

**City of Port Orchard
Council Meeting Minutes
Regular Meeting of February 26, 2008**

7:00 P.M. CALL TO ORDER AND ROLL CALL

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

ALSO PRESENT: Police Chief Townsend, Public Works Director Abed, Development Director Weaver, City Clerk Merlino, Deputy Clerk Kirkpatrick, and City Attorney Jacoby.

PLEDGE OF ALLEGIANCE

Eagle Scout Andy Tallant led the audience and Council in the Pledge of Allegiance

CITIZEN COMMENT

Gil Michael, 228 Seattle Avenue, voiced concern regarding the clearing of the lot located at 1120 Bethel, which is across from the Post Office. Mr. Michael urged the Council to direct staff to immediately look into the matter and investigate if any plans were submitted allowing for this clearing. If no plans were submitted the clearing should be halted until the appropriate buffers are restored per City Code.

Development Director Weaver thanked Mr. Michael's for bringing this matter to staff's attention and stated his staff would go out and inspect the site to ensure the property owner and/or developer were in compliance with City regulations.

APPROVAL OF AGENDA

Council Member Childs moved and Council Member Colebank seconded the motion approving the Agenda as amended. *Upon vote, the motion passed unanimously.*

APPROVAL OF CONSENT AGENDA

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

- A.** Approval of Claim Warrant #49305 through 49355, in the amount of \$80,606.15
- B.** Approval of the February 5, 2008, Work Study Session Minutes
- C.** Approval of the February 12, 2008, City Council Meeting Minutes

- D. Adoption of Resolution No. 011-08, Appointment to the Planning Commission
- E. Adoption of Resolution No. 012-08, Appointment to the Civil Service Commission
- F. Adoption of Resolution No. 013-08, Appointment to the Design Review Board
- G. Adoption of Resolution No. 014-08, Reclassifying Employee Positions to Office Assistant I and II
- H. Adoption of Resolution No. 015-08, Reclassifying Employee Position to LAN Tech/IT Manager
- I. Adoption of Resolution No. 016-08, Approving Conditional Use Permit for Premier Rentals, CUP 027-07
- J. Adoption of Ordinance No. 008-08, Approving the Rezone Application for Premier Rentals R-1166
- ~~K. Authorization for the Mayor to Sign Contract for Lawn Maintenance~~
Moved to New Business
- L. Authorization for Mayor to Sign Interpreter Funding Reimbursement Agreement
- M. Adoption of Resolution No. 017-08, Declaring Certain Personal Property as Surplus and Authorizing the Disposition thereof

PRESENTATIONS AND PROCLAMATIONS

Certificate of Appreciation to Andy Gallant, Eagle Scout

Mayor Coppola presented Eagle Scout Andy Gallant with a Certificate of Appreciation for his assistance in designing the downtown flower boxes and other services performed for the community.

Cedar Cove Festival

Council Member Childs provided a brief introduction to the Cedar Cove Festival, which is planned as a four-day event August 26-30, 2009, noting the event was centered on local author, Debbie Macomber. A group of local residents met with the Harlequin Publishing Company who pledged their full support of the 2009 event. It is estimated that the event will result in 2-3,000 out of town guests and the event coordinators are hard at work creating activities for everyone to do and to make it a spectacular event for the City of Port Orchard.

Cindy Lucarelli provided a power point slide show on what to expect during the festival. She was excited and thrilled with Harlequin's support and Ms. Macomber's enthusiasm. She urged the community to support the upcoming event, noting that many fans of Ms. Macomber's are excited to come to "Cedar Cove" and meet the author. Ms. Lucarelli advised there is lots of work ahead and further advised she will be working with local organizations to help with various aspects of the event.

Ron Rice stated that it would be nice if the Port Orchard Marina would open its docks to allow the visitors to meander around the marina.

Presentation by South Kitsap Fire and Rescue and Port Orchard Police Department Regarding the Tremont Intersection

Police Chief Townsend noted his concerns with roundabouts (RAB) and being able to traverse the roundabout in an emergency and urged the Council to consider the following:

- Design of curbs. Many times traffic freezes when it hears a siren and emergency vehicles need to "jump" the curb in order to go around the vehicles.
- Grade of roundabout. The grade of the roundabout could affect larger trucks if not properly designed.
- Pedestrian access. Needs to be carefully looked at as most drivers are concentrating on getting into and out of the roundabout and not whether there is a pedestrian trying to cross the street.

He encouraged the Council to do additional research on roundabouts in order to make an informed decision.

In response to Council Members questions, Police Chief Townsend stated that in the past the police department did review and comment on many plans; however, they have not been involved in this process for several years. Police Chief Townsend advised his department will begin to participate more fully in the future. He had expressed his concerns early on in the process as well as attending the public meetings. He stated that it was his opinion that a properly designed roundabout was one that considered size, grade, and topography; however, he was not an expert in roundabout design and urged Council Members to ask questions until they were comfortable with the roundabout.

Wayne Senter, South Kitsap Fire Chief presented a brief power point of the Fire Department's overall concerns regarding roundabouts:

- Fire Chief Senter spoke on the differences of the Bethel Roundabout (RAB) and the ones in Gig Harbor;
- Why one roundabout works and the others do not;
- Drivers drive to avoid the RAB causing congesting elsewhere;
- No alternative for emergency routes near Pottery and Tremont;
- Unable to control intersections in an RAB, how they can encourage drifting, serious accidents, and can slow traffic down.

Fire Chief Senter discussed the timeline of South Kitsap Fire and Rescue's (SKFR) involvement and participation in the RAB discussions and public hearings. SKFR has never approved the details of the RAB at Pottery and Tremont. Fire Chief Senter asked

the Council for consideration of an Opticom controlled intersection and urged the Council to consider the information being provided by SKFR and the Police Department.

NEW BUSINESS

Adoption of Ordinance No. 009-08, Establishing Penalties for Taxicab Vehicles

Police Chief Townsend presented the staff report, noting that POMC 5.56.190 allows for the suspension of a taxicab license for repeated violations; local cab companies have ignored repeated attempts by City staff to obtain the appropriate licenses. The new language will allow the City to summon the cab company and/or drivers for each violation where they operate in the City without obtaining the required licenses.

Council Member Colebank moved and Council Member Putaansuu seconded the motion to approve Ordinance No. 009-08, establishing additional penalties for violations of POMC Chapter 5.56 "Taxicabs" and amending Section 5.56.170.

In response to Council Members concerns, Police Chief Townsend explained that there are several known taxicab companies in violation of City Code; however, because there is no penalty for violating this section of the code, staff is unable to enforce the current code requirements. In addition, staff has no way of knowing if any of the cab companies or drivers are in violation of City code without being properly licensed.

Council Members directed staff that upon passage of the ordinance to send letters to the known taxicab companies notifying them of the new ordinance; provide a copy of the signed ordinance; and to send the letters certified mail/return receipt.

Upon vote, the motion passed unanimously.

Authorization for the Mayor to Sign Kit-Net Interlocal Agreement

City Clerk Merlino presented the staff report, noting that the primary purpose of the agreement is to create, manage, and maintain an intergovernmental intra-net network among local governmental entities in Kitsap County. The Kit-Net Interlocal Agreement (ILA) is a binding document that identifies the primary purpose of the newly created fiber backbone across Kitsap County as a tool for communications between entities in times of crisis and allows the joining of our technical resources to develop/design common equipment, practices and procedures for utilizing the fiber backbone.

Since IT Manager Vince Tucker was unavailable to answer questions, Council Members asked that the item be tabled to a work study session.

Council Member Olin moved and Council Member Powers seconded the motion to table the item to a work study session. *Upon vote, the motion passed unanimously.*

Discussion: Parking Enforcement Procedures

Council Member Chang explained that several people had approached him regarding parking tickets issued by the City on the waterfront parking lot. Police Chief Townsend explained that the smaller slots were for those paying with cash and there was a separate, adjacent box for those using envelopes. He encouraged regular users to obtain a monthly parking pass and for occasional users to pay by check. He stated there was no easy solution to the problem and that other communities face the same issues.

Council Member Chang requested the item be added to the March 18, 2008, work study session for review and discussion of the current ordinance.

Authorization for the Mayor to Sign Contract for Lawn Maintenance

Council Members voiced their concerns with the agreement as presented and directed staff to clearly state whether the contract included fertilization, landscape and the grassy strips on the waterfront park. The Council further noted that the grassy area in front of the Library mural was Kitsap Transit's responsibility. Staff will make those corrections and place this item on the March 11, 2008, City Council meeting.

COMMITTEE REPORTS

Council Member Powers provided a brief update on the Public Property Committee meeting, noting that Mr. Weaver presented the Parks Plan and how it fits within the Comprehensive Plan; an update on negotiations with Westbay regarding the walkway; and staff was working on costs to purchase portable bike racks for the downtown area. Further, she provided an update on the Library mural restoration project, noting that Dr. Paul Nuchims was willing to do the work for the cost of materials and the Finance Committee had approved reimbursement of the cost of materials in an amount not to exceed \$500.

Council Member Powers moved and Council Member Olin seconded the motion to authorize the Mayor to sign a Hold Harmless Agreement with Dr. Paul Nuchims, as approved by the City Attorney, to restore the Library mural for materials only in an amount not to exceed \$500. *Upon vote, the motion passed unanimously.*

Council Member Putaansuu provided an update on the Utilities Committee meeting, noting that the Committee should be done with the Water Rate Study at their next meeting and ready for Council discussion at the March work study session. He advised

that the bid opening for the Bay Street Utility Undergrounding would be held on Friday, February 29th, with construction beginning in April.

Council Member Childs provided an update on the Tourism Committee noting that Council Member Chang and he met informally with the Deputy Clerk on the lodging tax process. He thanked Ms. Kirkpatrick for her assistance and for providing a folder containing all of the pertinent information regarding tourism and lodging tax. He stated the Committee would meet Wednesday, February 27, 2008, to continue discussions on processes and the new stringent State reporting requirements for lodging tax. Further, on Tuesday, March 4, 2008, the Lodging Tax Advisory Committee (LTAC) will meet to review a request for funding. The next meeting for the Festival of Chimes and Lights will be held on Monday, April 7, 2008. The Tourism Committee will be focusing on tourism and improving the City's economic vitality.

Council Member Chang recently attended a seminar through the Association of Washington Cities (AWC), "Engaging Citizens in Government Performance" and found the seminar to be very interesting and informative.

MAYOR'S REPORT

Mayor Coppola reminded the Council that the City of Bremerton would like to meet in a joint meeting and asked them to consider one of the five dates provided. Council Member Olin and Powers advised they will be gone during the last week of March and first week of April. Additionally, the Port of Bremerton would like to entertain the Council on a tour of their facilities and the Mayor asked Council to provide dates of their availability.

ADJOURNMENT

At 8:44 p.m. Mayor Coppola adjourned the meeting.

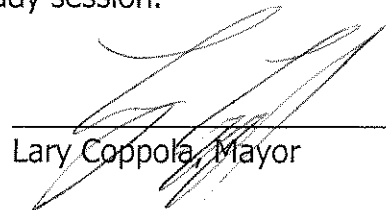
WORK STUDY SESSION

Tremont Street Intersection

This item was moved to the March 18, 2008, work study session.



Patricia J. Kirkpatrick, Deputy Clerk



Larry Coppola, Mayor