

Oak Harbor City Council
Regular Meeting Minutes
September 3, 2013

CALL TO ORDER

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

INVOCATION/PLEDGE OF ALLEGIANCE

Pastor Lemmuel Villano of Oak Harbor Southern Baptist Church gave the Invocation and Mayor Dudley led the Pledge of Allegiance.

ROLL CALL

Present:

Mayor Scott Dudley
Councilmember Rick Almberg
Councilmember Tara Hizon
Councilmember Beth Munns
Councilmember Joel Servatius
Councilmember Bob Severns

Staff Present:

City Administrator Larry Cort
Finance Director Doug Merriman
Development Service Director Steve Powers
Public Works Director Cathy Rosen
Asst City Attorney Nikki Esparza
City Engineer Joe Stowell
City Clerk Valerie J. Loffler
Chief of Police Ed Green
Fire Chief Ray Merrill

Councilmember Jim Campbell and Mayor Pro Tempore Danny Paggao were absent and excused.

HONORS AND RECOGNITIONS

Employee Recognition

Steve Powers and Floyd Dalton were recognized for 15 years of service to the City of Oak Harbor. City Administrator Larry Cort presented Mr. Powers with a fleece jacket with the City logo. Public Works Director Cathy Rosen presented the same to Mr. Dalton.

Proclamation for Constitution Week

Councilmember Servatius was joined at the podium by representatives from the Daughters of the American Revolution as he proclaimed the week of September 15 to 22, 2013, as Constitution Week in the City of Oak Harbor.

At 6:18 p.m. Mayor Dudley recessed the meeting to take a photo of Council with the Daughters of the American Revolution.

The meeting reconvened at 6:21 p.m.

APPROVAL OF AGENDA

Motion: Councilmember Severns moved to delete Items 9.a. Executive Session, and 4.c. The motion was seconded by Councilmember Hizon and carried unanimously.

Motion: Councilmember Almberg moved, seconded by Councilmember Severns, to adopt the agenda as amended. The motion carried unanimously.

CITIZEN COMMENT PERIOD

Terry Lacey provided an update on plans for the Veterans Day Parade to be held November 9, 2013, beginning at 2:00 p.m.

Myron Brundage invited citizens to the September 20, 2013, Rededication of the POW/MIA Table at the VFW Hall located at 3037 North Goldie Road. A spaghetti feed will be offered for \$6.00 following the ceremonies.

CONSENT AGENDA

- a. Minutes of the Regular City Council meeting held August 7, 2013
- b. Approval of Accounts Payable Voucher Nos.154910 through 155105 in the amount of \$565,480.57; Voucher Nos. 155106 through 155110 in the amount of \$484.84; Voucher Nos. 155111 through 155136 in the amount of \$243,370.06; and Voucher Nos. 155137 through 155285 in the amount of \$421,007.84
- c. None (Removed)
- d. Motion to authorize the Mayor to sign a contract with Bellingham Marine, Inc. for repairs to the F-Dock at the Oak Harbor Marina in the amount of \$15,163.65 and to authorize the City Engineer to administratively approve changes to the contract totaling not more than \$1500.00
- e. Resolution 13-22: Declaring an Emergency and Authorizing Procurement of Diversion Pumps at the City's Wastewater Treatment Plant
- f. Motion to confirm Mayor Dudley's appointment of Rebecca Ford to the Oak Harbor Youth Commission to fill an unexpired term ending October 2014
- g. Motion to authorize the Mayor to sign the Memorandum of Agreement with NASWI allowing the Oak Harbor Police Department use of the live fire shooting range and PRISM Shooting Simulator
- h. Resolution 13-21: Reducing police department petty cash from two hundred dollars (\$200.00) to one hundred dollars (\$100.00)

Motion: Councilmember Hizon moved to approve the consent agenda as amended. The motion was seconded by Councilmember Munns and carried unanimously.

STAFF AND COUNCIL COMMENTS

Police Chief Ed Green reported he was notified by the Washington State Liquor Control Board that the application submitted by Jennifer Olson for a liquor license at the former Element Tavern location was incomplete. She will need to begin the process again, at which time the City would request a hearing.

Dr. Cort stated notes were prepared from the Joint Strategy workshop discussion and a second meeting would be scheduled.

Dr. Cort received Council consensus to schedule the next workshop meeting on Health Benefits for Monday, September 23, 2013 at 6:00 p.m. In addition, a second workshop is scheduled for 3:00 to 5:00 p.m. prior to the regular council meeting of October 1, 2013. The Finance Director will present information on the overall impact of archaeology recovery costs on the budget.

Mayor Scott Dudley reported on Congressman Rick Larsen's visit to the current Wastewater Treatment Plant and lagoons.

Mayor Dudley also presented a letter from the Oak Harbor Yacht Club thanking the City in assisting with the landscape project in May and June, especially for providing Hank Nydam's expertise on the type of plants.

Mayor Dudley announced the new artwork in the Council Chambers belongs to Miss Helen Ryder and he thanked her for sharing it.

The Mayor and all Councilmembers agreed the Music Festival was a major success.

Councilmember Munns wished Rhonda Sevens and Martha Folsom new adventures in their retirement. It's hard to lose good employees, she stated.

Councilmember Munns also invited everyone to the Military Appreciation Picnic from noon to 4:00 p.m. in Windjammer Park on September 7, 2013.

ORDINANCES AND RESOLUTIONS

Ordinance 1664: Relating to Adoption of Ordinances
City Administrator Dr. Larry Cort provided the staff report.

Ordinance 1664 **An Ordinance of the City of Oak Harbor Amending Sections 1.04.010 and 1.04.020 of the Oak Harbor Municipal Code and Adding Sections 1.04.030, 1.04.035 and 1.04.040 Relating to Introduction, Enactment and Effective Date of Ordinances**

Councilmembers Hizon and AlMBERG spoke in support.

Motion: Councilmember Servatius moved to adopt Ordinance 1664. The motion was seconded by Councilmember AlMBERG and carried unanimously.

Motion: Councilmember Servatius moved to amend the Administration and Personnel Council Rules including a name change to Council Rules of Procedure. The motion was seconded by Councilmember Sevens and carried unanimously.

Ordinance 1667: Relating to the LEOFF Disability Board
Finance Director Doug Merriman provided the staff report.

Ordinance 1667 **An Ordinance of the City of Oak Harbor Amending Section 2.33.010 of the Oak Harbor Municipal Code Relating to Composition of the Disability Board**

Motion: Councilmember Hizon moved to adopt Ordinance 1667. The motion was seconded by Councilmember Severns and carried unanimously.

Ordinance 1666: Relating to a Moratorium on Medical Marijuana and Setting a Public Hearing for October 1, 2013

Community and Economic Development Director Steve Powers provided the staff report.

Ordinance 1666 An Interim Ordinance of the City of Oak Harbor, Washington, Adopting a Moratorium on the Establishment of Medical Marijuana Dispensaries, Collective Gardens and the Licensing and Permitting Thereof; Defining “Medical Marijuana Dispensary”; Providing for a Public Hearing; Referring the Matter to the Planning Commission for Review; Establishing an Effective Date; and Providing that the Moratorium, Unless Extended, Will Sunset Within Six (6) Months of the Date of Adoption

Ordinance 1665 An Ordinance of the City of Oak Harbor, Washington, Adopting a Six (6) Month Moratorium Within the City of Oak Harbor on the Establishment, Siting, Location, Permitting, Licensing or Operation of Marijuana Cultivation, Production of Marijuana Derivatives, and the Sale of Marijuana or Marijuana Derivatives or any other Activities Asserted to be Authorized or Actually Authorized Under Washington State Initiative No. 502 or any Other Laws of the State of Washington and Setting a Date for a Public Hearing on the Moratorium, Adopting a Work Plan, Providing for Severability; and Establishing an Effective Date

Mr. Powers responded to questions from Council about regulations related to land use impacts and other classification criteria.

Motion: Councilmember Servatius moved to adopt Ordinance 1665. The motion was seconded by Councilmember Munns and carried unanimously.

Motion: Councilmember Servatius moved to adopt Ordinance 1666. The motion was seconded by Councilmember Sevens and carried unanimously.

NEW BUSINESS

Chamber of Commerce Tourism Services Agreement
City Administrator Dr. Larry Cort provided the staff report.

Kathy Reed, Executive Director of the Chamber, spoke in support.

Jill Johnson, previous Executive Director, also spoke in support stating the funds are generated from the 2% Lodging Tax, not the General Fund or Sales Tax.

Councilmember Munns suggested the comparison of cities receiving lodging tax funds also include military communities such as Everett, Bremerton and Silverdale.

Councilmember Almberg discussed a common strategy for attracting residents as the new squadrons arrive.

Councilmember Severns agreed the Chamber should be a partner in that process.

Councilmember Hizon stated the Chamber of Commerce is what came up over and over again during the workshop when discussing a central location for information for military targeted marketing.

Dr. Cort responded to questions from Council about the Main Street Program and how it interacts with a local Chamber of Commerce.

On-Call Archaeological Services with Equinox Research and Consulting International
City Engineer Joe Stowell provided the staff report.

Councilmembers Hizon and Severns spoke in support.

Mr. Stowell responded to questions from Council about the need to contract for an archaeologist versus having one on staff.

Public Works Director Cathy Rosen responded to questions from Councilmember Almberg about the amount of the contract and the funding source.

Motion: Councilmember Servatius moved to authorize the Mayor to sign Amendment No.1 to the Professional Services Agreement with Equinox Research and Consulting International (ERCI) for on-call archaeological services and increasing the not-to-exceed contract amount by \$41,055.00; from \$9,944.00 to \$50,999.00. The motion was seconded by Councilmember Hizon and carried unanimously.

Puget Sound Energy Purchase Order
City Engineer Joe Stowell provided the staff report.

Councilmember Servatius spoke in support.

Councilmembers Munns and Almberg asked about the terms of the contract and confirmed the City will receive a credit

Councilmember Hizon thanked Mr. Stowell and Public Works Director Cathy Rosen for the detailed agenda bill.

Motion: Councilmember Hizon moved to authorize the Mayor to sign a purchase order to Puget Sound Energy in the amount of \$107,486.09 for extending electric power facilities to the North Reservoir site; and to authorize the City Engineer to administratively approve changes to the Purchase Order totaling not more than \$5,000.00.

Councilmember Almberg questioned the need for the additional \$5,000.00.

Motion: Councilmember Servatius moved to amend the motion to strike “and to authorize the City Engineer to administratively approve changes to the Purchase Order totaling not more than \$5,000.00”. The motion was seconded by Councilmember Munns and carried 4 to 1; Councilmember Hizon opposed.

The motion as amended carried unanimously.

NW Heller Street Overlay

City Engineer Joe Stowell provided the staff report.

Councilmember Almberg asked what determines where the grant money is used. Mr. Stowell replied that staff looks for a location where they can improve the most street for the money available.

Motion: Councilmember Hizon moved to authorize the Mayor to sign grant funding applications to the Transportation Improvement Board Arterial Preservation Program for overlay of NW Heller Street. The motion was seconded by Councilmember Severns and carried unanimously.

ADJOURNMENT

Motion: Councilmember Servatius moved, seconded by Councilmember Almberg, to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 8:05 p.m.

Valerie J. Loffler, City Clerk