7:00 p.m. Call to Order

Mayor Matthes called the meeting to order at 7:00 p.m. Mayor Pro-Tem Cindy Lucarelli and Councilmembers Jeff Cartwright, John Clauser, Fred Chang, and Jerry Childs were present. Public Works Director Mark Dorsey, City Treasurer Allan Martin, City Clerk Brandy Rinearson, City Attorney Greg Jacoby and Office Assistant II Jenine Floyd were also present.

Councilmembers Bek Ashby and Rob Putaansuu were absent.

Mayor Matthes led the audience and Council in the Pledge of Allegiance.

1. Discussion: Insurance Claims/Procedures

Mayor Matthes reported early in the morning on June 4, 2014, a public works employee was mowing the grass on Bethel at the corner of Piperberry. The mower struck a guide wire, sending sparks to the top of the power pole causing a live wire to fall onto the ground. In addition, the spark was transmitted back to a nearby resident creating an explosion to the breaker box, resulting in a fire in the home. There was another residence, adjacent to the home that also incurred electrical damage from a power surge. None of the employees or residents was injured. Unfortunately, this incident has left two families displaced.

He apologized that he did not get back to the Council immediately, and one of the reasons is the insurance company advised him not to say anything publicly until they had a chance to investigate. The investigation went on until Friday evening, June 6th. On Monday, we received a statement that someone was staying overnight with one of the renters, and they hurt their arm trying to put the fire out.

As soon as possible, or when the insurance company concurs, he will send an email to all Councilmembers, as we are still working our way through with the insurance company.

Councilmember Lucarelli read about this incident in the newspaper. She did not appreciate hearing about this situation from the press.

Public Works Director Dorsey asked at what point you notify. We have things happening every day.

City Treasurer Martin said this situation was out of the ordinary. One of the ways the Mayor was notified, was an employee came to notify HR, and Mr. Martin asked if anyone else knew about this. When he was told no, he then said to HR we need to get in contact with the Mayor.
Councilmember Lucarelli said accidents do happen, but she is bothered with being notified through the paper a week after the incident happened. She would like a different system in place, so they know what is going on.

Mayor Matthes noted he will contact the Councilmembers before notifying the newspapers.

In response to Councilmember Chang, Public Works Director Dorsey said in their training, they are told to keep elected officials out of the EOC.

Councilmember Clauzon said there is a role for elected officials in a non emergency. The City operation is a three leg stool; council, mayor, and staff. In order to operate, all three need to be included. He does not think the insurance company’s intent is to not tell the elected officials.

Councilmember Childs said they had an executive session, this easily qualified as an additional topic during the executive session, but they went home not knowing.

**Council Direction:** No direction was given to staff.

2. **Discussion: Visit Kitsap Professional Services**

Visit Kitsap (VCB) President Patty Graf Hoke and Diane Robinson, Board of Directors, with Visit Kitsap, briefly spoke about how their organization receives funds from the City.

Ms. Graf-Hoke stated they would like the Council to consider instead of Visit Kitsap applying for lodging tax funding, they believe it is time for tourism regional, and tourism marketing were treated as other economic development entities, and funded accordingly. Tourism related industries in Kitsap County have grown $100 million dollars in the last ten years. It is now worth $350 million dollars; $25 million a year, just in lodging; and $258 million in food service and drinking. They would like a more active partnership with City leaderships. Some of the options they are suggesting are a professional services agreement, like they have with the City of Gig Harbor, or a hybrid of how KEDA is funded; through lodging tax or general funds. This would be up to each City to determine how the funds are used.

Councilmember Childs said tourism is important to the County and to make sure it is attractive for people who come to the area. When you talk funding, you also have to talk amounts.

Ms. Graf-Hoke stated what they do is much different; they do not want to compete with non-profits or other businesses they are serving. The VCB provides an extraordinary service in that they also include every park and every Veterans memorial.
Ms. Robinson said as a small business, they have an active website, and spend about $10,000 in independent marketing. People are not going to come an hour out of Seattle, unless there is something for people to do.

Councilmember Childs said there are still issues, like how are we going to fund certain things, and if it will come out of the general fund, or lodging tax.

Councilmember Clauson noted there is only one VCB and is interested in how Gig Harbor structured their contract with the VCB.

**Council Direction:** No direction was given to staff.

### 3. 2015 Budget Calendar

City Treasurer Martin briefly discussed the 2015 budget calendar, and noted it is also posted to the City’s website. In addition, the budgeting module on Springbrook is in place. This will allow directors to have real time budgeting information. We will also see a slightly formatted budget document.

Councilmember Chang said it was really useful when the Council attended the all day budget meeting with staff last year.

Council briefly discussed Council Committee meetings, and possibly moving the budget meeting to the Chambers to be recorded.

**Council Direction:** No direction was given to staff.

### 4. Discussion: Sidewalk Repair & Maintenance Responsibility

Public Works Director Dorsey said over the years, the City has crafted responses for public works complaints. There has been an issue from public works staff about what information to give regarding sidewalks, and responsibilities of shrubs, trees and sidewalks within the City. If you look at the state’s RCW and the City’s code, it is clear that the maintenance responsibility is to the joint property owner. For example, if there is a tree lifting up the sidewalk, the code states Code Enforcement should send a letter to the property owner, letting them know of the issue which requires their attention. If they do not fix the issue, the City will fix it, then lien the property. However, the City has never done that. If there is an incident after public works has been notified, and it is not fixed, then someone gets hurt, the City is liable. Once public works has received notice there is an issue, they have gone out and fixed it with no letter to the property owner.

Mr. Dorsey would like to know if they should continue to fix the issues without contacting the property owner, or should they follow the City’s code and state law, and send notice to the owner.
City Attorney Jacoby noted it depends on the severity of the repair. If it is bad, maybe the portion that needs to be fixed should be closed, while the City puts the homeowner on notice.

Council and staff discussed who should be responsible for the repairs, and if the City should continue to fix the repairs as they come in with no notice to the property owner. Funds are available in the City’s budget for the City to do these repairs.

**Council Direction:** Council directed staff to continue the repairs as they have been doing, and bring this back up for discussion at a later date.

5. **Discussion: Sidewalk Café Use on Bay Street**

City Clerk Rinearson noted Council had discussed a sidewalk use application they received, and were in favor of the business using the sidewalk to place chairs and tables in front of their business. Staff has received another application to place tables and chairs on Bay Street’s sidewalks.

Public Works Director Dorsey contacted the Washington State Department of Transportation (WSDOT) to ask if use of the sidewalk is approved, since that portion of the sidewalk is State right-of-way, and the State maintains their own right-of-ways. He was told if these businesses wanted to use the sidewalks, they would need a lease with WSDOT and pay their permit fees. This is separate from what the City requires.

**Council Direction:** Council directed staff to revise the Sidewalk Use Application and indicate applicants will need to contact the WA State Department of Transportation regarding use of State right-of-way.

6. **Council Retreat Date/Agenda**

City Clerk Rinearson sent out a poll to the Councilmembers, asking when they would be available to attend the Council Retreat. Unfortunately, there was no consensus on a date that all Councilmembers would be available.

Council briefly spoke about the agenda topics for the retreat.

**Council Direction:** Council directed the City Clerk to send them another poll with different dates and to include staff; and Council will send agenda item topics to City Clerk Rinearson.

At 8:42 Mayor Matthes adjourned the meeting.

Brandy Rinearson, City Clerk

Timothy C. Matthes, Mayor