1. CALL TO ORDER AND ROLL CALL

Mayor Pro-Tem Ashby called the meeting to order at 7:00 p.m.

Roll call was taken by the City Clerk as follows:

- Councilmember Cartwright Present
- Councilmember Chang Present
- Councilmember Childs Present
- Councilmember Clauson Excused
- Councilmember Lucarelli Present
- Councilmember Putaansuu Excused
- Mayor Pro-Tem Ashby Present
- Mayor Matthes Absent

Staff present: City Clerk Rinearson, Public Works Director Dorsey, Police Chief Marti, Development Director Bond, Deputy City Clerk Fernandez, and Interim City Attorneys Morris and Kelley were also present.

A. Pledge of Allegiance

Mayor Pro-Tem Ashby led the audience and Council in the Pledge of Allegiance.

2. CITIZENS COMMENT

Ms. Ann Sevaaetasi spoke regarding Business Item E and suggested the City consider using MetroQuest instead of Mindmixer.

Mr. Nick Whittleton spoke regarding the KRCC ILA, which provided no level of funding, the voting was disproportionate, and having to pay out of the General Fund a percentage of awards received from PSRC.

3. APPROVAL OF AGENDA

MOTION: By Councilmember Cartwright, seconded by Councilmember Childs, to add a new Consent Agenda Item 4G excusing Councilmembers Clauson and Putaansuu.

The motion carried.
MOTION: By Councilmember Cartwright, seconded by Councilmember Childs, to approve the agenda as amended.

The motion carried.

4. APPROVAL OF CONSENT AGENDA
   A. Approval of Check Nos. 63687 through 63806 totaling $1,232,318.16; February Payroll Warrant Nos. 146262 through 146305 totaling $590,962.05; Electronic Payments dates 2/01/2015 through 2/28/2015 totaling $1,800.56; and Treasurer’s check deposit totaling $1,625,427.83.
   B. Approval of Setting the March Work Study Session Meeting Date
   C. Adoption of a Resolution Declaring Certain Personal Property as Surplus (RESOLUTION NO. 003-15)
   D. Public Event Applications: Mustangs on the Waterfront and Grand Parade
   E. Setting a Public Hearing Date on the Interim Tremont Overlay District Regulations Approved on February 24, 2015
   F. Approval of a Contract with Cross, LaCross & Murphy for Public Defender Services (CONTRACT NO. 033-15)
   G. Excusal of Councilmembers Clauson and Putaansuu

MOTION: By Councilmember Cartwright, seconded by Councilmember Chang, approving the Consent Agenda.

The motion carried.

5. PRESENTATION

No presentations were given.

6. PUBLIC HEARING

A. Public Hearing and Adoption of an Ordinance Amending POMC 13.06.060 Definition Revision to Address Home-Based Businesses

Staff Report: Public Works Director Dorsey presented the staff report, noting this amendment addresses an issue that was brought up during the storm drainage utility rate public hearing that the definition of home-based business commercial activity needed clarification.

Mayor Pro-Tem Ashby opened the Public Hearing at 7:09 p.m.

Ms. Louella Hauenstein spoke regarding the classification and how it would affect investors.
Mr. Whittleton thanked the City for addressing this concern, but thought more word-smithing was needed in the ordinance.

There being no further testimony, Mayor Pro-Tem Ashby closed the Public Hearing at 7:11 p.m.

**Council Consideration: - MOTION:** By Councilmember Cartwright, seconded by Councilmember Mayor Pro-Tem Ashby, to authorize the Mayor to execute Ordinance No. 003-15, thereby amending 13.06.060 POMC – Definitions within the Storm Drainage Utility.

In response to Councilmember Lucarelli, Public Works Director Dorsey said this ordinance defines single-family residence.

In response to Councilmember Childs, Public Works Director Dorsey said four-plexes have always been commercial.

In response to Councilmember Chang, Public Works Director Dorsey recalled when the storm drainage gap analysis was presented, there were three ancillary items not related to the gap analysis: home-based businesses, bed & breakfasts, and storm drainage credit. The bed & breakfasts are not addressed in this definition clarification.

The motion carried.
(ORDINANCE NO. 003-15)

7. BUSINESS ITEMS

A. Adoption of a Resolution Confirming a Mayoral Appointment to the Planning Commission

**Staff Report:** City Clerk Rinearson presented the staff report, and noted the Mayor sought input from various members of the public and the Community Development Director; therefore, he is recommending appointing Mr. Marcus Lane.

**Council Consideration: - MOTION:** By Councilmember Chang, seconded by Councilmember Childs, to adopt a resolution confirming the Mayor’s appointment to the Planning Commission as set forth in the Resolution.

The Council asked Mr. Lane questions regarding his background and experience, and discussion was held regarding the process the City used to solicit applications for the appointment.

The motion carried.
(RESOLUTION NO. 005-15)

B. Approval of an Interlocal Agreement with Kitsap County for the Urban County Community Development Program Funds
**Staff Report:** City Clerk Rinearson presented the staff report, noting Mary McClure, Kitsap Regional Coordinating Council Executive Director, gave a presentation at February 24, 2015, Council meeting.

**Council Consideration:** - **MOTION:** By Councilmember Cartwright, seconded by Councilmember Chang, to approve an Interlocal Agreement authorizing the Mayor to execute an agreement with Kitsap County for the Urban County Community Development Program Funds.

Mayor Pro-Tem Ashby said the only change for this agreement is the program will be housed at Kitsap County instead of KRCC. She also clarified that the City has adopted policies and enforces them, which were listed under Item 2.7.

Councilmember Lucarelli asked if this could be moved to Work Study. Mayor Pro-Tem Ashby said their fiscal year starts in March.

In response to Councilmember Chang, Mayor Pro-Tem Ashby said this grant provides temporary housing for those in need. Individually the City does not have the need or volume to qualify for the grants and there is geographic equity in the distribution of funds.

The motion carried.
(Contract No. 038-15)

**C. Approval of an Interlocal Agreement with Kitsap County for Allocation of SHB 2060 Surcharge Funds to Very Low Income Housing Projects**

**Staff Report:** City Clerk Rinearson presented the staff report, noting Mary McClure, Kitsap Regional Coordinating Council Executive Director, gave a presentation at February 24, 2015, Council meeting.

**Council Consideration:** - **MOTION:** By Councilmember Cartwright, seconded by Councilmember Lucarelli, to approve an Interlocal Agreement authorizing the Mayor to execute an agreement with Kitsap County for allocation of SHB 2060 surcharge funds to very low income housing projects.

The motion carried.
(Contract No. 037-15)

**D. Approval of an Interlocal Agreement with Kitsap Regional Coordinating Council for Developing County-wide Planning Policies under the Growth Management Act**

**Staff Report:** City Clerk Rinearson presented the staff report, noting Mary McClure, Kitsap Regional Coordinating Council Executive Director, gave a presentation at February 24, 2015, Council
meeting and requested the Council consider adopting the Interlocal Agreement at tonight’s meeting.

Council Consideration: - MOTION: By Councilmember Childs, seconded by Councilmember Cartwright, to approve an Interlocal Agreement authorizing the Mayor to execute an agreement among Kitsap County, the four Kitsap Cities of Bremerton, Bainbridge Island, Port Orchard, and Poulsbo, and the Port of Bremerton to re-structure the Kitsap Regional Coordinating Council to provide a joint board for the purpose of collaborative decision-making with respect to land use, transportation, and other issues related to countywide growth management.

Councilmember Childs asked how much this is going to cost the City of Port Orchard.

Mayor Pro-Tem Ashby gave background on KRCC’s contract with McClure Consulting and the Agency Review Team’s work and their recommendation to focus on transportation and land use moving forward. KRCC’s Executive Board has decided to become a joint board, much like the CenCom board. The KRCC Board wants to hire an Executive Director and staff instead of a consultant. There will also be an administrative agency, which will house the employees and handle the accounting, legal support, and physical management. The City of Poulsbo and Kitsap County submitted bids to become the administering agency; however, a decision has not been made yet. Currently, the City of Port Orchard pays $7,000 a year for KRCC/PSRC dues. She estimated the new amount could be $9,500-$9,800, and the surcharge on grants would not happen. The budget and the dues structure have not been formalized. The voting structure has not been changed.

Rob Gelder, chair of KRCC, corresponded with Mayor Pro-Tem Ashby, and said the budget would be set by a separate agreement and action, and therefore is not part of this ILA. He also said insurance would most likely be covered by the administering agent.

In response to Councilmember Childs, Mayor Pro-Tem Ashby said the KRCC Executive Committee will develop the budget, and she is a member of that committee. They will bring it forward to the KRCC Board. She does not know if it will be brought forward to the councils for ratification.

In response to Councilmember Cartwright, Mayor Pro-Tem Ashby said originally the ART Committee thought that the surcharge could be part of our transportation funding. PSRC said it is a direct expense to us. So we would want to think in terms of rather having a 13.5% match, we would have a 15% match. That has not been decided. The assumption she is under from sitting on the Executive Committee is the dues structure will not change.

In response to Councilmember Chang, Mayor Pro-Tem Ashby said the bylaws are not changing.

Councilmember Chang is concerned about the cost allocation.
Councilmember Lucarelli said she is not comfortable approving the ILA without a budget.

**MOTION:** By Councilmember Childs, seconded by Councilmember Cartwright, to move this discussion forward to the first meeting in April.

The motion carried.

E. Adoption of a Resolution Approving Sole Source Contract with Socialmentum, LLC for the Mindmixer Platform

**Staff Report:** Development Director Bond presented the staff report, noting in January, Public Properties and Economic Development/Tourism Committees have participated in a conference call with Socialmentum, LLC regarding their Mindmixer platform. After consideration, the Public Properties Committee recommended that a contract for the software be brought before the City Council for consideration.

**Council Consideration:** - **MOTION:** By Councilmember Cartwright, seconded by Councilmember Chang, to adopt the resolution approving the sole source contract with Socialmentum for the Mindmixer Platform.

In response to Councilmember Cartwright, Development Director Bond said they looked at many software platforms. MetroQuest is geared towards city planning surveys; it is not a crowd-sourcing platform where people can create more ideas that are open-ended. Mindmixer allows for surveys, as well as discussion, crowd sourcing, and sharing ideas through social networks. It is a way to maintain communications between interested citizens and the City. It also provides link to elected officials, so they know whom to talk to when they want to be heard.

Councilmember Childs said he has a problem spending this money at this point and the staff time it would take to monitor this type of a program.

Councilmember Cartwright said the Council has been talking at length about getting input from the public for the comprehensive plan and parks plan. Staff time is very limited. This is a way to gather very important feedback from the citizens, and $2,500 is very reasonable to spend on a tool that will gather information from the public. He said Nick and his staff do not have the time to do everything the Council is asking them to do, and this will help them.

Councilmember Chang added this would expand the City’s technology. Currently there is no way for citizens to participate with their smart phones.

Councilmember Lucarelli feels it will take time to become acquainted with the new tool, and staff would not be able to use it in time for the comprehensive plan. She questioned if it excluded anyone and if it would provide a good cross section of the public in Port Orchard.
Development Director Bond said his associate planner has experience as an administrator using this platform from her previous job. He said the whole purpose of this is to include people who do not have time to come to a meeting.

The motion passed 3 to 2. Councilmember Childs and Lucarelli voted no. (RESOLUTION NO. 004-15 and CONTRACT NO. 039-15)

F. Approval of February 17, 2015, Council Work Study Session Meeting Minutes

Council Consideration: - MOTION: By Councilmember Childs, seconded by Councilmember Chang, to approve the minutes.

The motion passed 4 to 0. Councilmember Cartwright abstained.

G. Approval of February 24, 2015, Council Meeting Minutes

Council Consideration: - MOTION: By Councilmember Chang, seconded by Councilmember Childs, to approve the February 24, 2015, meeting minutes.

The motion passed 4 to 0. Councilmember Cartwright abstained.

H. Approval of Public Event Application: Port Orchard Farmers Market

Staff Report: City Clerk Rinearson presented the staff report, noting the difference with this request from prior years is the market would like to place a small locked shed or pod in on parking space all year long.

Council Consideration: - MOTION: By Councilmember Chang, seconded by Councilmember Childs, to approve the public event application from the Kitsap Regional Farmers Market, but deny the request to place a small ‘pod’ in the city’s parking space.

Councilmember Chang said he did not feel this was a good use of a parking space.

Councilmember Lucarelli said a pod could get in the way of other events downtown and there is the issue of liability and vandalism.

Councilmember Cartwright stated parking is limited and he would not want this to become a trend.

The motion carried.

I. Approval of Public Event Application: Hog Fest
Staff Report: City Clerk Rinearson presented the staff report, noting this is the first Hog Fest event, and is a pork festival, national BBQ Association sanctioned BBQ cook-off. This will benefit the City by drawing people from the entire northwest region to the area. The event will begin at 8am with approximately 2,500 visitors and 15 exhibitors.

Council Consideration: - MOTION: By Councilmember Lucarelli, seconded by Councilmember Cartwright, to approve the public event application from the Port Orchard Bay Street Association, and allow them to hold their event using City parking lots and right-of-ways.

Discussion was held regarding the Public Event Application needing more details to be provided before the Council could approve it.

MOTION: By Councilmember Cartwright, seconded by Councilmember Chang, to forward this to April 28, and that will give an opportunity to have Public Property review it April 13; and ask the Clerk to keep September 20, open since he is the first one in line; and he invites Mr. Donlin, if possible, to attend the Public Property meeting April 13, here at 8:30 in the morning to give more time to work through some of these questions.

The motion carried.

8. COMMITTEE REPORTS

Councilmember Childs reported the next Finance Committee meeting is March 27, at the Pancake House.

Mayor Pro-Tem Ashby reported ED/Tourism met yesterday and discussed population and employment data; public event tool kit; foot ferry; best available science scope of work; Mindmixer contract; wayfinding system update; and the comprehensive plan. She also said she attended KRCC on March 3, and will be attending KRCC Transpol this Thursday.

Councilmember Cartwright reported public properties discussed Active Club water issues, Slaughter County coffee stand, smoking in front of Active Club, no parking at end of Tremont Place, Van Zee Park lease, 125th Anniversary street closure, Farmers Market pod, and parks committee. The next meeting is April 13.

Councilmember Lucarelli reported the Utilities Committee meeting is Friday at the Pancake House.

Councilmember Childs reported KEDA is having annual meeting and luncheon on March 19.

9. MAYOR’S REPORT

The Mayor was not present to give a report.
10. REPORT OF DEPARTMENT DIRECTORS

Public Works Director Dorsey reported he received an email that resolution for the Bay Street Pedestrian Path Bridge has been reached.

Development Director Bond reported there would be two Joint Planning Commission and City Council meetings on April 15 and April 23, and he received the wayfinding sign project final deliverables and logo.

City Clerk Rinearson reported the Mindmixer software would maintain the dialogue for public record requests, and she gave an update on the next 125th Anniversary committee meeting.

11. CITIZENS COMMENTS

Mr. Nick Whittleton spoke regarding using inappropriateness of holding City meetings at the Pancake House.

Ms. Gerry Harmon asked for when the City does surveys, she would like to see opportunities to provide comments to the questions.

12. EXECUTIVE SESSION

No executive session was held.

13. ADJOURNMENT

The meeting adjourned at 8:58 p.m. No other action was taken.

Brandy Rinearson, CMC, City Clerk

Timothy C. Matthes, Mayor