CALL TO ORDER

Mayor Bob Severns called the meeting to order at 6:00 p.m.

ROLL CALL

City Council Present:
Mayor Bob Severns
Mayor Pro Tem Beth Munns
Councilmember Rick Almberg
Councilmember Joel Servatius
Councilmember Erica Wasinger
Councilmember Tara Hizon
Councilmember Bill Larsen

Staff Present:
City Administrator Blaine Oborn
City Attorney Nikki Esparza
Development Services Director Steve Powers
Associate Planner Ray Lindenburg
Police Chief Kevin Dresker
Fire Chief Ray Merrill
Human Resources Emma House
Public Works Director Cathy Rosen
City Engineer Jim Bridges
City Clerk Carla Brown

Excuse Absent Councilmembers
Motion: Mayor Pro Tem Munns moved to excuse Councilmember Woessner, second by Councilmember Hizon. Motion was approved unanimously.

1. APPROVAL OF AGENDA
Approved as presented.

2. PRESENTATIONS
   a. Proclamations
      None.
   b. Honors & Recognitions
      None.
   c. Community Partner Presentations
      None.

3. CITIZEN COMMENT PERIOD
   Mayor Severns opened the Citizen Comment Period at 6:04 p.m.
   Public Comment was offered by:
   - Skip Pohtilla, North Whidbey Community Harvest
   - Nickolas Green, UBER
Public comment was closed at 6:09 p.m.

4. CONSENT AGENDA

Consent Items
a. Approval of Payroll and Accounts Payable Vouchers
b. Minutes: September 16, 2019 Joint Special Workshop, October 15, 2019 Regular Meeting and October 23, 2019 Workshop Meeting
c. Appointment – JR Russell to the Arts Commission, Position 2
d. Appointment – Karla Freund to the Arts Commission, Alternate Position
e. Appointment – Miranda Hoppock to the Community Police Advisory Board (CPAB)
f. Grant Agreement Acceptance: Youth Athletic Facilities
g. Interlocal Agreement: Whidbey Island Public Hospital District, Emergency Medical Services
h. Reappointment: Susan Gerard to the Community Police Advisory Board (CPAB)
i. Resolution 19-36: deferring to Island County the sales and use tax credit for affordable housing authorized by Substitute House Bill 1406

Motion: Consent Items approved as presented.

5. MAYOR, COUNCIL & STAFF COMMENTS

a. Mayor
   Mayor Severns provided his respective comments and announcements.

b. Councilmembers
   Councilmember Servatius provided his respective comments.

c. City Administrator
   Blaine Oborn provided his respective comments and specifically addressed the UBER comments and questions asked during Citizen Comment Period.

6. PUBLIC HEARINGS & PUBLIC MEETINGS


Ray Lindenburg, Associate Planner provided a background summary regarding the Main Street Design Guidelines proposal to incorporate developed draft design guidelines into the City’s design review process. The proposal was presented to Planning Commission and was compared to the City’s existing Design Regulations and Guidelines document. The Main Street Association guideline details were added into the existing Design Regulations and Guideline documents.

Mayor Severns opened the public hearing comment period at 6:25 p.m., there being none, public comment was closed.

Mayor Pro Tem Munns provided her respective comments.

Motion: Councilmember Larsen moved to approve Resolution 19-39, Design Regulations and Guidelines (DRG) update, second by Mayor Pro Tem Munns. Motion passed unanimously.
7. ORDINANCES & RESOLUTIONS

a. Ordinance No. 1887 and Resolution 19-32: Hillside Development Center (Scenic Heights) Preliminary Plat and PRD – Closed Record Review

This agenda item is a closed record review and decision. Council will review the record generated up to and including the Planning Commission’s Recommendation. It will debate, discuss and deliberate without additional input by the public or the parties. No new evidence, no testimony, no new documents and no argument will be permitted.

Nikki Esparza, City Attorney explained that the project application under review (preliminary plat and planned residential development (PRD)) are a quasi-judicial procedure, and as such an Appearance of Fairness colloquy must be conducted to determine if the Councilmembers can hear this particular matter per Council Rule No. 19.

City Attorney Esparza continued with the Appearance of Fairness colloquy as follows:

• Question 1: Does any member of this Council have knowledge of, or conducted business with, either the opponents or proponents of this particular project? Mayor Pro Tem Munns, Councilmember Almberg, Councilmember Hizon, Councilmember Larsen, Councilmember Servatius, and Councilmember Wasinger answered in the negative.

• Question 2: Does any member of this Council have a pecuniary or non-pecuniary interest in the outcome of this proceeding? Mayor Pro Tem Munns, Councilmember Almberg, Councilmember Hizon, Councilmember Larsen, Councilmember Servatius, and Councilmember Wasinger answered in the negative.

• Question 3: Does any member of this Council know whether or not their employer has a financial interest in the property or area which will be impacted by the decision in this proceeding? Mayor Pro Tem Munns, Councilmember Almberg, Councilmember Hizon, Councilmember Larsen, Councilmember Servatius, and Councilmember Wasinger answered in the negative.

• Question 4: Does any member of this Council live or own property within 300 feet of the area which will be impacted by the decision in this proceeding? Mayor Pro Tem Munns, Councilmember Almberg, Councilmember Hizon, Councilmember Larsen, Councilmember Servatius, and Councilmember Wasinger answered in the negative.

• Question 5: Does any member of this Council have any special knowledge about the substance of the merits of this proceeding which would or could cause the Councilmember to pre-judge the outcome of this proceeding? Mayor Pro Tem Munns, Councilmember Almberg, Councilmember Hizon, Councilmember Larsen, Councilmember Servatius, and Councilmember Wasinger answered in the negative.

• Question 6: Is there any member of this Council who believes that he or she cannot sit and hear this matter fairly and impartially as to the respective positions of the proponents and the opponents of this proceeding?
Mayor Pro Tem Munns, Councilmember Almberg, Councilmember Hizon, Councilmember Larsen, Councilmember Servatius, and Councilmember Wasinger answered in the negative.

- **Question 7:** Has any member of the Council had any ex parte contacts concerning this matter?
  All Councilmembers answered in the positive, with the following disclosures:
  - All Councilmembers received emails from Terri Hulett, Ken Hulett, Patty Cohen, and Cynthia Hoskins after the record closed.
  - Additional disclosures:
    - Councilmember Servatius stated he had contact with Scott Thompson regarding the project progress.
    - Councilmember Almberg stated he had conversations with City Staff regarding the project progress.
    - Mayor Pro Tem Munns stated she received a letter from Linda Wasinger and had conversations with City Staff regarding the project progress.

- **Question 8:** Is there any member of the audience who believes because of the “Appearance of Fairness Doctrine” that any member of the Council should be disqualified?
  None.

The quasi-judicial procedure to determine the Appearance of Fairness was completed. The closed record review continued.

Ray Lindenburg, Associate Planner provided a brief PowerPoint presentation providing general project information and outlining the review process and timeline leading up to and including the Closed Record Review.

Mayor Pro Tem Munns, Councilmember Servatius, Councilmember Almberg, Councilmember Hizon, Councilmember Larsen and Councilmember Wasinger provided their respective questions and comments regarding the material included in the closed record document. No new evidence, no new testimony, and no new documents were presented. Associate Planner Ray Lindenburg answered the questions.

**Motion:** Councilmember Servatius moved to adopt Ordinance No.1887, second by Mayor Pro Tem Munns. Motion passed unanimously.

**Motion:** Councilmember Servatius moved to approve Resolution 19-32, Hillside Development Center Preliminary Plat and PRD, second by Councilmember Larsen. Motion passed unanimously.

8. **CONTRACTS & AGREEMENTS**

   None.

9. **OTHER ITEMS FOR CONSIDERATION**

   None.

10. **REPORTS & ITEMS FOR DISCUSSION**

    None.
11. EXECUTIVE SESSION

None.

ADJOURN

Motion: Councilmember Almberg moved to adjourn, second by Councilmember Larsen. Motion passed unanimously, therefore the meeting adjourned at 7:04 p.m.

Certified by Carla Brown, City Clerk