



**City of Port Orchard
Council Meeting Minutes
Regular Meeting of October 25, 2016**

1. CALL TO ORDER AND ROLL CALL

Mayor Putaansuu called the meeting to order at 7:00 p.m.

Roll call was taken by the City Clerk as follows:

Councilmember Ashby	Present
Councilmember Chang	Present
Councilmember Cucciardi	Present
Councilmember Diener	Present
Councilmember Donlin	Present
Councilmember Lucarelli	Present
Mayor Pro-Tem Clauson	Absent
Mayor Putaansuu	Present

Staff present: Public Works Director Dorsey, Community Development Director Bond, City Attorney Cates, City Clerk Rinearson, and Deputy City Clerk Floyd were also present.

A. Pledge of Allegiance

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

2. APPROVAL OF AGENDA

MOTION: By Councilmember Cucciardi, seconded by Councilmember Ashby, to add the excusal of Councilmember John Clauson to the Consent Agenda.

The motion carried.

MOTION: By Councilmember Lucarelli, seconded by Councilmember Chang, to pull Business Item 7A from the agenda for more study and public input.

Council briefly discussed the different ordinances being presented in Business Item 7A.

The motion failed. Councilmembers Diener, Ashby, Donlin, and Cucciardi voted no.

MOTION: By Councilmember Ashby, seconded by Councilmember Cucciardi, to approve the agenda as amended.

The motion carried.

3. CITIZENS COMMENTS

Elissa Whittleton thanked Councilmembers Lucarelli and Chang for making an endeavor to move Business Item 7A to another time. She voiced her concerns with the proposed changes to the Downtown Overlay District (DOD).

Nick Whittleton noted his concerns regarding the proposed changes to the DOD. He also spoke about a derelict building ordinance.

Kathy Michael questions the proposed changes to the DOD.

Keith Anderson stated he and his wife, **Jessica Anderson**, submitted the Trunk or Treat public event application and are available for any questions.

Al Mahaney asks the Council for their support of the 2017 carnival.

Matt Murphy said there have been 4 or 5 grand openings in Port Orchard and thanked Mayor Putaansuu for attending most of them. In addition, he does not support excessive regulations of business on behalf of government. Also, he spoke in support of the carnival.

John Strasinger noted his concerns with nonretail businesses in downtown.

Matt Carter voiced his concerns with the proposed changes to downtown.

Bobbie Stewart asked the Council to consider approving the carnival. Also, we need more preparation for the proposed changes to downtown.

4. CONSENT AGENDA

- A.** Approval of Check Nos. 67684 through 67767 totaling \$463,758.60; and Bi-Weekly Payroll including Check Nos. 147235 through 147266 totaling \$82,092.94.
- B.** Approval of the October 11, 2016, Council Meeting Minutes
- C.** Approval of an Interlocal Agreement with Kitsap County for the West Sound Stormwater Outreach Group (**Contract No. 087-16**)
- D.** Approval of an Interlocal Agreement with the State of Washington Administrative Office of the Courts for Interpreter Funding Reimbursement (**Contract No. 089-16**)
- E.** Approval of Change Order No. 3 to Contract No. 022-16 with Jones and Jones for the Design of McCormick Village Parks Phase 2 Improvements
- F.** Approval of a Public Event Applications: Festival of Chimes and Lights and Jingle Bell Run

G. Excusal of Councilmember Clauson from tonight's meeting

MOTION: By Councilmember Ashby, seconded by Councilmember Diener, to approve the consent agenda as amended.

The motion carried.

5. PRESENTATION

There were no presentations.

6. PUBLIC HEARING

There were no public hearings.

7. BUSINESS ITEMS

A. Adoption of Ordinance Nos. 033-16, 035-16, 036-16, and 037-16, Amending POMC Chapters 16.08, 16.12, 16.20, and 16.30

MAIN MOTION: By Councilmember Diener, seconded by Councilmember Cucciardi, to adopt Ordinance No. 033-16, amending POMC Chapters 16.08, 16.12, and 16.20 to revise the definition of accessory dwelling unit, to update the location of the adopted City zoning map, and to remove the administrative nuisance abatement process for the view protection overlay district.

AMENDED MOTION: By Councilmember Lucarelli, seconded by Councilmember Chang, to remove the definition of accessory dwelling units.

Councilmember Lucarelli stated this whole issue needs more study and consideration of the consequences of what is being considered tonight. It is hard to comment on the whole as this has been broken apart.

The amended motion tied. Councilmembers Lucarelli, Chang, and Diener voted yes. Councilmembers Ashby, Donlin, and Cucciardi voted no.

Community Development Director Bond indicated this chapter is not creating a definition; it already exists. This is not what is in front of you.

Council and staff briefly discussed Councilmember Lucarelli's motion, asking for clarification on the intent of the motion.

Councilmember Lucarelli withdrew her amended motion.

**The main motion carried.
(Ordinance No. 033-16)**

MOTION: By Councilmember Donlin, seconded by Councilmember Lucarelli, to table the second point (Ordinance No. 035-16) for at least 30 days.

Councilmember Ashby would like to bring this back for discussion during a work study and Economic Development or Land Use Committees.

The motion carried.

MAIN MOTION: By Councilmember Cucciardi, seconded by Councilmember Donlin, to adopt Ordinance No. 036-16, amending POMC Chapter 16.20 to delete section 16.20.208, a section establishing a 600 square foot minimum residential unit size within the Downtown Overlay District.

AMENDED MOTION: By Councilmember Lucarelli, seconded by Councilmember Chang, to table this Ordinance No. 036-16 amending POMC Chapter 16.20 to delete section 16.20.208, a section establishing a 600 square foot minimum residential unit size within the Downtown Overlay District to the next work study meeting in January.

The amended motion failed. Councilmembers Diener, Ashby, Donlin and Cucciardi voted no.

**The main motion carried. Councilmembers Lucarelli and Chang voted no.
(Ordinance No. 036-16)**

MOTION: By Councilmember Cucciardi, seconded by Councilmember Ashby, to adopt Ordinance No. 037-16, clarifying the requirements for accessory dwelling units in the Residential Land Use Table.

**The motion carried.
(Ordinance No. 037-16)**

B. Adoption of an Ordinance Adopting the 2016 Zoning Map

MOTION: By Councilmember Chang, seconded by Councilmember Diener, to adopt an Ordinance adopting the 2016 Zoning Map.

**The motion carried.
(Ordinance No. 039-16)**

C. Approval of Amendment No. 2 to Contract 033-15 with LaCross & Murphy for Public Defense Services

MOTION: By Councilmember Ashby, seconded by Councilmember Donlin, to approve Amendment No. 2 to Contract No. 033-15, with LaCross and Murphy for Public Defender Services as presented.

The motion carried.

D. Approval of Amendment No. 1 to Contract No. 079-13, with Kitsap County Prosecuting Attorney for Prosecution Services

MOTION: By Councilmember Donlin, seconded by Councilmember Cucciardi, to approve the proposed Amendment to the Legal Services Agreement No. 079-13, for Prosecution Services with the Kitsap County Prosecuting Attorney as presented.

The motion carried.

E. Approval of Carnival Application: Butler Amusements

MAIN MOTION: By Councilmember Lucarelli, seconded by Councilmember Donlin, to approve a Carnival License for Butler Amusements to be held in the parking lots located behind Peninsula Feed and the Gazebo (Parking lots 3 and 4), beginning Wednesday, July 5th to Sunday, July 9th, 2017; which includes setup, tear down, and staging time, as presented.

AMENDED MOTION: By Councilmember Cucciardi, seconded by Councilmember Chang, to modify this application, and considering we are dealing with a holiday, to have a reimbursement rate of \$250 dollars per business day that the parking lot is closed.

Councilmember Ashby reminded Council that during a prior work study meeting it was discussed the City would create a mitigation plan for the downtown parking lots.

The amended motion carried. Councilmembers Donlin and Ashby voted no.

The main motion carried.

F. Approval of a Public Event Application: Trunk or Treat

MAIN MOTION: By Councilmember Diener, seconded by Councilmember Lucarelli, to approve the public event application for Capital Christian Center to hold their public event using a portion of City parking lots, as presented.

Councilmember Ashby stated she had concerns about the parking lot being closed from 1pm to 8pm, so she spoke with the management of the Public Market. There is parking available between the Market and the Pavilion and parking directly abutting the Pavilion. The management was going to get permission to use that location for this event. The applicant will be required to rope off the area to be used for safety.

AMENDED MOTION By Councilmember Chang, seconded by Councilmember Diener, to provide the parking that is available through the Central Market.

The amended motion carried.

The main motion carried.

8. REPORTS OF COUNCIL COMMITTEES

Councilmember Cucciardi reported on the October 20th Finance Committee meeting. The next meeting is scheduled for October 31st at 8:30am.

Councilmember Ashby reported the Economic Development and Tourism Committee meeting is scheduled for November 14th at 9am.

Councilmember Lucarelli reported on the October 17th Utilities Committee meeting. The next meeting is scheduled for November 21st at 9:30am. The Sewer Advisory Committee met on October 19th, and the next meeting is scheduled for November 16th. She reported on the October 17th Chimes and Lights Committee meeting, and the next meeting is scheduled for November 7th at 3:30pm.

Councilmember Diener reported on the October 19th Land Use Committee meeting.

Councilmember Chang reported on the October 24th Lodging Tax Advisory committee meeting.

9. REPORT OF MAYOR

Mayor Putaansuu reported on the following:

- The Community Development department was awarded the Employee of the Quarter;
- Attended grand openings for The Fix, and the Law Offices of Morgan and Koontz;
- Homelessness Housing Committee met last week;
- He and Community Development Director Bond met with Habitat for Humanity;
- City send out a press release regarding a food drive;
- Poulso passed an Ordinance banning camping in public places;

- The Rotary Club is pursuing a grant for bridge and park lighting; and
- Spoke about not scheduling a December work study meeting and have two business meetings instead.

Mayor and Council discussed the need for a special public hearing for the budget. This has been scheduled for Monday, December 5th, 6pm in the Council Chambers.

10. REPORT OF DEPARTMENT HEADS

Community Development Director Bond reminded the Council of the executive session.

City Clerk Rinearson provided an update on the City's 2017 insurance and noted our property is going to be inventoried within the next 5 years. She also stated should Council want any changes to the recommended amounts to the lodging tax applicants they need to submit this to the Committee at least 45 days before Council could take action.

After a brief discussion, Council asked to have the lodging tax recommendations discussed during the October 31, 2016, budget meeting. In addition, they will also discuss the Holiday Good Neighbor Awards.

City Clerk Rinearson noted she will prepare a special meeting agenda for the 31st and distribute to the public.

11. CITIZENS COMMENTS

Elissa Whittleton thanked Council for the consideration of extending the discussion on Business Item 7A. Also, she thanked the Public Works crew for the work they did on Farragut. The Soroptomist Overlook looks wonderful.

Nick Whittleton spoke about a fast ferry flyer he received which stated it would run Friday and Saturday nights until 11. He asks why we would pay for the ferry to go back and forth when the money could be spent elsewhere.

Jennifer Hardison with South Kitsap Helpline thanked the City for having a barrel to help with their food drive. She provided their annual numbers, and indicated they are struggling, and they rely on grants and fundraisers.

Allan Mahaney thanked Council for approving the carnival and briefly spoke about parking.

12. EXECUTIVE SESSION

At 9:21 p.m., Mayor Putaansuu recessed the meeting for a 10-minute executive session in accordance with RCW 42.30.110(1)(b) regarding real estate. City Attorney Cates and Development Director Bond were invited to attend and the Mayor announced that no action would be taken.

13. ADJOURNMENT

The meeting adjourned at 9:31 p.m. No other action was taken. Audio/Visual was successful.



Brandy Rinearson, CMC, City Clerk



Robert Putaansuu, Mayor
