

Oak Harbor City Council
Regular Meeting Minutes
December 17, 2013

CALL TO ORDER

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

INVOCATION/PLEDGE OF ALLEGIANCE

Chaplain David Lura, CREDO Detachment Whidbey Island and Navy League Chaplain, gave the Invocation, and Mayor Dudley led the Pledge of Allegiance.

OATH OF OFFICE

City Clerk Valerie J. Loffler administered the Oath of Office to Councilmembers Jim Campbell, Bob Severns, Danny Paggao, and Joel Servatius.

ROLL CALL

Present:

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

Staff Present:

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

Councilmember Beth Munns was excused.

HONORS AND RECOGNITIONS

Ed McNeill 30 Years of Service Recognition

Public Works Director Cathy Rosen recognized Ed McNeill for his 30 years of dedicated service to the City of Oak Harbor and presented him with a fleece jacket embroidered with the City logo. Mr. McNeill also received a thirty-year pin in recognition. Mrs. Rosen stated that Mr. McNeill leads by example and is a tremendous steward of the City's resources.

Mayor Dudley announced a short recess to allow Councilmembers to personally thank Mr. McNeill for his 30 years of service.

APPROVAL OF AGENDA

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

CONSENT AGENDA

- a. Minutes of the Regular City Council meeting held December 3, 2013
- b. Approval of Accounts Payable Voucher Nos. 156414 through 156423 in the amount of \$1,281.06; Voucher Nos. 156424 through 156586 in the amount of \$379,344.09; and Voucher Nos. 156587 through 156593 in the amount of \$359.68
- c. Motion to authorize the Mayor to sign a Professional Services Agreement with OAC for project delivery advisory services associated with design and construction of the wastewater treatment plant in the not-to-exceed contract amount of \$55,480.00
- d. Ordinance 1680: Establishing Committed Revenue Classifications Required by Governmental Accounting Standards Board (GASB) Statement No. 54 for Financial Reporting Purposes
- e. Resolution 13-38: Designating the Depository Institutions for the City's Business per Oak Harbor Municipal Code 3.02.010
- f. Motion to reject all bids received on November 14, 2013, for two automated refuse trucks
- g. Motion to authorize the use of the "piggyback" statute per RCW 39.34 to purchase two Peterbilt/Wayne automated refuse trucks from the City of Tacoma's bid in the amount of \$513,288.02
- h. Motion to authorize the Mayor to sign the Interagency Agreement with the State Department of Enterprise Services for Energy Conservation Project Management and Monitoring Services

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

STAFF AND COUNCIL COMMENTS

City Administrator Dr. Larry Cort stated there's an extra week between council meetings and the next meeting will be January 7, 2014.

Dr. Cort also reported City Hall would be closed on Christmas Day and New Years Day. In addition, he commended city staff for providing 44 bags filled with Christmas gifts for Tree of Hope children.

Dr. Cort announced City Clerk Valerie Loffler accepted a position with Snohomish County. Councilmembers thanked her for her contributions.

Councilmembers wished everyone a Merry Christmas.

ORDINANCES AND RESOLUTIONS

Ordinance 1679: Relating to Standing Committees

City Administrator Dr. Larry Cort provided a staff report.

Councilmembers spoke in support of maintaining the current workshop format, and also discussed changing the starting time to 2:00 p.m. instead of 3:00 p.m. to allow more time between the workshop meeting and the regular meeting.

Ordinance 1679 Relating to Standing Committees and Repealing Section 1.04.015 of the Oak Harbor Municipal Code

Motion: Councilmember Servatius moved to adopt Ordinance 1679. The motion was seconded by Councilmember Almberg and carried unanimously.

Motion: Councilmember Campbell moved to approve revisions to the Council Rules of Procedure to Eliminate Rule 27 and 28 relating to Standing Committees. The motion was seconded by Councilmember Severns and carried unanimously.

Ordinance 1677: Amending the 2013-14 Biennial Budget
Finance Director Doug Merriman provided the staff report.

Councilmember Almberg asked if the budget adjustment had any impact on the stabilization fund, and Mr. Merriman responded that it did not.

Ordinance 1677 Amending the 2013-14 Biennial Budget for Final Required Increases in FY2013 Appropriation Authority

Motion: Councilmember Hizon moved to adopt Ordinance 1677. The motion was seconded by Councilmember Campbell and carried unanimously.

Ordinance 1682: Relating to Contracting and Amending Sections 2.310.010 and 2.330.010
City Engineer Joe Stowell provided the staff report.

Ordinance 1682 An Ordinance of the City of Oak Harbor, Washington, Relating to Contracting and Amending Section 2.310.010 Entitled "Purchase and Bidding – General Provisions," and Section 2.330.010 Entitled "Public Works," of the Oak Harbor Municipal Code

Motion: Councilmember Servatius moved to adopt Ordinance 1682. The motion was seconded by Councilmember Almberg and carried unanimously.

Resolution 13-37: Adopting the Comprehensive Emergency Management Plan
Fire Chief Ray Merrill provided the staff report. He also thanked Angela Braunstein for her diligence and expertise preparing the document.

Councilmembers spoke in support.

Councilmember Severns asked for clarification on the review schedule.

Resolution 13-37 Adopting the Revised Comprehensive Emergency Management Plan (CEMP)

Motion: Councilmember Hizon moved to adopt Resolution 13-37. The motion was seconded by Councilmember Servatius and carried unanimously.

Retainer Agreement with Weed, Graafstra and Benson, Inc.
City Administrator Dr. Larry Cort provided the staff report.

Grant Weed discussed the circumstances relating to the rate increase.

Councilmembers Hizon, Almberg, Paggao and Campbell spoke in support.

Councilmember Servatius spoke in opposition stating he would support the retainer agreement with the current rate structure.

Councilmember Almberg asked if the proposal was “take it or leave it?”

City Attorney Grant Weed responded that in fairness to the other seven cities that have been clients longer than the City of Oak Harbor, the firm can’t give one city a better deal than the others. They can’t justify it from an ethical and business standpoint.

Motion: Councilmember Hizon moved, seconded by Councilmember Campbell, to authorize the Mayor to sign the Retainer Agreement with Weed, Graafstra and Benson, Inc. for January 1, 2014 and ending June 30, 2014.

Councilmember Severns noted that the firm has operated under market since 2010.

The motion carried 6 to 1; Servatius opposed.

EXECUTIVE SESSION

At 6:47 p.m. Mayor Dudley announced a 90-minute executive session to discuss pending litigation and property acquisition.

At 8:15 p.m. Mayor Dudley announced another 30 minutes would be necessary.

At 8:45 p.m. Mayor Dudley announced another 15 minutes would be necessary.

The meeting reconvened at 9:01 p.m.

Motion: Councilmember Servatius moved to suspend the rules and extend the meeting to 9:15 p.m. The motion was seconded by Councilmember Campbell and carried unanimously.

Motion: Councilmember Severns moved to authorize the Mayor to sign an expanded scope of work for Ogden Murphy Wallace on the terms of their letter dated 12/13/13. The motion was seconded by Councilmember Hizon and carried unanimously.

Motion: Councilmember Servatius moved to authorize the Mayor to sign the Purchase and Sale Agreement with Whidbey Island Bank for property located at 3231 SE Pioneer Way. The motion was seconded by Councilmember Almberg and carried unanimously.

Councilmember Severns abstained because he owns property in the vicinity.

Motion: Councilmember Servatius moved to authorize the Mayor to sign Amendment No. 1 to the Professional Services Agreement with Equinox Research Consulting International for Archaeological Services related to the new wastewater treatment plant in the amount of \$198,520 increasing the total contract amount from \$16,322.98 to \$214,852.98. The motion was seconded by Councilmember Campbell and carried unanimously.

Councilmember Severns abstained because he owns property in the vicinity.

ADJOURNMENT

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

The meeting adjourned at 9:05 p.m.

Valerie J. Loffler, City Clerk