

**City of Port Orchard
Council Meeting Minutes
Regular Meeting of April 22, 2008**

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

PRESENT: Lary Coppola, Mayor

Council Members: Chang, Childs, Colebank, Olin, Powers, and Putaansuu

ABSENT: Council Member Clauson (excused)

ALSO PRESENT: Police Chief Townsend, Commander Marti, City Treasurer Tompkins, Development Director Weaver, City Clerk Merlino, Deputy Clerk Kirkpatrick, and City Attorney Jacoby.

PLEDGE OF ALLEGIANCE

Becci Vanni led the audience and Council in the Pledge of Allegiance

CITIZEN COMMENT

City Attorney Jacoby noted there would be a public hearing regarding the Parks Plan Update and asked that the audience address their comments on parks at that time.

Becci Vanni deferred her comments on the Parks Plan Update until the Public Hearing.

Gerry Harmon, 906 Kitsap Street, voiced concern with the proposed water rate increase, noting that the article in the paper stated the new water rates would benefit seniors and low water consumption users; however, the breakdown provided by the City Treasurer showed that a low water consumption user would pay the most on a per 1,000 gallon rate.

Diana McConaghy, 924 Sidney Avenue, urged the Council to reconsider the application fees for home business permits as she felt it was unduly burdensome on new small business owners.

Kathy Michael, 228 Seattle Avenue, invited the Council and staff to the Chamber of Commerce's After Hours on Thursday, April 24, 2008, from 5:00 p.m. to 7:00 p.m. at the three Bed and Breakfasts in Port Orchard. A shuttle bus will transport passengers from the Kitsap Bank parking lot to the different Bed and Breakfasts.

APPROVAL OF AGENDA

The following items were added to Business Items:

- Executive Session for 5-minutes relating to potential litigation
- Authorization for the Mayor to Sign Separation Agreement with Public Works Director Abed
- Discussion item: City Council Travel Budget

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

APPROVAL OF CONSENT AGENDA

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

- A. Approval of Claim Warrant #49616 through 49689, totaling \$105,765.39.
- B. Approval of Public Event Application – Mustangs on the Waterfront

PUBLIC HEARINGS

Proposed Water Rate and Connection Fee Adjustment

City Attorney Jacoby provided the staff report, noting that no action would be taken as a result of the public hearing and asked the Council to authorize staff to place this item on the May 13, 2008 agenda. City Attorney Jacoby stated that the Utility Committee met and discussed this issue over the past several months, it was also discussed at a work study session, and a public meeting was held for the community in order for staff to answer questions. The proposed rates and charges are supported by the Study conducted by PACE Engineers. The proposed connection fees do not affect current residents which are being presented in order to ensure the City has sufficient funds to pay for necessary capital improvements to maintain the existing infrastructure as well as to allow for future growth. City Attorney Jacoby further clarified:

- Water rates have not been increased in since 1999 and residents who use very little water will not see a rate increase; however, everyone else could potentially see an increase of 26%, which is similar to rates charged by Bremerton, West Sound Water District, and Manchester.
- The new proposed connection charge is \$4,586 and is consistent with what other water systems are charging. The City hopes to include a provision for a 70% discount at the time of construction for installation of residential sprinkler systems. This provision is still under review and awaiting approval by the Fire District. If the Fire District approves the new sprinkler provisions, the Fire District will set aside a portion of their fire fighting water and give that portion back to the City to allow for future expansion and growth.
- Connection charge increases are tied to the consumer price index as a way to help protect the City. Water rate increases and/or decreases can only be approved by the City Council.

Council Member Chang explained that the City collects water fees every other month, in essence low water consumption users are paying \$7.50 a month or \$15 every two months. He asked the Council to consider charging residents by the gallon over the base rate.

Mayor Coppola opened the public hearing at 7:22 p.m.

Greg Rogers of South Kitsap Fire and Rescue explained that the residential sprinkler program is in place in Bremerton and Tacoma. Staff reviewed Tacoma and Bremerton's programs and then tried to balance the two into one program for Port Orchard. Encouraging residential sprinkler systems may allow the Fire Districts to free up their reserve fire fighting water allowing for future residential growth. However, the Fire District was still reviewing the proposal and had not made a firm commitment either way.

City Attorney Jacoby explained that the Fire District is still evaluating the risk and liability should they reduce the reserve to the Fire District as well as the City. Because no other jurisdiction has done this all parties involved want to proceed carefully and methodically in this process.

Teresa Osinski, Government Affairs Director, Kitsap Home Builders Association, urged the Council to keep in mind that every time government increases rates it affects the median cost of affordable housing. Ms. Osinski also encouraged the Council to proceed cautiously with the 70% reduction to ensure the reduction and connection charges offset each other resulting in lower fees.

Council Member Putaansuu clarified that the Utility Committee has been working on this issue for three months and recommended that this item be moved to the May 27th meeting to allow the Fire District time to finish their analysis.

Gerry Harmon, 906 Kitsap Street, voiced a concern that the State mandates the water conservation program and that it is put in place to deal with conservation issues. Ms. Harmon further commented the rate structure does not support the user to conserve and urged the Council to consider making high end users pay more to encourage water conservation.

The Council directed staff to place this item on the May 20th work study session for further discussion as well as on the May 27th regular meeting agenda.

Mayor Coppola stated the record would remain open for written testimony until May 27, 2008.

There being no further discussion, Mayor Coppola closed the public comment portion of the public hearing at 7:54 p.m.

Draft Parks Plan Update

Development Director Weaver provided the staff report, noting that the City has maintained a consistent set of goals and objectives to provide for recreation and open space opportunities to the community. In order for the Parks Plan to compliment the City's Land Use Plan, staff had completed a Comprehensive Parks Plan and a Six-year Parks Capital Facilities Plan in 2000. The 2008 Comprehensive Parks Plan Update is a proposal to update the 2000 plan and includes input, recommendations, and comments from citizens, information from a public survey conducted, and suggestions from the Public Property Committee. Updating the Parks Plan allows the City to pursue grant funding that the City would otherwise have to wait for two more years. Staff desires more public input into the document and plans to update the Parks Plan in 2009 to reflect current vision and goals. The public hearing is to identify and update existing information and move it forward to satisfy State requirements and grant opportunities.

Mayor Coppola thanked Development Director Weaver for doing an outstanding job on the Parks Plan Update in such a short time.

Mayor Coppola opened the public hearing at 7:59 p.m.

Becci Vanni, 928 SE Harley Way, commented on the Parks Plan Update, noting that she has not had sufficient time to review and comment on the proposed changes. She voiced concern in that there did not seem to be clear direction on what the grant funds would be used for in terms of either upgrading existing park equipment or facility structures. Ms. Vanni further commented the local MOMS Club wanted to remain an active part in the future development and upgrades to City parks. Their priorities were to make parks safe for children and suggested the Parks Plan include a covered play area allowing for year-round activities and the development of a Parks and Recreation Department sponsoring family and community activities.

Council Members Powers and Olin explained that the main focus was to secure grant funding. Once the Council receives the Scope of Work from Grant Solutions, the City staff and community residents could meet and collaborate on how to best utilize the grant funds.

Council Members and Mayor Coppola voiced their appreciation to the Local MOMS Club and encouraged their continued participation in the upcoming process.

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Gil Michael, 228 Seattle Avenue, thanked Development Director Weaver and his staff for doing a commendable job on updating the Parks Plan, noting this is one of the best reports he has received from staff in eleven years. He voiced concern with the following items:

- Page 7 under the first objectives and listed as *3. Over water construction should be disallowed*. This is contradictory to the water front park and recommended that when the plan is developed this item be stricken.
- Page 43, Projects, First Priority *The City needs to consistently allocate a minimum of \$5,000 for upgrade or repair of playground equipment in existing parks*. Park upkeep and repair is critical and more funds should be dedicated to that fund.
- Page 43, Projects, First Priority *A walkway that can accommodate bicycles needs to be constructed along Bay Street for the full length of the City*. This was a need previously identified; however, very little has been done with conception, design, and creation. Mr. Michael requested funds be set aside each year in order to complete smaller portions.

There being no further testimony, Mayor Coppola closed the public hearing at 8:29 p.m.

Council Member Powers moved and Council Member Olin seconded the motion to approve the 2008 Port Orchard Comprehensive Parks Plan Update document.

Council Member Putaansuu amended the motion and Council Member Olin seconded the amendment to include the five recommendations noted in the 2008 Comprehensive Parks Plan Errata sheet prepared by the City Development Director. *Upon vote, the amended motion passed unanimously.*

Upon vote, the main motion as amended passed unanimously.

NEW BUSINESS

Minutes of the April 8, 2008, City Council Meeting

Council Member Putaansuu moved and Council Member Colebank seconded the motion to approve the April 8, 2008, City Council Meeting Minutes. *Upon vote, the motion passed unanimously.*

Meeting with Initiating Parties Regarding Notice of Intent to Petition for Annexation of the Jahnke/Biehl Properties

Development Director Weaver provided the staff report, noting the applicants submitted a Notice of Intent to Petition for Annexation to annex three parcels totaling approximately 5.29 acres. The parcels are located south of Mile Hill Drive at the intersection with Payseno Lane SE. The applicant intends to request a City

Comprehensive Plan designation of *High Density Residential* with R-20 zoning. Staff recommends that the Council allow a petition to be circulated for annexation of the property described in the Notice of Intent and require the simultaneous adoption of comprehensive plan and zoning designations, and the assumption of existing City indebtedness by the area to be annexed.

Council Member Powers moved and Council Member Olin seconded the motion allowing the applicant to circulate a petition for annexation of the property described in the Notice of Intent and to require the simultaneous adoption of comprehensive plan and zoning designations, and the assumption of existing City indebtedness by the area to be annexed. *Upon vote, the motion passed unanimously.*

Bid Results for Bay Street Undergrounding

Council Member Putaansuu noted that no bids for the Bay Street Undergrounding were received on Friday, April 18th. The Council put \$250,000 into the 2008 budget for the conversion of the three streets, Frederick Avenue, Orchard Avenue, and Sidney Avenue. Staff then contacted Caseco Associates and asked that they bid on all three segments of Bay Street Utility Undergrounding. Caseco provided their bid as follows:

- Orchard Avenue: 75 feet of ditch work at \$46,800 plus sales tax
- Frederick Avenue: 140 feet of ditch work at \$92,500 plus sales tax
- Sidney Avenue: Contractor has not had enough time to figure the costs of the project

Council Member Putaansuu recommended moving forward with the proposed figures for Frederick Avenue and Orchard Avenue as the City was running out of time. Additionally, he recommended that Caseco proceed with bidding on Sidney Avenue for review and consideration at the May 13, 2008, meeting.

Council Members briefly discussed ways to further reduce the costs of the project and moving forward with Frederick and Orchard Avenue.

Council Member Olin moved and Council Member Putaansuu seconded the motion to accept the bid proposal from Caseco Associates, Inc. for Utility Undergrounding at the crossings at Frederick Avenue in the amount not to exceed \$46,800, and Orchard Avenue in the amount not to exceed \$92,500. *Upon vote, the motion passed unanimously.*

Adoption of Resolution No. 023-08, Parks Plan Update

Development Director Weaver presented the staff report, noting the resolution updated the proposed amendments identified during the public hearing and that the Parks Plan would be amended to reflect the changes identified during the public hearing process.

Council Member Powers moved and Council Member Colebank seconded the motion adopting Resolution No. 023-08, updating the Port Orchard Comprehensive Parks Plan to be in compliance with requirements needed to pursue funding opportunities. *Upon vote, the motion passed unanimously.*

Approval of Public Event Application – Sidney Glen School/Dolphin Dash

City Clerk Merlino presented the staff report, noting this is a new event for this year and even though the majority of the event was not inside City limits, there was a 5K run that enters a portion of the City limits on Pottery Avenue. All departments have had the opportunity to review and provide comments.

Council Member Childs moved and Council Member Colebank seconded the motion to approve the Sidney Glen Dolphin Dash application for public event. *Upon vote, the motion passed unanimously.*

Discussion item: City Council Travel Budget

Deputy Clerk Kirkpatrick explained this issue was brought before the Council at the request of Council Members Childs and Chang who expressed an interest in attending a function and were concerned their budget had been expended. In addition, she had contacted the cities of Bremerton and Poulsbo to determine the travel policy and funds allocated to their respective councils. Currently, the City budgets \$1,000 for all Council Member travel funds and \$800 for all Council registration requirements. The Council deferred this item to the Finance Committee to determine travel budget funding and a policy during in the 2009 budget process.

Citizens Comments

There were no additional public comments.

Executive Session

At 9:07 p.m. the Council moved into Executive Session for 5-minutes for the purpose of discussing potential litigation per RCW 42.30.110(1). The City Attorney was invited to attend the Executive Session and announced that action would be taken as a result of the Executive Session.

At 9:12 p.m. Mayor Coppola reconvened the meeting.

Authorization for the Mayor to sign separation agreement with Public Works Director Abed

Council Member Putaansuu moved and Council Member Olin seconded the motion to authorize the Mayor to sign the separation agreement with Public Works Director Abed. *Upon vote, the motion passed unanimously.*

COMMITTEE REPORTS

Council Member Colebank noted a correction to the South Kitsap Skate Park Association's next meeting, which is being held on Monday, May 12, 2008, at LaGarmache.

Council Member Putaansuu announced the Utilities Committee will be meeting on Thursday, May 8, 2008, at 8:00 a.m. at Myhre's and the next Finance Committee meeting will be held on Tuesday, April 29, 2008, at 7:30 a.m. at Myhre's.

Council Member Powers announced the Kitsap County Association of Realtors' dinner was being held on Tuesday, April 29th at 6:00 p.m. at the Kitsap Golf and Country Club in Bremerton.

MAYOR'S REPORT

Mayor Coppola commented that he is working with the Port of Bremerton who has agreed to meet and discuss the South Kitsap Industrial Area project, (SKIA). Mayor Coppola announced that the City's Internet Website Request for Proposal was due on May 9, 2008; that the draft Multi-Housing Crime Free Ordinance was moving along, and noted there is an addendum for landlords to include in the lease for dealing with drug activities as well as a link where citizens can go to look up sex offenders.

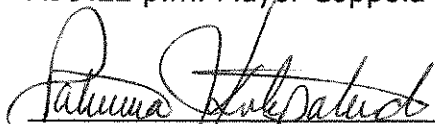
STAFF REPORTS

City Treasurer Tompkins urged the Council to remain vigilant and prudent in their spending.

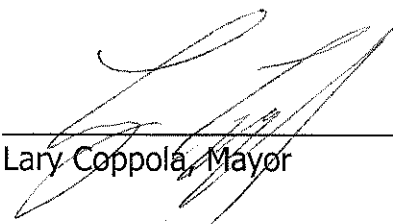
Development Director Weaver announced the new Assistant Engineer would start on May 8th and will be an excellent addition to the team.

ADJOURNMENT

At 9:22 p.m. Mayor Coppola adjourned the meeting.



Patricia J. Kirkpatrick, Deputy Clerk



Larry Coppola, Mayor