

**City of Port Orchard
Council Meeting Minutes
Regular Meeting of January 28, 2008**

PRESENT: Lary Coppola, Mayor
Council Members: Mayor Pro-Tem Clauson, Chang, Childs, Colebank, Olin, Powers, and Putaansuu

ALSO PRESENT: Public Works Director Abed, City Clerk Merlino, Deputy Clerk Kirkpatrick, and City Attorney Jacoby.

7:00 P.M. CALL TO ORDER

Justin Travatte led the audience and Council in the Pledge of Allegiance.

PRESENTATION

Mayor Coppola presented the 2007 Holiday of Lights awards as follows:

Best Residence - The Cameron Family, 1739 Pottery Avenue.

Best Neighborhood – The residents of Pottery Avenue.

Best Business – Kitsap Bank received the award for this category.

APPROVAL OF AGENDA

The following Consent Item was removed from the Consent agenda and placed under *Business Items*:

- Minutes of the January 4, 2008, City Council Meeting

The following items were added to *Business Items*:

- McCormick Woods Annexation update
- Discussion on how to add items to the agenda
- 15-minute Executive Session to discuss personnel and potential litigation issues
- Brief work study session at the conclusion of the meeting

Council Member Putaansuu moved and Council Member Colebank seconded the motion to approve the agenda as amended. *Upon vote, the motion passed unanimously.*

AUDIENCE COMMENTS

Yvette Foldnik, 1190 Heron Ridge Avenue, voiced concern that the Heron Ridge Homeowner Association was not maintaining its stormwater pond and that it had breached during the recent storms. Heron Ridge homeowners received a letter from the

City advising that they needed to fix the breach in the pond. A small group of residents met with the Public Works Director and Code Enforcement officer to review what needed to be done and how to proceed. Due to the complexity of the project and associated costs, Ms. Foldnik requested the City consider taking over the maintenance of all stormwater ponds that are affiliated with a homeowner's association within the City limits and charge those residents a nominal monthly maintenance fee.

Public Works Director Abed clarified that there were two concerns: 1) Code Enforcement. After the last storm there was a serious breach on the outlet of the stormwater pond, which washed downstream filling in grass line swells and other downstream property. Staff pursued code enforcement and notified all property owners collectively of the need to repair the integrity of the pond; and 2) Policy Issue. There are nine stormwater ponds and currently only one is in compliance with City requirements. In order to ensure all stormwater ponds are in good repair, Public Works Director Abed requested the issue be reviewed by the Utility Committee to determine the feasibility of this option.

Mayor Coppola stated that staff would continue to work with the residents of Heron Ridge during this process.

Jason Higgins, 1780 Sidney Avenue, voiced regret for his behavior at the January 14, 2008, council meeting, noting his frustration was unwarranted and that many of his concerns were being resolved through code enforcement and the planning department.

Randy Jones, 1777 Bay Street, voiced concern that there had been several accidents on the corner of Bay Street, in the 1700 block of Bay Street, in the last month and requested that the City install rumble strips or a large cautionary sign warning of the sharp turn.

Frank Rust spoke in favor of rumble strips or turtles reminding drivers of the dangerous corner in the 1700 block of Bay Street in an attempt to reduce the number of traffic accidents.

CONSENT AGENDA

Council Member Clauson moved and Council Member Putaansuu seconded the motion approving the Consent Agenda as amended. *Upon vote, motion passed unanimously.*

- A.** Approval of Claim Warrants and Payroll
- B.** ~~Minutes of the January 4, 2008, City Council Work Study Session~~
- C.** Minutes of the January 14, 2008, City Council Meeting
- D.** Adoption of Resolution No. 005-08, Approving the Pottery Avenue Preliminary Plat

- E.** Adoption of Ordinance No. 003-07, Approving the Pottery Avenue Rezone
- F.** Adoption of Resolution No. 006-08, Approving the West Street Preliminary Plat
- G.** Adoption of Ordinance No. 004-08, Approving the Ben Orser Site Specific Rezone R-1169
- H.** Adoption of Ordinance No. 006-08, correcting a Scrivener's Errors in Ordinance No. 035-07, Regarding the Establishment of a Design Review Board

BUSINESS ITEMS:

Authorization for the Mayor to Sign the Professional Service Agreement for an Interim Hearings Examiner

City Clerk Merlino presented the staff report, noting that the City Council adopted Ordinance No. 047-07, which created a Hearings Examiner position for certain land use matters on December 19, 2007. Currently, staff is soliciting for a Hearings Examiner and Ted Hunter, who is the Hearings Examiner for the Cities of Poulsbo and Bremerton, has offered to provide on an interim basis his professional services. Mr. Hunter's firm specializes in Hearings Examiners for jurisdictions around the Puget Sound area.

Council Member Clauson moved and Council Member Olin seconded the motion to authorize the Mayor to sign the Interim Professional Services Agreement for a Hearings Examiner with Ted Hunter, until such time the City has secured a permanent Hearings Examiner. *Upon vote the motion passed unanimously.*

Concurrence with Spring/Fall Cleanup Weeks for 2008

Public Works Director Abed presented the staff report, noting that the Spring Cleanup would be held during the week of June 9th and the Fall Cleanup would be held during the week of October 13th.

Council Member Colebank moved and Council Member Olin seconded the motion to approve the dates of the Spring Cleanup for the week of June 9th and the Fall Cleanup for the week of October 13th.

Council Members directed staff to explore ideas on how to actively involve the community during the Cleanup week and for items that cannot be disposed of during that time frame, provide additional information on where items can be disposed of including phone numbers and addresses. Council also encouraged staff to look at ways to make the cleanup easier for residents to properly dispose of their waste.

Upon vote, the motion passed unanimously.

Minutes of the January 4, 2008, City Council Work Study Session
Council Member Powers moved and Council Member Putaansuu seconded the motion to adopt the January 4, 2008, City Council Work Study Session Minutes.

Council Member Powers voiced concern with using the word "agreed" in the minutes, which could cause readers to believe that action was taken by the Council during a study session. Further, she asked that on the last page the word "legislature" be replaced with "legislators" and that the Council discussed looking at placement of bike racks in the downtown area.

City Attorney Jacoby advised that during a study session, the Council was restricted by what it could do such as they cannot pass ordinances; however, they could agree to do things by consensus or by vote.

In response to Council Member Clauson, City Attorney Jacoby explained that he could participate in the vote to approve the work study session minutes.

Upon vote, the motion passed unanimously.

McCormick Woods Annexation

Council Member Chang requested that an information sheet regarding the pros and cons and the potential impact to the Utility rates with the annexation of McCormick Woods and how it would affect the proposed annexed residents as well as current City residents be posted on the City's website.

Mayor Coppola noted there was a lot of misinformation going around regarding the proposed annexation and that he would provide a brief update at the February 5th work study session.

Posting Items on the Agenda:

It is the Council's desire that any Council Member may request an item be placed on the agenda and staff would determine the appropriate agenda to place the item on.

COUNCIL/MAYOR & STAFF REPORT

Public Works Director Abed provided a brief update on several upcoming projects and asked that the Tremont Corridor be placed on the February 5th agenda to discuss a supplemental request for funding and direction from Council regarding the project.

City Attorney Jacoby asked the Council to consider whether or not to charge fees to the applicant for the Hearing Examiner process. Council directed the City Attorney to

Minutes of January 28, 2008

Page 5 of 6

prepare a draft ordinance for review and discussion at the February 5th work study session.

At 8:00 p.m. Mayor Coppola adjourned into a 15-minute Executive Session to discuss personnel and potential litigation issues and extended it an additional 5 minutes and announced no action would be taken.

At 8:20 p.m. Mayor resumed Council into regular session.

Council Member Putaansuu moved and Council Member Chang seconded the motion to place into the Finance Committee a recommendation of where funds could be derived from the 2008 budget supporting a part-time Associate Planner Position within the Planning Department. *Upon vote, motion passed unanimously.*

COUNCIL/MAYOR & STAFF REPORT

Council Member Putaansuu advised the Utilities Committee is currently reviewing the water rates and connection fees for the City.

Council Member Powers reported on the January 24th Public Property Committee meeting and made the following comments:

- The mural on the library building was discussed, with the possibility for repairs by a local artist. Discussion on this topic is continuing.
- Bicycle racks at the library building was also discussed. Public Works Director Abed will look to determine if racks can be secured to the building.
- Discussion is continuing on the Westbay land swap and also the possibility of developing trails behind the Westbay Center along the beach toward the Etta Turner Park.
- The contract for lawn maintenance services was also discussed.

Council Member Olin commented he has had discussions with a local artist who is willing to repair the mural on the library building. Council Member Olin suggested that the City contact the high school to see if students are interested in helping with the repairs to the mural, which could also help them contribute to their community service hours needed for graduation.

ADJOURNMENT

At 8:31 p.m. Mayor Coppola adjourned the regular City Council meeting.

At 8:40 pm the Council went into a work study session.

Council Member Olin recommended the Council set a second Council retreat to discuss goals, visions and targets for 2008. The Council set Saturday, February 16, 2008 from

Minutes of January 28, 2008

Page 6 of 6

Noon until 4:00 p.m. as their second retreat for 2008. The location of the retreat will be held at Council Member Olin's residence at 219 Tracy Avenue. At 5:00 pm the Council will meet at the restaurant located at 807 Bay Street.

The Council established the following Council Committee assignments:

Finance Committee

Council Member Clauson, Chair
Council Members Putaansuu and Powers

Public Property Committee

Council Members Powers, Chair
Council Members Colebank and Olin

Tourism Committee

Council Member Childs, Chair
Council Members Chang and Colebank

Hotel/Motel Lodging Tax Committee: Council Member Chang

Utilities Committee

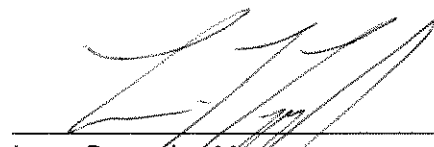
Council Member Putaansuu, Chair
Council Members Clauson and Olin

KRCC and TransPol representative: Council Member Powers

At 9:32 p.m. the work study session concluded.



Patricia J. Kirkpatrick, Deputy Clerk



Lary Coppola, Mayor