CALL TO ORDER

Mayor 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 Joel Servatius
Councilmember Erica Wasinger
Councilmember Bill Larsen
Councilmember Jim Woessner

Staff Present:
City Administrator Blaine Oborn
City Attorney Nikki Esparza
Finance Director Patricia Soule
Fire Chief Ray Merrill
Police Chief Kevin Dresker
Human Resources Emma House
Public Works Director Cathy Rosen
Project Manager Brett Arvidson
City Engineer Jim Bridges
City Clerk Carla Brown

Excuse Absent Councilmembers

Motion: Councilmember Servatius moved to excuse Councilmember Almberg and Councilmember Hizon, second by Mayor Pro Tem Munns. Motion was approved unanimously.

1. APPROVAL OF AGENDA

Motion: Approved as presented.

2. PRESENTATIONS

a. Proclamations

None.

b. Honors & Recognitions

i. Oath of Office – Jeff Rang, Police Officer. Police Chief Kevin Dresker introduced Police Officer Jeff Rang and provided a brief biography highlighting Officer Rang’s military service, career, experience and accomplishments. Sandy Ferris pinned Officer Jeff Rang’s badge.

At 6:13p.m., Mayor Severns called for a short recess to congratulate Officer Rang. The meeting reconvened at 6:14p.m.

c. Community Partner Presentations

i. Annual Holiday Wreath presented to the City of Oak Harbor by Boy Scout Troop #59. The presentation occurred concurrent with the Pledge of Allegiance. City Council accepted the wreath and stood with the troops for a picture opportunity.

ii. Impaired Driving Impact Panel of Island County (IDIPIC) – Mike Diamanti, Executive Director. Mr. Diamanti presented a brief presentation highlighting the Driving Impairment
Proclamation during the Holiday season and the success of the Impact Panel instruction classes provided to teenagers, parents, Navy personnel and offenders. He thanked the City for its continued support.

3. **CITIZEN COMMENT PERIOD**

Mayor Severns opened the Citizen Comment Period at 6:19 p.m.

Public Comment was offered by:

- Carl Freund & Scott Thompson
- Dan Evans
- Nickolas Green, UBER

Public comment was closed at 6:24 p.m.

4. **CONSENT AGENDA**

Consent Items
a. Approval of Payroll and Accounts Payable Vouchers
b. Minutes: November 19, 2019 Regular Meeting
c. 2020 City Council Meeting Calendar
d. Appointment: Amy Malmkar to Planning Commission
e. Appointment: Stephanie 'Fe' Mischo to Oak Harbor Library Board
f. Ordinance No. 1892: amending OHMC Chapter 21.40 “Final Plats”
g. Professional Service Agreement: Carollo Engineers, Inc., Oak Harbor Clean Water Facility On-Call Support
h. Professional Service Agreement: Carollo Engineers, Inc., Water Transmission Projects, Amendment 3
i. Professional Service Agreement: Gray & Osborne, Inc., Stormwater Comprehensive Plan, Amendment 3
k. Resolution 19-41: Establishing the City’s 2020 Legislative Priorities


**Motion:** No objection, therefore items 4.a.-h. and j.-k. are approved as presented.

Councilmember Woessner, Councilmember Servatius, and Mayor Pro Tem Munns gave their respective comments regarding pulled Consent Item 4.i. Public Works Director Cathy Rosen and City Engineer Jim Bridges responded.

**Motion:** Councilmember Larsen moved to approve Consent Item 4.i., second by Councilmember Woessner. Motion was approved unanimously.

5. **MAYOR, COUNCIL & STAFF COMMENTS**

a. Mayor

Mayor Severns provided his respective announcements.
b. Councilmembers
   Mayor Pro Tem Munns, Councilmember Woessner, and Councilmember Servatius provided their respective comments.

   c. City Administrator
   Blaine Oborn provided his respective comments.

6. PUBLIC HEARINGS & PUBLIC MEETINGS

None.

7. ORDINANCES & RESOLUTIONS


      Nikki Esparza, City Attorney provided a background summary regarding the multiple workshop discussions of moving the responsibility of Type IV decisions from City Council to the City’s Hearing Examiner. Ordinance No. 1890 transfers responsibility for Type IV decisions to the hearing examiner and Ordinance No. 1891 adds the responsibility of Type IV decisions to the hearing examiner.

      Mayor Severns opened the public comment period at 6:38 p.m. Public comments was offered by:

      - Dan Evans, supporter

      Public comment was closed at 6:39 p.m.

      Mayor Pro Tem Munns, Councilmember Servatius, and Councilmember Larsen provided their respective comments and questions. City Attorney Nikki Esparza and Development Services Director Steve Powers responded and answered the questions.

      **Motion:** Councilmember Larsen moved to adopt Ordinance No. 1890 as presented, second by Councilmember Servatius. Motion passed unanimously.

      **Motion:** Councilmember Larsen moved to adopt Ordinance No. 1891 as presented, second by Councilmember Wasinger. Motion passed unanimously.

   b. Ordinance No. 1889 & Resolution 19-42: Howard’s Pointe 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 Servatius, Councilmember Wasinger, Councilmember Larsen and Councilmember Woessner 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 Servatius, Councilmember Wasinger, Councilmember Larsen and Councilmember Woessner 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 Servatius, Councilmember Wasinger, Councilmember Larsen and Councilmember Woessner 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 Servatius, Councilmember Wasinger, Councilmember Larsen and Councilmember Woessner 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 Servatius, Councilmember Wasinger, Councilmember Larsen and Councilmember Woessner 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 Servatius, Councilmember Wasinger, Councilmember Larsen and Councilmember Woessner answered in the negative.

- **Question 7**: Has any member of the Council had any ex parte contacts concerning this matter?
  Mayor Pro Tem Munns, Councilmember Servatius, Councilmember Wasinger, Councilmember Larsen and Councilmember Woessner answered in the negative.

- **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. PRD variations listed in the staff and Planning Commission recommendations were also briefly discussed.
Councilmember Larsen, Councilmember Woessner and Mayor Pro Tem Munns 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 Larsen moved to approve Resolution 19-42 as presented, second by Councilmember Servatius. Motion passed unanimously.

**Motion:** Councilmember Larsen moved to adopt Ordinance No. 1889 as presented, second by Councilmember Wasinger. 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 Servatius moved to adjourn, second by Councilmember Wasinger. Motion passed unanimously, therefore the meeting adjourned at 7:01 p.m.

Certified by Carla Brown, City Clerk