

**City of Port Orchard
Council Meeting Minutes
Regular Meeting of September 9, 2008**

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

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

ALSO PRESENT: Police Chief Townsend, Commander Marti, Public Works Director Dorsey, Development Director Weaver, City Clerk Kirkpatrick, Deputy Clerk Rinearson, and City Attorney Jacoby.

PLEDGE OF ALLEGIANCE

Nicholas Danny Wilson led the audience and Council in the Pledge of Allegiance.

CITIZEN COMMENT

Gerry Harmon, 906 Kitsap Street, voiced concern that blanket commercializing is financially hurting community residents, and stated that the State should not allow sex offenders to live in neighborhoods that have daycares or near schools where they can potentially cause children to be put into danger.

Leslie Reynolds-Taylor, with South Kitsap Skate Parks Association, thanked Councilmembers and the Mayor for attending their Labor Day fundraiser.

APPROVAL OF AGENDA

The following items were added to the September 9, 2008, agenda:

- Discussion: Annexation and Zoning
- Discussion: Master Planning of Streets
- Discussion: Update on the Website Redesign Contract
- Discussion: Parking Lots

Councilmember Clauson moved and Councilmember Colebank seconded the motion to approve the Agenda as amended. *Upon vote, the motion passed unanimously.*

APPROVAL OF CONSENT AGENDA

Councilmember Putaansuu moved and Councilmember Chang seconded the motion to approve the Consent Agenda. *Upon vote, the motion passed unanimously.*

- A. Approval of Claim Warrants #50354 through #50437 in the amount of \$223,949.85; August Payroll #141729 through #141833 in the amount of \$429,957.86; and Treasurer's check book in the amount of \$1,318,077.14
- B. Adoption of Resolution No. 039-08, Surplus of Marine Patrol Vessel and Related Equipment
- C. Adoption of Resolution No. 041-08, Surplus Equipment – Firearms
- D. Authorization for the Mayor to Sign Agreement with South Kitsap School District for School Resource Officer
- E. Authorization for the Mayor to Sign Sales Agreement with Central Kitsap Fire and Rescue - Police Boat

PRESENTATIONS

United Way Update

David Foote, United Way Executive Director, announced their annual campaign began on Monday, September 8, 2008. United Way has set several goals for the coming year:

- Donations to the South Kitsap Helpline whose food shelves were low. Mayor Coppola advised that City employees have been asked to donate.
- Encouraged City staff to hand-out to the public and staff the discount prescription cards that can be used by anyone regardless of health care coverage.

Port Orchard Library Book Promotion

Kathleen Wilson provided a brief update on the Port Orchard Library, noting the following promotions:

- 1600 children and teens participated in the summer reading program sponsored by the Port Orchard Library and 800 kids received a free book for reading ten hours
- In October they are initiating the "Month of the Book" community program. It will focus on the classic "To Kill A Mockingbird." The film version of this movie will be playing at the Orchard Cinemas during September
- The Port Orchard Library will host a "Cheese and Classics" reception on October 4, 2008
- The Orchard Cinemas will be showing the movie, "Inherit the Wind" on October 10, 2008
- Announced an essay contest for students in grade 6 through 12, to write about what book has changed their life

At 7:28 p.m. Mayor Coppola reconvened the meeting after a five-minute recess.

NEW BUSINESS

Minutes of the August 19, 2008, Council Work Study Session

Councilmember Clauson moved and Councilmember Colebank seconded the motion to approve the August 19, 2008, Council Work Study Session Minutes. Upon vote, the motion passed with six affirmative votes and one abstention. Councilmember Powers cast the abstaining vote.

Minutes of the August 26, 2008, City Council Meeting

Councilmember Clauson moved and Councilmember Colebank seconded the motion to approve the August 26, 2008, City Council Meeting Minutes. *Upon vote, the motion passed unanimously.*

Adoption of Resolution No. 042-08, Thirty-Day Extension of the Interlocal Agreement between Public Utility District No. 1 of Kitsap County and the City of Port Orchard

City Clerk Kirkpatrick presented the staff report, noting that on September 23, 2003, the City entered into a five-year Interlocal Agreement (ILA) with Public Utility District No. 1 of Kitsap County (PUD) for use of City right-of-way for telecommunication services. On August 12, 2008, the Council adopted Resolution No. 038-08, which stated that as a matter of policy there was no reason to renew the existing ILA as the PUD had not utilized the right-of-ways for telecommunication services to the citizens of Port Orchard. Subsequently, Mayor Coppola and Councilmember Clauson met with representatives from the PUD and determined the PUD was planning to bring telecommunication to the City. Staff recommends adoption of Resolution No. 042-08, allowing a thirty-day extension of the Interlocal Agreement between the City of Port Orchard and the Public Utility District No. 1 of Kitsap County to be effective from September 23, 2008 through October 23, 2008, in order to negotiate an amendment to the ILA.

Councilmember Clauson moved and Councilmember Childs seconded the motion to adopt Resolution No. 042-08, thirty-day extension of the Interlocal Agreement between Public Utility District No. 1 of Kitsap County and the City of Port Orchard. *Upon vote, the motion passed unanimously.*

Adoption of Resolution No. 043-08, Authorizing the Mayor to Sign an Agreement with Quisenberry Property Management Company

City Clerk Kirkpatrick presented the staff report, noting that the City owns real property on Bay Street, west of Blackjack Creek, a portion of which the Quisenberry Ford Dealership is located on. In 1998, the City leased the premises to Quisenberry Property Management (Quisenberry) for a ten-year term, which expires on September 30, 2008. The City and Quisenberry have agreed to a new lease agreement for a five-year term with 3 five-year extensions. Staff recommends adoption of Resolution No. 043-08, authorizing the Mayor to sign an agreement with Quisenberry Property Management Company.

Councilmember Clauson moved and Councilmember Putaansuu seconded the motion to adopt Resolution No. 043-08, authorizing the Mayor to sign an agreement with Quisenberry Property Management Company. *Upon vote, the motion passed unanimously.*

Meeting with Initiating Parties Regarding Notice of Intent to Petition for Sidney and Berry Lake Annexation

Development Director Weaver presented the staff report, noting that staff received a Notice of Intent to Petition for Annexation for five parcels totaling approximately 5.87 acres. The parcels

are located in the vicinity of Sidney Avenue and Berry Lake Road, adjacent to and west of State Highway 16 SW, Section 02, Township 23N, Range 1E, W.M., in Kitsap County, Washington. The parcels are in the City's currently recognized Urban Growth Area. The parcels have a County Comprehensive Plan designation of *Urban High-Intensity Commercial/Mixed Use* and zoning of *Highway Tourist Commercial*. 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.

Councilmember Powers moved and Councilmember Colebank seconded the motion to allow 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.*

Authorization for Mayor to Sign an Interlocal Agreement with Kitsap County for Updates to the Kitsap County Comprehensive Solid Waste Plan for the City of Port Orchard

Development Director Weaver presented the staff report, noting that it is the purpose of this agreement to provide for the updating of the Kitsap County Comprehensive Solid Waste Management Plan as mandated in Chapters 70.95 and 70.105 RCW, for collection, recycling and disposal of solid and moderate risk waste produced or generated within the boundaries of Kitsap County, pursuant to the Department of Ecology Planning guidelines. The City of Port Orchard has been a participant in this joint planning effort with Kitsap County as the Lead Agency in providing compliance with DOE regulations and the Comprehensive Solid Waste Management Plan requirements. Staff recommends authorization for the Mayor to sign Kitsap County Interlocal Agreement KC-184-08.

Councilmember Colebank moved and Councilmember Powers seconded the motion to authorize the Mayor to sign an Interlocal Agreement with Kitsap County for updates to the Kitsap County Comprehensive Solid Waste Plan for the City of Port Orchard. *Upon vote, the motion passed unanimously.*

Discussion on Change Order No. 2 on Bethel Avenue Sinkhole Repair and Appurtenances Contract

Public Works Director Dorsey provided an update to the sinkhole project, noting that an underground storage tank (UST) was unearthed on September 2, 2008, at a location not previously identified as a possible UST location. Staff is currently working with Arthur Buchan (Underground Tank Inspector for the DOE), Jeffrey Ing (property owner), FEMA and Northern Con-Agg to resolve this issue in the most cost-effective manner and without time delays. Public Works Director Dorsey was informed by the Department of Ecology that the City can proceed without an agreement with Mr. Ing who will be required to enter into an agreement with the State in which he must have the tanks removed by October 31, 2008.

Annexation and Zoning

In response to Councilmember Chang, Development Director Weaver clarified that once staff recommends zoning according to the comprehensive designation plan it will be brought before the Council for final discussion and action.

Master Planning of Streets

Councilmember Chang voiced concern with deadend streets and wanted staff to create a master plan for streets as he was concerned with the cul-de-sac on the Williams plat. Development Director Weaver explained that Municipal Code allows for cul-de-sacs and that the hammer head planned for the Williams plat has been reviewed and approved by South Kitsap Fire District and the Public Works Director. Council directed this item be placed on a future Work Study Session agenda.

Update on the Website

In response to Councilmember Chang, City Clerk Kirkpatrick explained the website redesign contract would come before the Council on the September 23, 2008, consent agenda.

The Parking Lots

In response to Councilmember Chang, City Clerk Kirkpatrick stated the discussion of parking lots is on the September 16, 2008, Work Study Session Agenda.

CITIZEN COMMENTS

Gil Michael, 228 Seattle, thanked Councilmembers for supporting a Master Street Plan. He noted that the Planning Commission would be willing to work on a Master Plan for streets and other long-range planning goals of the City.

COMMITTEE REPORTS

Councilmember Putaansuu announced the Utility Committee would meet on Wednesday, September 10, 2008, at 8:00 a.m. at Myhre's.

Councilmember Olin announced the McCormick Woods Annexation Committee will meet on September 10, 2008, at noon at the Clubhouse.

Councilmember Childs announced the Tourism Committee will meet on September 10, 2008, at 2:00 p.m. at City Hall, and the Festival of Chimes and Lights Committee will meet on September 10, 2008, at 6:00 p.m. at City Hall.

Councilmember Powers announced the Public Property Committee will meet on September 11, 2008, at 8:00 a.m. at Myhre's.

MAYOR'S REPORT

Mayor Coppola reported the Kitsap Regional Coordinating Council is working on an economic impact study of the ferry system and its impacts to ferry dependent communities.

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In response to Councilmember Powers, City Clerk Kirkpatrick reported she had called to advise no one would be able to attend the Association of Washington Cities (AWC) Regional Conference on September 23, 2008, due to that being a regular Council meeting night. In addition, she reported AWC would take under advisement the need to schedule future conferences on a date that accommodates all city meeting dates, as this was the second year the City of Port Orchard was unable to attend.

REPORT OF DEPARTMENT HEADS

Public Works Director Dorsey reported additional work needed to be done on Sidney prior to paving. The Council directed staff to move forward with the additional work in the amount of \$13,000 with funds coming from the Street Fund.

City Clerk Kirkpatrick announced the formation of a Branding Committee, with the Chamber of Commerce and the City. The first meeting was tentatively scheduled for September 23, 2008, at 8:30 a.m.

EXECUTIVE SESSION

At 8:52 p.m. Mayor Coppola recessed the meeting for a twenty-minute executive session regarding potential litigation, RCW 42.30.110(1). City Attorney Jacoby was invited to attend and the Mayor announced no action would be taken as a result of the executive session.

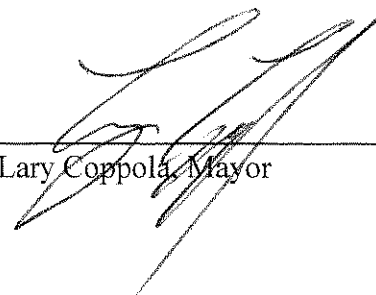
At 9:25 p.m. Mayor Coppola reconvened the meeting.

ADJOURNMENT

At 9:25 p.m. Mayor Coppola adjourned the meeting.



Patricia J. Kirkpatrick, City Clerk



Larry Coppola, Mayor