

Oak Harbor City Council  
Regular Meeting Minutes  
June 16, 2015

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**CALL TO ORDER**

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

**ROLL CALL**

City Council Present:

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

Staff Present:

City Administrator Larry Cort  
Finance Director Doug Merriman  
City Attorney Nikki Esparza  
Development Services Director Steve Powers  
Public Works Director Cathy Rosen  
City Engineer Joe Stowell  
Chief of Fire Ray Merrill  
Captain of Police Teri Gardner  
POC Firefighter Genevieve Reeves  
Project Engineer Brett Arvidson  
Archaeologist Gideon Cauffman  
Executive Assistant to the Mayor Kellye Mazzoli  
City Clerk Anna Thompson

**CALL TO ORDER**

Rilla Barrett, Reverend of the St. Stephen's Episcopal Church of Oak Harbor, gave the invocation, and Mayor Dudley led the Pledge of Allegiance.

**HONORS AND RECOGNITIONS**

Proclamation in Recognition of Pride Month

Councilmember Hizon read the Proclamation, acknowledging the month of June as Pride Month. Ms. Hizon will present the Proclamation to the Oak Harbor High School GSA Club.

**PRESENTATIONS**

Hector Powell introduced Rusty Hendrix, Board of President of the Whidbey Playhouse, and presented information to the Council and public about the Whidbey Playhouse.

Theresa Reed of the Elks Lodge provided the 2015 Whidbey Island Marathon Report.

Ed Sim, Exalted Ruler of the Elks Lodge, presented a contribution of \$500.00 to Katie Espinoza of Hillcrest Elementary School for the largest number of children from local elementary schools who participated in the 2015 Marathon.

### **APPROVAL OF AGENDA**

**Motion:** Councilmember Severns asked to move item 11.d to be heard right after council comments 7.c [to Item 7.d], seconded by Councilmember Servatius, unanimously approved.

**Motion:** Councilmember Servatius moved to add an item 10.a Discussion of the Whidbey Island Marathon. Seconded by Councilmember Almberg, unanimously approved.

**Motion:** Councilmember Severns moved to approve the Agenda as amended, seconded by Councilmember Almberg, unanimously approved.

### **CITIZEN COMMENT PERIOD**

Mayor Dudley opened the Citizen Comment Period at 6:36 p.m., no comments, closed at 6:36 p.m.

### **CONSENT AGENDA**

- a. Minutes of the Regular City Council meeting held on June 2, 2015
- b. Approval of Accounts Payable and Check Numbers
- c. Ordinance 1736: Amending OHMC, Section 3.72.030 to Prohibit Claim Payments when Payments would cause a fund level deficiency
- d. Request to Authorize a Storm Drain Intern Position

**Motion:** Councilmember Almberg moved to accept the Consent Agenda as presented, seconded by Councilmember Severns, unanimously approved.

### **STAFF, MAYOR AND COUNCIL COMMENTS**

#### City Administrator

Wastewater Treatment Plant Staff update  
Presented by City Engineer Joe Stowell

Dr. Cort reminded the council and public that the Workshop and Special Workshop meeting will be held on June 17, 2015 at the Former Whidbey Island Bank Building located at 321 SE Pioneer Way.

The Staff Picnic has been scheduled at Fort Nugent Park on August 20<sup>th</sup> during the lunch hour.

The City Administrator announced casual dress for Council and Staff at the Regular Council Meeting on July 7, 2015.

Mayor

No Comments.

Councilmembers

Councilmember Campbell thanked his wife for thirty-six years of marriage.

Councilmember Almberg provided updates regarding the Board of Island Transit.

Councilmember Munns thanked staff for the official “Kraken” art piece dedication to the City. She reminded citizens of Christmas in July at the Help House.

Councilmember Severns thanked Dr. Cort for the casual dress code reminder for the July and August Council meetings.

Councilmember Hizon thanked Councilmember Almberg for the Board of Island Transit update.

Councilmember Servatius expressed gratitude to Mr. Almberg for providing an update on the recent concerns at the Board of Island Transit. He reminded Council and the public about public school summer break.

**Added Item 7.d** Special Event Permit for Oak Harbor Chamber of Commerce – 4<sup>th</sup> of July Beer Garden

Captain Teri Gardner presented the staff report.

Mayor Dudley opened the Citizen Comment Period at 7:08 p.m., no comments, closed the comment period at 7:08 p.m.

**Special Event Permit for Oak Harbor Chamber of Commerce – 4<sup>th</sup> of July Beer Garden**

**Motion:** Councilmember Servatius moved to conditionally authorize the Mayor the City Administrator to sign the permit, providing the Washington State Liquor Control Board approves the permit prior to the event date. Motion seconded by Councilmember Munns, unanimously approved.

**ORDINANCE AND RESOLUTIONS**

Ordinance 1737: LOCAL Series 2015B – Authorization Ordinance  
Dr. Merriman, Director of Finance, provided the staff report.

Mayor Dudley opened the Citizen Comment Period at 7:12 p.m., no comments, closed at 7:12 p.m.

Questions and comments among the Council.

**Ordinance 1737: LOCAL Series 2015B – Authorization Ordinance**

**Motion:** Councilmember Hizon moved to adopt Ordinance No. 1737. Motion seconded by Councilmember Severns, unanimously approved.

Resolution 15-20: County-wide Planning Policies

Development Services Director Steve Powers provided the staff report.

Mayor Dudley opened the Citizen Comment Period at 7:25 p.m., no comments, public comment closed at 7:25 p.m.

**Resolution 15-20: County-wide Planning Policies**

Discussion among Council and staff.

**Motion:** Councilmember Servatius moved to approve Resolution 15-20. Motion seconded by Councilmember Munns, unanimously approved.

Ordinance 1735: Amending OHMC 3.63 Traffic Impact Fees

Development Services Director Steve Powers provided the staff report.

Mayor Dudley opened the Citizen Comment Period at 7:41 p.m.

**Ordinance 1735: Amending OHMC 3.63 Traffic Impact Fees**

Questions among City Council.

**Motion:** Councilmember Hizon moved to approve Ordinance No. 1735. Motion seconded by Councilmember Servatius, unanimously approved.

Mayor Dudley called a 5-minute recess at 7:59 p.m. and reconvened the meeting at 8:05 p.m.

**PUBLIC HEARINGS/PUBLIC MEETINGS**

Ordinance 1733: Amending OHMC Chapter 19.36 entitled 'Sign Code'

Steve Powers, Director of Development Services, provided the staff report.

Mayor Dudley opened the Public Hearing at 8:07 p.m., no public comments, closed at 8:07 p.m.

**Ordinance 1733: Amending OHMC Chapter 19.36 entitled 'Sign Code'**

**Motion:** Councilmember Servatius moved to adopt the Findings of Fact regarding Ordinance 1733. Motion seconded by Councilmember Munns, unanimously approved.

**UNFINISHED BUSINESS**

**Added Item 10.a** Discussion of the Whidbey Island Marathon

Councilmember Servatius opened the item for discussion.

Dr. Merriman provided requested financial information regarding professional services and miscellaneous expense line items. He explained that the Finance Department will need additional time to provide a detailed analysis of differences of expenses between the 2014 and 2015 Marathon.

Ms. Munns asked whether we have some type of certification that breaks down in-kind donations. Dr. Merriman explained that donations from sponsors are between the Elks and the donor and that we should be able to receive such information from the Elks.

Councilmember Severns inquired about the Elk's plan to manage the Marathon without Melissa Riker's services and stated that we need to review cost comparisons. He suggested providing a survey to race participants in order to understand their perspectives and provide suggestions or concerns.

Councilmember Servatius agreed that providing a survey to the race participants would be an excellent idea.

**Motion:** Councilmember Servatius moved to instruct staff to prepare a detailed revenue and expense report for the 2015 Marathon with specific focus on any account that varied by more than 15% from the previous year, to be presented at our July 7<sup>th</sup>, 2015 Meeting and to include options for continuation or severance of this contract. Motion seconded by Councilmember Severns, unanimously approved.

## **NEW BUSINESS**

### Goldie Road, LLC Annexation Agreement Amendment

Staff report presented by Steve Powers, Development Services Director

Mayor Dudley opened the Citizen Comment Period at 8:23 p.m., no comments, closed at 8:23 p.m.

### **Goldie Road, LLC Annexation Agreement Amendment**

**Motion:** Councilmember Hizon moved to approve Amendment to Goldie Road, LLC annexation agreement, Motion seconded by Councilmember Campbell, unanimously approved.

### WWTP – General Contractor Construction Manager GMP Amendment No. 3

City Engineer Joe Stowell provided the staff report.

The following contractors were present at the meeting:

Trevor Thies – Hoffman Construction  
Bryan Shirley – Hoffman Construction  
Kelly Bush – ERCI  
Dan Williams – KBA

Mayor Dudley opened the Citizen Comment Period at 8:40 p.m., no comments, closed at 8:40 p.m.

Questions among Council to City Engineer and Trevor Thies of Hoffman Construction.

### **WWTP – General Contractor Construction Manager GMP Amendment No. 3**

**Motion:** Councilmember Servatius moved to authorize the Mayor to sign AIA Document A133 – 2009 Exhibit A (GMP #3) in the amount of \$836,130 plus Sales Tax (\$72,743) with Hoffman Construction for construction of Site Preparation A, Partial Excavation and Archaeological Survey. Motion seconded by Councilmember Munns, unanimously approved.

### WWTP – Professional Services Agreement with Equinox Research Consultants International (ERCI), Amendment No. 5

City Engineer Joe Stowell provided the staff report.

Mayor Dudley opened the Citizen Comment Period at 8:53 p.m., no comments, closed at 8:53 p.m.

**Motion:** Councilmember Servatius moved to suspend the Council Rules and extend to meeting to 10:00 p.m., seconded by Councilmember Almberg, unanimously approved.

### **WWTP – Professional Services Agreement with Equinox Research Consultants International (ERCI), Amendment No. 5**

**Motion:** Councilmember Hizon moved to authorize the Mayor to sign Amendment No. 5 to the Professional Services Agreement with ERCI. Motion seconded by Councilmember Servatius, unanimously approved.

## **EXECUTIVE SESSION**

### Discussion of Potential Property Acquisition – Discussion and potential action in Open Public Session may follow the Executive Session

Mayor Dudley called a recess for thirty to enter into Executive Session at 9:00 p.m., and reconvened the meeting at 9:28 p.m. for discussion and potential action in Open Public Session.

**Motion:** Councilmember Severns moved to authorize the Mayor sign a parking lease between Redneck Properties LLC Landlord and the City of Oak Harbor as Tenant of approximately 39,590 square feet as already signed by Redneck Properties LLC, lease shall commence on July 1, 2015. Motion seconded by Councilmember Servatius.

**Amendment:** Councilmember AlMBERG moved to identify the parcel as Island County Parcel S6565-00-0 B02-0 and S6565-00-0 B18-0. Seconded by Councilmember Severns, majority approved.

Councilmember Hizon opposed the motion.

**Main Motion:** Councilmember Severns moved to authorize the Mayor sign a parking lease between Redneck Properties, LLC, Landlord and the City of Oak Harbor as Tenant of approximately 39,590 square feet as already signed by Redneck Properties LLC, lease shall commence on July 1, 2015, Island County Parcel S6565-00-0 B02-0 and S6565-00-0 B18-0. Motion seconded by Councilmember Servatius. The motion was unanimously approved.

### **ADJOURN**

**Motion:** Councilmember Hizon moved to adjourn, seconded by Councilmember Campbell, unanimously approved.

Meeting adjourned at 9:30 p.m.

Anna M. Thompson, City Clerk