

**City of Port Orchard  
Council Meeting Minutes  
Regular Meeting of September 23, 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, Assistant City Engineer Archer, and City Attorney Jacoby.

**PLEDGE OF ALLEGIANCE**

John Lora led the audience and Council in the Pledge of Allegiance

**CITIZEN COMMENT**

John Lora, representing the owners of Myhre's Café, requested the Council consider a twelve-month moratorium on pulltab tax, which would provide small businesses a boost due to declining economy.

Nicole Vaught, 243 Tremont Place, voiced concern with putting a roundabout within a residential neighborhood, noting that European countries only put roundabouts in commercial or industrial areas.

Diane Hubert, 261 Tremont Place, voiced disappointment that no response was received regarding pedestrian safety crossing within the roundabout on Tremont Corridor.

**APPROVAL OF AGENDA**

The following Business Item was removed from the Agenda:

- Adoption of Ordinance No. 032-08, Approving Street Vacation at Sroufe Street and Rockwell Avenue

The following items were added to Business Items:

- Discussion: Setting the Agenda
- Discussion: Council Districting

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

**APPROVAL OF CONSENT AGENDA**

The following item was removed from the Consent Agenda and placed under New Business:

- Adoption of Resolution No. 046-08, Authorizing the Mayor to Expend Funds for the McCormick Woods Annexation Petition Drive Meeting of October 15, 2008

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

- A.** Approval of Claim Warrants #50438 through #50495 in the amount of \$210,402.52
- B.** Approval of the Minutes of the September 9, 2008, City Council Meeting
- C.** Adoption of Resolution No. 044-08, Ratifying Contract with Dreamscape Multimedia for City's Website Redesign
- D.** Adoption of Resolution No. 045-08, Declaring Friday, December 26, 2008 and Friday, January 2, 2009, as a City Hall Closure
- ~~**E.** Adoption of Resolution No. 046-08, Authorizing the Mayor to Expend Funds for the McCormick Woods Annexation Petition Drive Meeting of October 15, 2008~~

## **PRESENTATIONS**

### **Kitsap Peninsula Visitor and Convention Bureau (KPVCB) Update**

Grant Griffin, KPVCB Executive Director, provided a brief report of the Kitsap Peninsula Visitor and Convention Bureau's activity over the past year, noting that they were working to develop their goals and strategies for 2009 through 2011.

In response to Councilmembers, Mr. Griffin explained that when travel writers come to Kitsap County, staff escorts the writers around the County, stopping at various locations of interests. The next travel writer will ride the foot ferry to Port Orchard and have lunch at Amy's, take a tour of downtown, and then return to Bremerton for a tour of North Kitsap County.

At 7:42 p.m. Mayor Coppola reconvened the meeting after a five-minute recess.

### **Introduction to the 2008 Comprehensive Plan**

Development Director Weaver provided the Council with the draft Comprehensive Plan, noting that the next step would be a public hearing during the October 20, 2008, Planning Commission meeting, then brought forward to the Council on November 25, 2008, with final adoption in December.

Mayor Coppola thanked Mr. Weaver and his staff for getting the draft Comprehensive Plan before Council prior to end of the year.

## **PUBLIC HEARINGS**

### **Street Vacation Regarding Portions of Sroufe Street and Rockwell Avenue**

At 8:02 p.m. Mayor Coppola opened the Public Hearing.

Development Director Weaver presented the staff report, noting that Lars Kvinsland submitted a request on behalf of the three owners of the real property abutting Sroufe Street and Rockwell Avenue to vacate a portion of Sroufe Street and Rockwell Avenue right-of-ways. Two certified checks in the appraisal amounts of \$2,650 and \$4,000 of the requested vacation areas were

received. The request is for portions of two right-of-ways. The first request is for Sroufe Street, which appraised at \$4,000. The right-of-way is approximately 90 feet by 60 feet. The second request is for Rockwell Avenue, which appraised at \$2,650. The right-of-way is approximately 20 feet by 120 feet. The easterly boundary of the Sroufe Street request abuts the southwesterly portion of the Rockwell Avenue request forming an L-shaped area. The total area of both requests is approximately 9,000 square feet. The applicant intends to vacate these portions of right-of-ways to combine them with the properties contiguous to them. The applicant indicates that the petitioner does not intend to develop the property and has not proposed any use for the property.

Dick Peterson, one of the property owners thanked Council for reviewing their application request and was available to answer questions.

Council discussed the topography and whether or not there was a City need for the proposed right-of-ways for future creation of a walking trail along Blackjack Creek.

Development Director Weaver explained that the Public Property Committee supported a trail system along Blackjack Creek; however, there was no clear direction to staff, nor was a project clearly identified. Staff recommended that the applicants provide one master plan map showing the property as one parcel with the set back from the top of the bank to determine if a land swap would be more equitable than vacating right-of-way.

Gil Michaels, 228 Seattle Avenue, requested the Council allow the Public Hearing to remain open and moved to the next meeting date for final resolution.

City Attorney Jacoby explained that the Council could allow the Public Hearing to remain open to allow staff time to finalize the project or close the public hearing and when ready to come back before the Council, staff will notice the Public Hearing on the item.

There being no further testimony, Mayor Coppola closed the Public Hearing at 8:43 p.m.

The Council directed staff to work with the applicant to determine if a land swap was feasible and to bring the matter back before the Public Property Committee for review.

#### **NEW BUSINESS**

#### **Adoption of Ordinance No. 033-08, Creating a New Chapter 1.18 to Port Orchard Municipal Code "Public Records Requests" Establishing Rules for Requesting Public Records and Naming City Clerk Public Records Officer**

City Clerk Kirkpatrick provided the staff report, noting that Washington State Legislature requires each local agency provide rules of procedure for guidance of the public in making requests for inspection or copying of public records per Ch. 42.56 Revised Code of Washington. Further, the City shall appoint and publicly identify a public records officer whose responsibility is to serve as a point of contact for members of the public in requesting disclosure of public records and to oversee the City's compliance with the public records disclosure requirements.

The City Attorney has reviewed the model rules created by the Attorney General of Washington, and staff desires to adopt them with modification pertaining to the practices and policies of the City of Port Orchard as outlined in Ordinance No. 033-08.

Councilmember Clauson requested that section 1.18.070(6) be amended to read, “The City of Port Orchard has the discretion to waive copying charges for documents less than ten (10) pages for administrative convenience.”

**Councilmember Clauson moved and Councilmember Childs seconded the motion to adopt Ordinance No. 033-08, creating a new Port Orchard Municipal Code Chapter 1.18 “Public Records Requests;” establishing rules for requesting public records; responding to public records requests; appointing the City Clerk as the Public Records Officer for the City of Port Orchard; and to amend Section 1.18.070(6) to read, “The City of Port Orchard has the discretion to waive copying charges for documents less than ten (10) pages for administrative convenience.” Upon vote, the motion passed unanimously.**

**Authorization for Mayor to Sign Contract with Elway Research, Inc. for Education and Outreach Baseline Survey for Storm-water NPDES Compliance**

Public Works Director Dorsey presented the staff report, noting that in August, City staff approached the County and several other jurisdictions involved with the Education and Outreach component of the National Pollution Discharge Elimination System (NPDES) Permit and requested to secure an Interlocal Agreement (ILA) for this component at Council’s request. At that time the County and other jurisdictions requested the City seek a contract directly with their contractor, Elway Research, Inc., in lieu of the ILA due to the late timing in the year for the request. This contract is for Elway Research, Inc. to complete only the first step in the compliance with the permit, the baseline survey and necessary data interpretation. Elway Research, Inc.’s contract is for a not to exceed amount of \$5,000, and the contract will be completed in 2008. Additionally, the City will pursue an ILA, to start in 2009, with the County for the remainder of the work under Education and Outreach. Staff recommends authorizing the Mayor to sign the contract with Elway Research, Inc. in an amount not to exceed \$5,000.

**Councilmember Clauson moved and Councilmember Childs seconded the motion to authorize the Mayor to sign the contract with Elway Research, Inc. in an amount not to exceed \$5,000, and that the City street fund will be reimbursed from the storm drainage utility fund when it has been established. Upon vote, the motion passed unanimously.**

**Authorization for Mayor to Sign Kitsap County Humane Society Contract for Animal Control**

City Clerk Kirkpatrick presented the staff report, noting the proposed 2009 contract with the Kitsap Humane Society (KHS) contains a 4% increase. This would constitute an annual increase of \$1,172. The increase is largely due to the rise in wages and fuel costs. KHS also added to the contract that the City agrees to pay fuel costs that exceed \$5.25 per gallon, not to exceed \$500 per year. On September 18, 2008, the Finance Committee reviewed the proposed contract and recommended it be brought forward for Council approval. Staff recommends the Council

authorize the Mayor to sign the 2009 annual contract with the Kitsap Humane Society in the amount of \$30,495, with the stipulation that the City will pay fuel costs in excess of \$5.25 per gallon, but not to exceed \$500 per year.

Councilman Chang requested staff email Council a copy of the monthly Humane Society reports.

**Councilmember Clauson moved and Councilmember Powers seconded the motion to authorize the Mayor to sign the 2009 annual contract with the Kitsap Humane Society in the amount of \$30,495, with the stipulation that the City will pay fuel costs in excess of \$5.25 per gallon, but not to exceed \$500 per year. *Upon vote, the motion passed unanimously.***

**Adoption of Resolution No. 046-08, Authorizing the Mayor to Expend Funds for the McCormick Woods Annexation Petition Drive Meeting of October 15, 2008**

**Councilmember Olin moved and Councilmember Powers seconded the motion to adopt Resolution No. 046-08, authorizing the Mayor to pay for the rental of the McCormick Woods Clubhouse in an amount not to exceed \$600 for room rental and coffee, including tax, for the purpose of beginning the annexation petition drive. *Upon vote, the motion passed unanimously.***

**Discussion: Setting the Agenda**

In response to Councilmember Chang, City Clerk Kirkpatrick explained that the agenda deadline is noon on the Tuesday prior to the regular meeting and that the calendars in the Chambers would be updated to show the agenda deadlines.

**Discussion: Council Districting**

Councilmember Olin provided a map that showed the district boundaries, noting this was a starting point and that any future annexations would mean revisiting the boundaries with possible expansion to keep the three areas balanced.

The Council directed staff to prepare an ordinance adopting the three districts with first reading occurring at the October 14, 2008, regular meeting and public hearing and final adoption at the October 28, 2008, regular meeting.

**COMMITTEE REPORTS**

Councilmember Colebank provided a brief report on the following:

- State Transportation Commission Seminar. There is not enough money to operate the state ferry system and the State is working on a long-range strategy to solve the problem.
- Kitsap Economic Development Alliance. Looking at increasing opportunities for college degrees within a regional economy, which produces higher wages for everyone.
- Regional Transportation Planning Organization. Briefing on Hood Canal Bridge closure and upgrading and a briefing on the Bremerton Economic Development Study.

- Puget Sound Naval Base “Commanders Welcome.” Welcomed new Base Commanders to the area and received an invitation to visit the new skate park opening soon on Whidbey Island.

Councilmembers Clauson and Powers provided a brief report on the Kitsap Regional Coordinating Council’s dinner, noting it was very interesting that Poulsbo had the highest revenue stream and Kitsap County is facing major reductions due to drop in permits and real estate excise tax. Further, members received a handout showing the different rising costs affecting all municipalities.

Councilmember Powers stated the Public Property Committee met with Eric Kvinsland regarding his street vacation request and proposed trail along Blackjack Creek. Further, the Committee was willing to absorb the former Street Committee duties in order to assist in processing street vacations and other street related issues.

Councilmember Chang advised that the Lodging Tax Advisory Committee’s recommendations regarding 2009 Hotel/Motel Tax distributions would be presented to the Council at the October 14, 2008, regular meeting.

Councilmember Childs announced the Tourism Committee would meet on Wednesday, October 16, 2008, at 2:00 p.m. at City Hall, and the Festival of Chimes and Lights Committee would begin meeting twice a month, with the next meeting being held on Wednesday, October 1, 2008, at 5:00 p.m. at City Hall. Further, he attended the groundbreaking ceremony for the new Poulsbo City Hall.

Councilmember Clauson reported the Finance Committee reviewed the Police Chief’s request to hire a police officer while one of the City’s officers is deployed until December 2009. The Committee discussed funding and future need of a police officer upon annexation of McCormick Woods and felt it appropriate to move forward with hiring the replacement officer by the end of 2008.

**Councilmember Clauson moved and Councilmember Childs seconded the motion to authorize the Police Chief to hire a replacement officer through December 2009. Upon vote, the motion passed unanimously.**

#### **MAYOR’S REPORT**

Mayor Coppola announced the Business Journal’s 40 under 40 Awards were held recently, and Development Director Weaver was honored as an up and coming entrepreneur.

#### **REPORT OF DEPARTMENT HEADS**

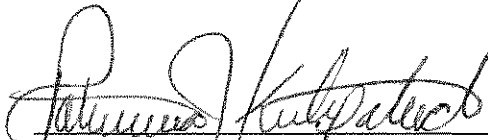
There were no department reports.

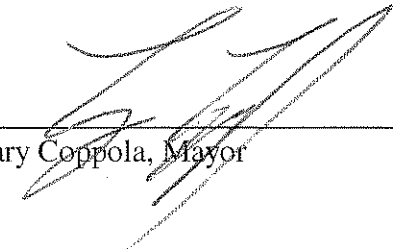
**CITIZENS COMMENTS**

Gil Michael, 228 Seattle Avenue, thanked the Council for moving forward with Districting, noting he supported districting for better representation of the City's citizens. However, he urged the Council to put districting before the voters in order to fully understand how the City was changing the way it was doing business.

**ADJOURNMENT**

At 9:58 p.m. Mayor Coppola adjourned the meeting.

  
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Patricia J. Kirkpatrick, City Clerk

  
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Lary Coppola, Mayor