

**City Council Regular Meeting
Tuesday, February 21, 2012, 6:00 p.m.
City Hall – Council Chambers**

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

INVOCATION Pastor Ron Lawler, Family Bible Church
City Attorney Bill Hawkins talked about correspondence from the Freedom from Religion Foundation: We will not abandon the invocations, they are still acceptable, and the invocation can remain a non-sectarian prayer at the start of Council's meeting. The City will include as many different faiths and congregations as possible and will keep the invocation neutral. Legislative invocations can bring citizens of all backgrounds together but the invocation must remain inclusive rather than divisive. Pastor Lawler will be able to comply this evening. Council asked how those who give the invocation are chosen, and it was explained that Renée Recker, Executive Assistant to the Mayor, contacts all the churches in the community to broaden this opportunity; some church leaders are available, some are not.

ROLL CALL

Mayor Scott Dudley
Six Members of the Council,
Rick Almberg
Jim Campbell
Tara Hizon
Beth Munns
Danny Paggao
Bob Severns

Steve Powers, Interim City Administrator
Bill Hawkins, City Attorney
Doug Merriman, Finance Director
Cathy Rosen, Public Works Director
Eric Johnston, City Engineer
Rick Wallace, Chief of Police
Mark Soptich, Fire Chief
Renée Recker, Executive Assistant to the Mayor
Karen Crouch, Executive Assistant to the City Administrator

This evening's agenda was changed to include an executive session and, by consensus, it was approved as amended.

MINUTES

Councilmember Munns moved to approve the minutes of the 2/7/12 regular meeting. The motion was seconded by Councilmember Campbell and carried unanimously.

NON-ACTION COUNCIL ITEMS

Proclamation – Relay for Life of Whidbey Island

Councilmember Munns read this proclamation announcing June 1st and June 2nd, 2012 as Relay for Life Whidbey Island Days. This year's theme is the "magic of relay."

Public Comments

City Attorney Bill Hawkins made the recommendation that no comments or questions be taken regarding Council candidate qualifications in order to comply with public disclosure law. This recommendation addresses campaigning for or against a candidate or issue.

Mayor Dudley called for public comments.

Lydia Sykes, Former Owner of Whidbey Wild Birds on Pioneer Way. Ms. Sykes spoke as the habitat team leader for the Whidbey Island Wildlife Habitat Project which partners with the National Wildlife Federation, Whidbey Audubon Society, Whidbey Watershed Stewards, and the Friends of Freeland. This project began as an Oak Harbor project with Susan Horton, and also with Boy Scout Troop #144. Whidbey Island has received certification as a Community Wildlife Habitat and a large certification plaque was presented to Maribeth Crandell, the City's Environmental Educator, and a dedicated supporter of this project. Four of the City's parks have been certified. A more detailed press release is attached to these minutes as Exhibit A.

Shane Hoffmire, Oak Harbor. I wished the Council luck and asked that they not let us down. My expectations were low and Council has let us and the entire City down. It baffles me that you violated the open public meetings act without pause. Have you forgotten what you ran on? Executive session is for backroom cronyism. That isn't open government. What are you willing to do tonight to restore our trust? What happened to compromises and meeting in the middle? The choice of appointees - my simple request is, don't let us down any more. As disappointed as we are in you, I hope you are more exponentially disappointed in yourselves.

Mel Vance, PO Box 2882, Oak Harbor. The at-will positions, you've let some go for no reason. Please reconsider our Fire Chief, Mark Soptich. You won't find anyone more qualified than him. I hope he reapplies if you continue with your termination. Really examine that decision closely.

There were no other public comments.

COUNCIL CONSIDERATION AND ACTION ON THE FOLLOWING MATTERS

Final Consideration and Appointment – City Council Position No. 5.

Interim City Administrator Steve Powers presented the agenda bill. The City received applications from ten (10) citizens interested in filling vacant City Council Position No. 5. The review of the candidates began on January 23, 2012. At the February 7, 2012 meeting, the City Council, through a process conducted in open session, narrowed the list of potential candidates to four. The four candidates on the shortlist were Mr. Richard W. Devlin, Mr. James C. Reynolds, Mr. Jeffery Wallin, and Mr. Joel Servatius.

Each of the candidates were notified by mail that they were a finalist and were given a handout describing the interview process:

- The City Council would interview each of the candidates in open session.
- After considering their qualifications, the Council would then select one of the candidates for appointment.
- Once the Council appointed the new member, he would be sworn in and would immediately take his seat as a Council member.

One of the agenda bill attachments included candidate questions from City Council members. The questions were intentionally included with the agenda bill in order to keep the selection process visible. Mr. Powers noted that Council could discuss these questions and approve revisions to the interview questions. A revision to question number one had been given to Council as a handout during this evening's meeting and the question became:

- Prior to the public release of the City Council agenda packet, what department heads did you meet with to become familiar with the functions of the City during this period of interest for the candidate position?

Mr. Powers noted that all candidates will be given the same questions and candidates' answers will be restricted to two minutes.

Council discussion followed about the appointment process steps, the similarity of two of the questions (numbers 6 and 9), the value of question number 7, the revision to question number 1, and further discussion about the questions listed below.

Task 7 in the appointment process:

After the Council members have finished their interview questions, each candidate may ask questions of Council members, if they wish.

Question 1, as amended:

Prior to the public release of the City Council agenda packet, what department heads did you meet with to become familiar with the functions of the City during this period of interest for the candidate position?

Question 4:

Are you committed to run for election for your set in two± years?

Question 6:

What experiences, attributes, or personality traits do you possess that makes you the best candidate for the present Council vacancy?

Question 7:

How does the above answer (question 6) complement the existing Oak Harbor City Council?

Question 8:

What question did we not ask that you thought would be asked?

Question 9:

What is it in your background that makes you believe you will be a good City Council member?

MOTION ONE: Councilmember Campbell moved to remove task number 7 in the appointment process, the motion was seconded by Councilmember Almberg.

VOTE ON MOTION

ONE: Councilmembers Almberg, Campbell, Hizon, Paggao, and Severns voted in favor of the motion. Councilmember Munns opposed. The motion carried.

MOTION TWO: Councilmember Campbell moved to eliminate question number 9. The motion was seconded by Councilmember Severns and carried unanimously.

Councilmember Almberg noted that interview questions were not made available to the candidates and public in 2008 and that he had talked to staff about modifying question number 1.

MOTION THREE: Councilmember Almberg moved to accept question number 1 as amended. The motion was seconded by Councilmember Campbell and carried unanimously.

MOTION FOUR: Councilmember Severns moved to remove question number 7. The motion was seconded by Councilmember Campbell.

VOTE ON MOTION

FOUR: Councilmembers Almberg, Campbell, Hizon, Paggao, and Severns voted in favor of the motion. Councilmember Munns opposed. The motion carried.

MOTION FIVE: Councilmember Campbell moved to remove question number 8 which would then allow one question per Councilmember. Councilmember Paggao seconded the motion.

Councilmember Severns felt that question number 1, even as amended, should be removed instead.

MOTION FIVE WAS RESCINDED

Councilmember Campbell rescinded his motion, and Councilmember Paggao rescinded his second to the motion.

MOTION SIX: Councilmember Severns moved to remove question number 1, as amended. The motion was seconded by Councilmember Campbell.

Councilmember Hizon was not concerned that one Councilmember would ask two questions; the more questions the better. Councilmember Almberg concurred and felt that question number 1 could be a yes or no question or not require a detailed answer.

Councilmember Paggao asked if each Councilmember could present his/her own questions, and Councilmember Munns saw value in question number 1 since it would demonstrate time taken to become more familiar with City Hall. Councilmember Munns did not object to seven questions.

VOTE ON MOTION

SIX: Councilmembers Campbell and Severns voted in favor of the motion. Councilmembers Almberg, Hizon, Munns, and Paggao opposed. The motion did not carry.

MOTION

SEVEN: Councilmember Hizon moved to amend question number 4 to ask why the candidate did not run in the most recent election, and then use the existing sentence asking, are you committed to run for election for your seat in two± years. The motion was seconded by Councilmember Severns and carried unanimously.

MOTION

EIGHT: Councilmember Campbell moved to accept the questions, as modified. The motion was seconded by Councilmember Almberg.

Councilmember Severns asked about the public date for Council's packet. It was copied and loaded to the City's website on Thursday, February 16, 2011.

VOTE ON MOTION

EIGHT: The motion carried unanimously.

Mayor Dudley asked Council if the questions could be asked, in turn and going down the line, beginning with Councilmember Severns. Council concurred with that order.

The questions, as amended, and renumbered:

Question 1 (Councilmember Severns)

Prior to the public release of the City Council agenda packet, what department heads did you meet with to become familiar with the functions of the City during this period of interest for the candidate position?

Question 2 (Councilmember Almberg)

Do you consider the City's reserve funds a source for balancing budget shortfalls or a source of funds to be used only for unexpected emergencies such as natural disasters and ruptured utility services?

Question 3 (Councilmember Paggao)

What information do you need to make a waste water plan site selection?

Question 4 (Councilmember Campbell)

Why did you not run in the most recent election, and are you committed to run for election for your seat in two± years?

Question 5 (Councilmember Munns)

Once you are selected as a Council member, a final decision has been made by the Council on something but it wasn't your "yea" vote. What is your responsibility then?

Question 6 (Councilmember Hizon)

What experiences, attributes, or personality traits do you possess that makes you the best candidate for the present Council vacancy?

Question 7 (Back to Councilmember Severns)

What question did we not ask that you thought would be asked?

Councilmember Campbell expressed concern that the candidates needed to be brought back to Council chambers and re-briefed about the process and changes. Councilmember Almborg felt the changes were minor.

MOTION

NINE:

Councilmember Almborg made a motion to move the process along since the changes are minor, the motion was seconded by Councilmember Campbell and carried unanimously.

Break

Mayor Dudley called for a break at 6:40 p.m. and the meeting reconvened at 6:45 p.m. Candidates had picked the random order for their interviews.

Richard Devlin

Number 1

I spoke with Mr. Johnston before the packet's release and others after the release of the packet.

Number 2

My experience with reserve funds - they should be held in reserve but that does not preclude using them for other devices or projects as needed.

Number 3

The information is coming rapidly, looking at past Council packets, but the timeline grows short. Need to determine what type of plant and where to site it.

Question 4

I did not run because the candidate pool was sufficient. Secondly, it is too early to make a statement about running for election in two years; I want to determine whether my productivity would continue to benefit the group.

Question 5

If I've had my say and made my vote and the decision goes another way, the team has made a decision and it is my responsibility to support it in any way I can.

Question 6

I have extensive experience and a background in public service, both in education and contributions to the community which would bring a total value add to this group.

Question 7

I did not anticipate any other questions due to the packet.

Jeffery Wallin

Number 1

I have had the pleasure of working with a number of different departments (the Parks Board, Planning Commission) through both my work and community service projects. I spoke with the former City Administrator, Council members, Steve Powers, and Mike McIntyre. Through my work with the Planning Commission and Parks Department, I have a very good understanding of how the City works and functions.

Number 2

During these tough economic times I believe we should be very careful with reserve funds. I believe we don't have monies to dump into the reserve to recoup it, if needed. I understand the need to use these funds for projects down the road, but only if we have a source for replenishment. If not in the budget, be careful about how we spend them.

Number 3

This is one of the most important decisions that Council will make. There needs to be a cost benefit analysis on each site, pros and cons on the design, environment, aesthetics, public factor, and then the long-term operating and maintenance costs.

Number 4

During the last election, I was comfortable with the candidates who did run and I did not feel a need to put my name in the hat then. In two years, I would absolutely run for re-election. It has been a goal of mine, I have much support, and I am comfortable with running.

Number 5

The process we have now is a majority vote among members. It is the responsibility of Council members to do whatever they can to support that vote and have the best outcome from a Council point of view. Each member has an adequate amount of time to voice their opinion and respond. The best decision is by the Council.

Number 6

I was born and raised here. I have been associated with the Planning Commission, Park Board, president of Rotary, and I'm invested in the community. My work has allowed me to work with municipalities throughout the northwest and mountain states (Washington, Oregon, Idaho). I have worked on federal construction projects, contracts worth \$75 million, and all aspects of these large projects. I am familiar with federal and municipal public works projects. My experience with business and construction would provide a new perspective.

Number 7

I thought you might ask whether there are specific areas of interest, or if there are conflicts with being a contractor.

Joel Servatius

Number 1

I had spoken to Cathy Rosen, Steve Powers, Rick Wallace (a voicemail to Mark Soptich), Doug Merriman, Mike McIntyre, and Eric Johnston.

Number 2

Coming from a planning background as a financial advisor and thinking long-term, they should be held long-term and not used to balance a budget shortfall (as example) which would not be appropriate.

Number 3

As a numbers guy, it is not just acquiring the land and building the infrastructure. It is communicating with the parties involved and working with them to the best of our ability. Environmental impacts, rising tide tables over time; factor all of it in.

Number 4

With the process and positions, I have not liked the "politics of politics" and I have three young children under the age of five years old. I would run in two± years. I fell in love with Oak Harbor and have a responsibility for building the community.

Number 5

As a member of the organization, my responsibility is to support the decision. A dissenting minority can drag the whole organization down. I value opinions, but a group decision must move forward in a positive manner.

Number 6

I grew up on a farm in southern Idaho and I am the youngest of eight children. This taught me a hard work ethic. I became an entrepreneur, chose financial services, I am comfortable with numbers, and I have natural leadership skills, I am comfortable communicating with people. I have young children, but I can relate to both young and old. My grandmother is turning 106 years old.

Number 7

I thought you might ask about weaknesses.

James Reynolds

Number 1

I did not meet with any of the department heads.

Number 2

Make sure the budget is balanced. Use reserve funds only for emergencies, the City had to dip into reserves. Talk about travel and how it was agreed upon.

Number 3

It needs to include a survey, the ecology of the site, interference with commercial or residential areas; the cost is a huge undertaking and toward \$100 million. This may require grant funds or an increase in tax. The community needs to know that the current plant is at the end of its life and the situation must be resolved very soon; by 2017.

Number 4

I was approached about running a year and a half ago, but I was at the end of my Navy career and had way too many things going on. Then, in this last election, I did not have the heart to put into a full campaign. I was approached again to consider this position and felt that now is my time. Running for a Council position is a very real possibility. It depends on how the people take it and how I do; you rarely know until you actually get into it and make a few mistakes. I absolutely would run in two ± years.

Number 5

I come from a fraternity where we don't always agree, but we do expect acceptance. My responsibility in this case is to support a decision. If my vote is nay, then I say my vote is nay or abstain from necessity.

Number 6

I came from a long career in the Navy where leadership was required at a very young age. I have educational training in organizational leadership and I am very involved in the community. I look forward to more community involvement.

Character traits: I bring the heat. In an organization with many personalities and agendas, it is a relationship. Take mozzarella cheese - when you melt it down it is much better than what you started with.

Number 7

I thought you might ask about personality traits and what would I would bring. I would describe myself as coffee - short, dark and robust.

Mayor Dudley thanked each candidate and congratulated them for making it this far in the process. Mayor Dudley also talked about the quality of the candidates - there is still space in the community to volunteer if you are not chosen and noted that both he and Councilmember Severns had been in this "hot seat."

Mayor Dudley turned to the Council to see how they wished to proceed.

Councilmember Munns called for a round of applause for the candidates and

Councilmember Hizon asked for a few minutes to process what Council had just heard.

With this request, Interim City Administrator Powers cautioned Council not to speak to each other during their review.

Break

Mayor Dudley called for a break at 7:25 p.m. and the meeting reconvened at 7:30 p.m.

Returning to the appointment process, Mayor Dudley asked how Council wished to approach task number 9:

When the interviews are concluded, the Council will continue discussion in the open meeting and make an appointment decision by majority vote. This process may begin with a simple motion, a second, and a vote, or it may involve additional discussion by the City Council.

MOTION

TEN:

Councilmember Campbell made a motion stating that Joel Servatius was his number one candidate, and should be chosen as the final candidate. The motion was seconded by Councilmember Severns.

Council Discussion

Councilmember Hizon envisioned having each Council member list his/her candidate choice and address all four candidates. Councilmember Paggao had graded the candidates and Mr. Servatius was his top choice. Councilmember Munns felt the choice was close and there were two candidates that rose to the top: Mr. Servatius and Mr. Wallin. Ms. Munns called for more discussion from Council members and their vision of one or the other candidates. Councilmember Campbell had Mr. Servatius and Mr. Wallin as his top choices, but Mr. Servatius rose to the top when he talked about the City of Oak Harbor, his family, and wanting to protect this City for his family. Councilmember Severns, speaking to his second of the motion, said he would be happy with any of these four candidates. I see this as one of the top three most difficult decisions I've had since I've been on this Council and appreciate this much interest from all of our candidates. Mr. Severns also had Mr. Wallin and Mr. Servatius as his top two choices. Councilmember Severns spoke about difficult business choices in his 40-year career and felt the difference in the two candidates was with funding, and everything else in their responses was very close. Councilmember AlMBERG preferred an up and down vote for each candidate. I would support the top two, and take another hack at it. Councilmember Campbell asked, if the existing motion fails, then the candidate choice would be brought down to two, discussed, and then move toward an up and down vote.

FRIENDLY

MOTION:

Councilmember AlMBERG made a friendly motion to take Mr. Servatius and Mr. Wallin as the top two candidates and then consider each candidate. There was no second to this motion; the motion failed.

Mayor Dudley addressed the motion on the floor and, if the motion failed, how to return to candidate selection. With Councilmember Munns' question, City Attorney Hawkins noted that two candidates could then be introduced. Councilmember Hizon agreed with Mr. Hawkins and did not want to move toward nomination of one person.

VOTE ON MOTION

TEN:

Councilmembers Campbell, Paggao, and Severns voted in favor of the motion. Councilmembers AlMBERG, Hizon, and Munns opposed the motion resulting in a three-to-three tie.

**Mayor Dudley, to break the tie, voted with the opposing vote.
Motion ten failed.**

MOTION

ELEVEN: Councilmember Almberg moved to consider Joel Servatius and Jeffery Wallin as the final two candidates and vote for a final candidate from these two choices. Councilmember Hizon seconded the motion.

Council Discussion

Councilmember Almberg felt that both candidates are very good candidates. Mr. Wallin has past experience working in the City and the City faces some major public works issues. His experience is unique between the two candidates and his academic background brings tremendous experience. He has managed budgets for himself and public projects. My endorsement is for Jeffery Wallin and is not a criticism of Joel Servatius. Councilmember Hizon agreed with Councilmember Almberg's sentiment toward Mr. Wallin noting the incredible depth of each of these candidates. For Ms. Hizon, Mr. Wallin rose to the top; his work and associations bring a phenomenal understanding of City government. He is a team player and he demonstrates huge community involvement

VOTE ON MOTION

ELEVEN: The motion carried unanimously.

MOTION

TWELVE: Councilmember Almberg moved for an across the board vote from each Council member.

Council Discussion

In response to Councilmember Hizon, Mr. Almberg suggested that both names be listed with a vote on each name and the majority vote is the selected candidate. Mayor Dudley clarified that when called upon, each Councilmember would select their candidate and Mr. Almberg concurred.

Councilmember Hizon seconded the motion.

VOTE ON MOTION

TWELVE: The motion carried unanimously.

Councilmember Munns asked, with the close qualifications of the two candidates, to have Council members talk again about what had impressed them with each candidate.

MOTION

THIRTEEN: Councilmember Munns moved, prior to the final vote, to have Council give one more pro or con for each of the two candidates. Councilmember Hizon seconded the motion. The motion carried unanimously.

Councilmember Severns: I was very close on both of these candidates. I rated education, volunteer service, résumés, board or officer positions in volunteer service, and business experience. I recognized Mr. Wallin's experience in contracting and budgeting. Questions and answers were about even. I understand Mr. Wallin's area of public service but believe that Mr. Servatius might be a little ahead of Mr. Wallin when it came to his feel for family, kids, and I also know that he has spent time with the Chamber of Commerce and community. In a numbered rating, Mr. Servatius had 63 and Mr. Wallin had 61. My choice is still Mr. Servatius.

Councilmember AlMBERG: Both candidates have very similar traits. Mr. Wallin has a young family, too. The tipping point for me was, that with the next four years, we will have major capital facility decisions to make. Mr. Wallin brings experience in public works, private, and publicly-funded projects; the language of that industry has a ripple effect. Mr. Wallin has more experience toward the challenges we have during the next four years. Mr. Servatius does not have public contracting experience. I would be very pleased to serve with Mr. Servatius, though.

Councilmember Paggao: I am sure that both candidates would serve the City well. As with John F. Kennedy's speech, ask not what the country can do for you, ask what you can do for the country. You (the candidates) are being asked the same. Both candidates would be very good because of their vast experience. My tally on a 1 to 10 scale nets only a 1 point difference. Mr. Servatius would serve the City well and Mr. Wallin has deep experience.

Councilmember Campbell: I look at the Council similarly to the way I would look at the board of directors in a company. I would expect the candidate to understand the process of business to get the job done. I think Mr. Servatius would be a better board of director member. I would hire Mr. Wallin to do the work; I would call Mr. Servatius to manage the work.

Councilmember Munns: They are both so close - education, community involvement, their values and investment in the City. Mr. Wallin has an edge due to circumstance. Mr. Servatius loves Oak Harbor. Both have young children and they both would be good stewards. All four candidates offered a lot.

Councilmember Hizon: I too would be delighted to serve with any of the four candidates. Mr. Devlin, you devoted your life to this community; you were my high school principal. Mr. Reynolds, I thank you for your decisions. Both of the two remaining candidates - I cannot come up with cons for Mr. Servatius, but the two things that put Mr. Wallin over the edge for me were his understanding of government and years of volunteer work. He has dedicated himself to this community and has asked nothing in return. Mr. Wallin's public service rises to the top.

MOTION

FOURTEEN: Councilmember Alberg moved to call each candidate's name and vote from the dais. Councilmember Severns seconded the motion and the motion carried.

Councilmember Hizon: Jeffery Wallin
Councilmember Munns initially passed on naming a candidate.
Councilmember Campbell: Joel Servatius
Councilmember Paggao: Joel Servatius
Councilmember Alberg: Jeffery Wallin
Councilmember Severns: Joel Servatius
Councilmember Munns: Joel Servatius

With four votes for Mr. Servatius and two votes for Mr. Wallin, Mayor Dudley called for a motion stating Council's candidate selection.

MOTION

FIFTEEN: Councilmember Munns moved to select Joel Servatius to fill Council Position No. 5. The motion was seconded by Councilmember Campbell.

VOTE ON MOTION

FIFTEEN: Councilmembers Alberg, Campbell, Munns, Paggao, and Severns voted in favor of the motion. Councilmember Hizon opposed. The motion carried.

The City Clerk administered the Oath of Office to Mr. Servatius and he took his Council seat at the dais.

Consent Agenda

- A. Appointment – Youth Services Advisory Board, Lynn Goebel
- B. Contract Position, Part-Time – Civil Service Board Secretary
- C. Resolution – Adopt the Medical Expenses Reimbursement Program (MERP) for Fire Fighters
- D. Noise Permit – Oak Harbor High School
- E. Noise Permit – Irish Wildlife Society
- F. Approval of Accounts Payable Vouchers

MOTION: Councilmember Munns asked to pull item B for discussion, the motion was seconded by Councilmember Alberg and carried unanimously.

MOTION: Councilmember Alberg moved to approve Consent Agenda items A, C, D, E, and F with item F paying Accounts Payable check numbers 149032 - 149197 in the amount of \$750,322.24 and Payroll Check numbers 95336 - 95347 in the amount of \$578,728.82. The motion was seconded by Councilmember Campbell and carried unanimously.

Consent Agenda Item B - Contract Position, Part-Time – Civil Service Board Secretary

Councilmember Munns asked about the 3% increase currently paid to the Legal Administrative Assistant and if that is split between the Police Department and Fire Department. Mr. Merriman noted that this is a salary differential right now and part of Legal Department's budget. \$4,600.32 would be the annual contract cost for an independent contractor. Human Resources Director Jessica Neill Hoyson noted that this independent position would function under the authority of the Civil Service Commission and the City would be paying taxes and L and I, but not City benefits for this contractor. Both the Police Department and Fire Department support the percentage split since the Civil Service Commission addresses their departments. Discussion followed about staffing alternatives noting that the Legal Administrative Assistant is over-taxed. The contractor must live within the City limits, but if that is not found, then a re-evaluation of how this position is staffed would occur. This will also provide the City an opportunity to search the City's labor pool. The split between Police and Fire is not a budgetary burden.

MOTION: Councilmember Munns moved to approve the addition of a .1 FTE Contract Employee Civil Service Secretary/Chief Examiner position. The motion was seconded by Councilmember Severns and carried unanimously.

Standing Committee Discussion – Location, Times, Restructure

Interim City Administrator Powers presented this agenda bill relating to possible revisions in the standing committees scheduled meetings along with cost information associated with videotaping these meetings. The costs associated with videotaping four standing committee meetings a month will vary depending on factors such as location and length of meeting. At the low end of the range the costs could be approximately \$540.00 per month (\$6,480.00 annually). This figure assumes all meetings are held at City Hall and a minimum of preparation time. If off-site meetings are still conducted for the Public Works and Public Safety meetings, the costs could be approximately \$810.00 per month (\$9,720.00 annually). Please note that these estimates allow for a total of three hours preparation and taping time per meeting if the meetings are conducted at City Hall and a total of six hours per meeting for off-site meetings. A copy of a recent invoice from Riney Production Services is attached for the Council's information. This invoice details the costs associated with one taping at City Hall (Governmental Services meeting) and with one taping off-site (Public Works meeting). An additional \$300 for supplies and \$500 for equipment should be included for budgeting purposes. This brings the total estimated costs to be between \$7,280.00 and \$10,520.00. The estimated costs for taping would be higher if they were held in the evenings if non-salaried staff participated in the meeting or the taping of the meeting. Funding could come from a combination of the general and utility funds, depending on the meeting. This activity is presently not budgeted. (Note: The recent taping of the standing committee meetings has been charged to the Mayor's budget for taping.)

The three basic alternatives are:

1. Dissolution of standing committees and creation of a workshop
2. Consolidation of four standing committees into two committees
3. Keep the four standing committees but reschedule them

Mr. Powers reviewed the present committee days, times and locations:

Committee	Day	Time	Location
Public Works	First Thursday of the month	7:00 a.m.	Public Works
Governmental Services	Second Tuesday of the month	8:00 a.m.	City Hall
Finance	Second Wednesday of the month	3:30 p.m.	City Hall
Public Safety	Third Thursday of the month	7:00 a.m.	Fire Station

The meeting days, times and locations of the meetings were established by the committees and codified in OHMC 1.04.015(2). Any change to the meeting days, times and locations will require that the Municipal Code be amended.

This topic was discussed at each of the standing committee meetings since the January 3, 2012 City Council meeting. Their discussions can be summarized as follows:

- Each of the committees seemed to favor keeping the present committee structure, in lieu of returning to a general workshop format or to consolidating the four committee meetings into two.
- There was willingness to consider different meeting times and to centralizing the meetings at City Hall if that would help increase citizen participation.
- It was acknowledged that there would be no "perfect" time for the meetings.
- City Council members were gracious in wanting to consider staff needs in this matter. Staff assured the Council that we would be able to staff the meetings regardless of location and time. Staff emphasized that it is more important to make the meetings convenient for the Council and the public. Our primary objective is to maintain the meetings as they are an excellent way for staff to share information with the City Council.
- There seemed to be general agreement that additional night meetings are not desired.

Mayor Dudley called for public comments.

Mel Vance, P.O. Box 2882, Oak Harbor. 7:00 a.m. is a terrible time for standing committees as far as public attendance. I've watched the video; the quality leaves a lot to be desired. Having the meetings in one location would help standardize them. It is important to get them videotaped. Cut back on Council travel, especially out of state, that is not necessary.

Robyn Kolaitis, 2141 SW Dillard Lane, Oak Harbor. 7:00 a.m. is difficult and constitutes baby sitter abuse. Other than that, anything you do is an improvement over what has been done over the last few years. This is a prime opportunity to educate the community.

There were no other public comments.

Council Discussion

Discussion followed about the difficulty with 7:00 a.m., or then keeping the 7:00 a.m. schedule; use of mobile video or moving the meetings to City Hall; scheduling the meetings at a later morning time being 10:00 a.m., or mid-afternoon at 3:30 p.m., or the end of the work day; asking Comcast to measure the viewer pool toward a six month evaluation and measurables; remaining good stewards of taxpayer dollars; the irrelevancy of time and location if the meetings are videotaped for the public, the use of streaming video online; and spending money without a budget discussion. Discussion continued that the reason this is being suggested is the taxpayers have wanted this and have expressed concern that they do not know what the City is doing, continue videotaping, standardize the meetings at one location, and that evening meetings are not cost-effective. A trial period was suggested for meetings at noon to see if this would generate more public involvement, how to best use staff time and communication from staff to committees, and that in most cases, it is department heads who are presenting to committees. Returning to the suggestion for a trial period, Mr. Powers noted that any change will require an ordinance and amendment to the Municipal Code and a several month period would not be suggested. To change April standing committee structure will require an agenda bill for Council's March 20, 2012 meeting.

Discussion returned to where the money would come from and if it would be sustainable, and that this is spending right now with an uncharted course. Mr. Merriman noted that videotaping can come from the Mayor's and Council's budget, that \$10,000 is one tenth of one percent of the whole budget, and there should be room in the budget if funds are pulled from the general fund. The \$10,000 could be sustained but it should be a Council priority. Discussion followed about the advantage of tapping staff within their own locations which would be difficult if the meetings are centralized at City Hall (two of the committees already meet at City Hall). Taping costs, both remote and in-house were further discussed.

Mayor Dudley suggested addressing the location first.

MOTION: Councilmember Munns made a motion to move the standing committee meetings to City Hall. The motion was seconded by Councilmember Campbell.

Council Discussion

Discussion continued regarding why the location and time would be important since the meetings will be videotaped, the impact on the budget in light of other recent budget impacts, and a desire to vote on videotaping first. Discussion followed about centralizing the meetings, a return to whether questions and a decision should first fall to videotaping and costs, the disruption to staff work schedules, the use of the workday for these meetings to keep costs down, and a concern for a declining revenue stream.

Mr. Powers noted that part of our job is to manage staff within the committees' structure and that department heads and other managers will make the decision as to who is involved and when they will be involved. Mr. Powers appreciated Council's concern noting we will do the best job possible to manage staff resources.

VOTE ON THE

MOTION: Councilmembers Campbell, Hizon, Munns, Paggao, Servatius, and Severns voted in favor of the motion. Councilmember Almberg opposed. The motion carried.

Mayor Dudley suggested addressing times for standing committee meetings.

Council Discussion

Discussion followed about the 7:00 a.m. meetings which can be difficult with some Council preference for the early start, noon as a more flexible time for everyone, how to accommodate Public Works staff with a response again from Mr. Powers that staff issues can be managed, the irrelevancy of time if the meetings are videotaped, use of the Finance Committee's 3:30 p.m. time slot, that community members attending a recent Finance committee meeting did not have a time preference, and the need to find a standardized time for all standing committee meetings.

MOTION: Councilmember Munns moved to standardize all standing committee times to 3:30 p.m. The motion was seconded by Councilmember Paggao.

Continued Council Discussion

Discussion continued about overtime for some Public Works staff and the minimization of overtime by having salaried employees brief the committees, flexing staff time if necessary, and return to discussion of 7:00 a.m., noon, and 3:30 p.m. as time choices.

VOTE ON THE

MOTION: Councilmembers Almberg, Hizon, Munns, and Paggao voted in favor of the motion. Councilmembers Campbell, Servatius, and Severns opposed. The motion carried.

Mayor Dudley then asked Council about choice of days.

MOTION: Councilmember Campbell moved to keep the current days in place for the standing committees. The motion was seconded by Councilmember Severns and carried unanimously.

Approval of 2% Grant Awards

Finance Director Doug Merriman presented this agenda bill and grant program funding recommendations from the 2% Lodging Tax Advisory Committee:

Oak Harbor Arts Commission - Driftwood Day	\$2,500
North Whidbey Car Show	\$3,000
Whidbey Island Marathon	\$5,000
Chamber of Commerce Branding and Marketing	<u>\$5,500</u>
	\$16,000 total

MOTION: Councilmember Severns moved to pass the resolution awarding the 2012 Lodging Tax Grants and authorize payment of funds. The motion was seconded by Councilmember Munns.

Council Discussion

Councilmember Servatius is a current board member for the Chamber of Commerce and asked if he should recuse from this discussion and vote. City Attorney Hawkins felt it would be advisable if presented as a whole package for approval, or the awards could be broken down and Mr. Servatius could recuse on one of the four grant awards. Discussion continued among Council regarding the lodging tax and additional 2% as projected for 2012 with Mr. Merriman noting that this is a consumer-driven revenue source and may receive \$88,000 but he will budget for \$84,000. Adjustments could be made in the banner program, Windjammer, and adjustments with department heads.

Councilmember Campbell asked that the discussion return to Councilmember Servatius' recusal. Mr. Servatius chose to recuse.

VOTE ON THE

MOTION: The motion carried with six Councilmembers voting in favor of the motion, and Councilmember Servatius recusing from the vote.

Trailhead Park Naming

Public Works Director Cathy Rosen presented this agenda bill for naming of the trailhead project located at the entrance to the Waterfront/Freund Marsh Trail on Scenic Heights Street with staff seeking to officially name it Scenic Heights Trailhead. This name was supported by the Park Board.

Mayor Dudley called for public comments.

Shane Hoffmire, Oak Harbor. Be smart about picking a local name. Who decided that City Beach Park should be changed to Windjammer Park. Consider a motion some day to change it back to City Beach Park. For the trailhead project, Scenic Heights Trailhead is a pretty good name.

There were no other comments.

MOTION: Councilmember Munns moved to accept the Park Board's selection of Scenic Heights Trailhead as the name for the trailhead park based on Park Naming Resolution 98-06. The motion was seconded by Councilmember Almberg and carried unanimously.

Contract Award – Safe Routes to School

City Engineer Eric Johnston presented this agenda bill recommending a contract award for construction of the Safe Routes to School Project to Scimitar Construction in the amount of \$335,000.

Mayor Dudley called for public comments.

Shane Hoffmire, Oak Harbor. I commend the Council for not putting money ahead of the safety of our children. Thank you; this is a big step in the right direction. Thank you on behalf of my family.

Council Discussion

Discussion followed about the \$8,000 listed as a miscellaneous expenditure (could become a budget amendment), that the \$49,925 from traffic impact funds is not part of the grant funding (\$310,925), and that there is funding for this project without affecting other City projects. Scimitar Construction received a strong recommendation from the City of Anacortes.

MOTION: Councilmember AlMBERG moved to authorize the Mayor to sign a contract with Scimitar Construction in the amount of \$335,000 plus all applicable taxes and authorize the City Engineer to administratively approve changes to the construction contract totaling not more than \$17,000. The motion was seconded by Councilmember Campbell.

Council Discussion

Discussion followed about the bid price and inclusion of taxes (Mr. Johnston noted that street projects are not subject to sales tax), and use of traffic impact funds for projects listed in the Capital Facilities Plan which is different than direct mitigation and not specific to an individual development.

VOTE ON THE

MOTION: The motion carried unanimously.

Future City Council Pending Items

Mayor Dudley noted this inclusion in the packet.

City Administrator Comments

Mr. Powers talked about the Auditor's exit conference on February 22, 2012, 10:00 a.m. City Hall Council Chambers.

Councilmembers' Comments

Councilmembers gave their standing committee and board reports, Councilmember Hizon will be performing in Whidbey Playhouse's "I Wish Upon a Star" along with Mara Powers too, and Councilmember Servatius said he was thrilled to now be a part of the Council.

Mayor's Comments

Mayor Dudley thanked everyone who had applied for City Council Position No. 5.

Executive Session – Real Estate Site Selection or Acquisition

Pursuant to RCW 42.30.(110)(1)(b):

The City Council will hold an executive session to consider the selection of a site or the acquisition of real estate by lease or purchase since public knowledge regarding such consideration would cause a likelihood of increased price.

Mayor Dudley called for the executive session at 10:05 p.m. for 15 minutes to listen to a presentation by staff. Any action would only occur in open session.

Mayor Dudley reconvened the open Council meeting at 10:25 p.m.

MOTION: Councilmember Severns moved to authorize the Mayor to investigate the acquisition of certain properties. The motion was seconded by Councilmember Munns and carried unanimously.

ADJOURN

With no further business coming before the Council, Mayor Dudley adjourned the meeting at 10:30 p.m.

Connie T. Wheeler
City Clerk



Whidbey Island Wildlife Habitat Project

Join the endeavor to preserve, restore and enhance Whidbey Island's diverse wildlife habitat

PRESS RELEASE

Whidbey Island, WA has just been certified by the National Wildlife Federation as the 57th Community Wildlife Habitat in the nation, and the 14th community in the state of Washington to receive this honor.

The Whidbey Island Community Wildlife Habitat team, led by Lydia Sikes, is partnered with Whidbey Audubon Society, Whidbey Watershed Stewards, and Friends of Freeland. The project began as an Oak Harbor project with Susan Horton, former Island County Noxious Weeds Program Coordinator and Boy Scout Troup #144. Lydia, former owner of Whidbey Wild Bird, then took over the helm and expanded the project island-wide.

In all, 292 homes, 5 schools, 5 farms, 4 businesses, 4 parks and 1 place of worship are certified. The project's continuing goal is to reach 500 individual certifications.

Many of the current backyard certifications came from NWF's partnership with the Washington Department of Fish and Wildlife's Backyard Sanctuary Program spearheaded by Russell Link, local resident and author. Another dedicated supporter of this project is Maribeth Crandell, City of Oak Harbor's Environmental Educator.

The Community Wildlife Habitat program encourages communities to provide habitat for wildlife in individual backyards, on school grounds and areas such as parks, community gardens, places of worship, and businesses. Citizens, both residential and corporate, make it a priority to provide habitat for wildlife and commit to sustainable gardening practices such as reducing or eliminating chemical fertilizers and pesticides, conserving water, composting, planting native plants and removing invasive ones. Whidbey Island is one of those communities.

The community is invited to the island-wide Backyard Habitat Fair on June 2, 2012 at Freeland Park & Hall to celebrate Whidbey Island's Community Certification.

For more information on the Whidbey Island Wildlife Habitat Project and Fair:

<http://whidbeywildlifehabitat.com>

Email: whidbeywildlife@whidbey.net

or contact Lydia Sikes: 360-632-3406