBOR PROPERTIES INC
45	861 PIONEER WAY	Mr. Music, Mrs. Nails, Apartment	FIR GROVE PARTNERSHIP
46		Stairs	CITY OF OAK HARBOR
47	890 BAYSHORE DR	CM Photos	CHANA SRITONG NATCHANOK SRITONG
48	885 PIONEER WAY	Sweet Rice Thai Cuisine	CHANA SRITONG NATCHANOK SRITONG
49	893 PIONEER WAY	Law Offices	TERRY SMITH
50	916 BAYSHORE DR	Mi Pueblo	GSS INC
51	PIONEER WAY	Vacant Land	MICHAEL J / ELIZABETH REEDY
52	945 PIONEER WAY	Vacant Land	GILBERT VILLAREAL SUZANNE VILLARREAL
53	BAYSHORE DR	Vacant Land	HJW PROPERTIES LLC




Thursday, December 10, 2009

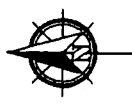
O = excluded

two way
one way
don't care

<i>ID</i>	<i>Street Address</i>	<i>Use/Business</i>	<i>Owner</i>
54	BAYSHORE DR	Parking Lot	GILBERT VILLARREAL
55	1091 PIONEER WAY	Vacant Buildings	GILBERT VILLARREAL

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SCALE: NONE

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January 18, 2010

Exhibit D

Dear Mr. Mayor and City Council Members:

One of the stated reasons for addressing the traffic flow on Pioneer Way was the need to replace the aging utility infrastructure serving the businesses on this street and the surrounding area in general because the existing pipes, etc., are old and need to be replaced. It is recognized that implementing the project will cause an inconvenient interruption for the retail businesses, resulting in an unknown loss of sales for each business along this corridor. Has it been researched and estimates devised as to approximately how much expense each entity will incur immediately or as a long term assessment as their share of the total cost and the cost to them to connect to the new system? If this information is available, have the business and building owners been given this information, so they can be better prepared for the improvement costs to be incurred in the near future?

If the information as to the impending range of cost estimates for the infrastructure improvement benefiting the businesses and buildings has not been available to these businesses and building-owners, then why is the project proceeding? I would think the town leaders would want to have the business and building owners as cooperative partners in this challenging, but necessary, improvement project.

As you all know over the past 20 years at least, there have been many studies ordered and paid for about how to improve the business environment downtown along Pioneer Way and the associated side streets. The goal was (and probably still is) to increase the attraction of this retail area and waterfront area so more local citizens and the variety of visitors to Oak Harbor would shop and dine locally. Has the current City Council surveyed the business owners along Pioneer Way to find out what they think about the infrastructure project, and how it could affect their business during the 6-12 months it may take to install the new pipes, etc.? If so, then how many are in favor and how many are against the improvements required? If not, then why not? Would it not be more prudent as a leader of the O.H. citizenry to make a best effort to do determine what the best course of action is after doing diligent, appropriate, thorough and verifiable research?

It is my understanding that the decision by the City Council to make Pioneer Way a one-way street versus a two-way street (as it is now) as part of the infrastructure replacement project, may be "a done deal." The above questions are even more important and relevant to the street controversy than the utility replacement. If there are any doubts as to the depth and breadth of the verifiable research appropriate to the street issue, then it is premature to proceed any further, and whatever decisions have been made should be thoroughly reviewed as to their appropriateness.

It was mentioned at a review of this project a few months ago "the one-way configuration will be permanent." Therefore, I believe it is incumbent on the City Council to make sure that if this is the best solution, then the studies, research, etc., used to arrive at this conclusion should be made available without hesitancy to prove this premise. If there is any doubt about the one-way solution, then the decision already made needs to be revisited for further research and consultation with affected business and building owners (who should be allowed some credibility because of their experience with the traffic flow in Pioneer Way) before continuing. It appears that those most affected by your decision are the ones not being considered.

Transparency and honesty are very important in this controversial project. The Mayor and the City Council owe it to the Citizens of Oak Harbor and Island County, primarily affected by the decision, to ensure that all the pieces of the complicated puzzle are analyzed as to their influence, before making a final decision.

It is my understanding that if the one-way traffic is implemented, there will be angle parking on the South side of the street facing eastward in the direction of the traffic-flow. As you have experienced it is easier to angle-park than parallel park. The challenge arises when backing out into traffic or oncoming traffic.

The oncoming car/s will probably be traveling at between 15-25 mph; could be even faster. I have not recently tried to practice an emergency stop while driving 25 mph by slamming on my brakes, then measuring the reaction time necessary to make the decision to stop, then measuring the skid marks to determine how long in time and distance traveled the process took.

I think each member making this decision as to the future traffic pattern of Pioneer Way should know how much time and distance it would take them to emergency stop when driving at 25 mph. Then they would better understand the danger of backing out into traffic without being able to determine whether a car is going to endanger them. I say this because it is easier to see the oncoming traffic in a parallel parking environment, especially with larger and taller cars or trucks in back and in front. It is highly probable there are more trucks and SUV vehicles in the North Whidbey area than there are small or regular size sedans.

It is also highly probable there will be one of these style vehicles parked alongside a smaller vehicle trying to back out of an angle-parking spot as proposed in the one-way traffic flow plan. If the rear of the smaller car has to extend into the flow of traffic for the driver to see well enough to determine whether it is safe to proceed, there is an inherent potential for an accident due to the possible inattention of the driver and speed of the oncoming vehicle. It is not automatic that the oncoming car will slow down, especially if there isn't time to do so, or if the vehicle backing out doesn't estimate the distance properly.

It should be seriously considered that most of the time when a driver is exiting a parallel parking spot, it is sufficient to just look in the rear-view mirror and side mirror to see if the traffic situation allows the vehicle to exit the space. This is not the case when a driver wants to exit an angle-parking spot. One is looking at the extension of the angle across the street, not down the street 100 feet or yards. Exiting the parking spot is even more precarious when a larger vehicle is blocking your ability to look through the windows of the adjoining vehicle as one is trying to leave the parking spot.

Exiting angle parking can be dangerous. You may know someone who was hit by an oncoming vehicle in the rear quarter of their car or truck, and sustained neck injuries due to the accident. Neck injuries are not easily remedied and have a tendency to harass the victim for many years.

I believe most of the people in our town who will be intimidated by the angle-parking will be older citizens whose driving skills become less sharp as they grow older. These are the majority of the potential customers. They have larger disposable incomes and more time to enjoy using the downtown resources. They also like driving through town (slowly at times) to see what is happening.

A two-way traffic pattern has been proven over the past many decades to enhance and preserve the Pioneer Way business environment. If not, the business and building owners in the past would have promoted having the traffic pattern changed to improve the business environment. This has not happened then or now. Yes, there is room for improvement. However, changing to a one-way traffic pattern will not guarantee a better business environment, just an expensive change of the traffic pattern.

Sincerely,


David G. Cohick

Resident of Oak Harbor and North Whidbey Island for over 45 years.