

Oak Harbor City Council
Regular Meeting Minutes
January 17, 2023

This was both a physical meeting location and a virtual meeting. Meeting was viewable live via YouTube at www.youtube.com/cityofoakharbor , on Facebook, and on Cable Channel 10/HD 1090 following the meeting

CALL TO ORDER

Mayor Severns called the meeting to order at 6:00 p.m.

Invocation – Pastor David Parker, First United Methodist Church

Pledge of Allegiance – Led by Mayor Severns

ROLL CALL

City Council Present:

Mayor Robert Severns
Mayor Pro Tem Tara Hizon
Councilmember Beth Munns
Councilmember Jim Woessner - absent
Councilmember Bryan Stucky
Councilmember Dan Evans
Councilmember Shane Hoffmire
Councilmember Eric Marshall

Staff Present/Videoconference

City Administrator Blaine Oborn
Finance Director David Goldman
Public Works Director Steve Schuller
Parks and Recreation Director Brian Smith
Fire Chief Ray Merrill
Police Chief Kevin Dresker
Harbormaster Chris Sublet
Grants Administrator Wendy Horn
Economic Development Coordinator Steve McCaslin
Central Services Supervisor Sandra Place
Finance & Performance Analyst Chas Webster
Senior Services Administrator Liz Lange
Utilities Office Manager Ryan Kinker
Communications & IT Manager Sabrina Combs
Executive Assistant Macalle Finkle
City Clerk Julie Nester

Also in attendance: City Attorney
Hillary J. Evans of Kenyon Disend, PLLC

EXCUSE ABSENT COUNCILMEMBERS

Mayor Severns welcomed all in attendance and noted Councilmember Woessner had asked to be excused and requested a motion.

Motion: Councilmember Munns moved to excuse Councilmember Woessner. Councilmember Marshall seconded the motion, which carried unanimously.

1. APPROVAL OF AGENDA

Mayor Severns called for any changes to the agenda. Hearing none, the agenda was approved as presented.

2. PRESENTATIONS

- a. Proclamations – None
- b. Honors & Recognitions - None
- c. Community Presentations –

- i. Parks and Recreation Department Presentation

City of Oak Harbor Parks and Recreation Director Brian Smith provided an overview of City Parks, which also encompasses The Center and the Marina. He reviewed recreation programs initiated and facilities and trail systems constructed at those cities where he had served as Parks & Recreation Director before coming to Oak Harbor, and what he saw as an amazing potential to create them in Oak Harbor as well. Director Smith also reviewed the economic benefits created by outdoor recreation including information from Island County regarding jobs, tourism, and inclusion programs. Director Smith noted priorities for the Department including the need for a Parks & Recreation Master Plan update, additional staffing, and equipment upgrades.

Councilmember Stucky provided his respective questions and comments.

- ii. Oak Harbor Main Street Association Annual Report

Oak Harbor Main Street Executive Director Margaret Livermore provided the Association's Annual Report. Included in the report was a background history of the Association and tax credit incentive program and State of Washington allocation for Business & Occupation tax credits, a review of services, outreach, volunteers, public relations, fundraising and current programs and initiatives. such as the Façade Improvement Grant Program, lighting, banners and signage, and the Serendipity Lane Pedestrian Walkway connecting Pioneer Way to Bayshore. Executive Director Livermore reviewed 2022 accomplishments and 2023 goals.

Councilmembers Munns, Marshall, Stucky and Hoffmire provided their respective questions and comments.

3. CITIZEN COMMENT PERIOD

Mayor Severns noted citizens may comment on Consent Agenda items or subjects of interest not listed on the agenda at this time. Citizens will have the opportunity to comment on the remaining Agenda items during the meeting as appropriate.

Citizens can also visit the City's website prior to meetings for methods to submit public comment, or contact the City Clerk, Julie Nester by phone or email as noted on screen. When submitting comments, please include your name and address. Public comments sent anonymously will be shared with the Mayor and Council but will not be displayed.

The City received one comment from Avi Rostov of Oak Harbor since the lack of public facilities in Oak Harbor. The comment was displayed on-screen.

Mayor Severns opened the floor for public comment from any audience member present. Hearing no one with a desire to address the Council, the public comment period was closed.

4. CONSENT AGENDA

Consent Items

- a. Approval of Minutes of the January 3, 2023 Council Meeting
- b. Approval of Payroll and Accounts Payable Vouchers
- c. Appointment: Park Board, Position 4 – Eric Dipzinzki
- d. Appointment: Park Board, Alternate – Tom Jones
- e. Appointment: Salary Commission, Position 4 – Anthony Mendel
- f. Appointment: Planning Commission, Position 2 – Chloe Bonsen
- g. Interlocal Agreement: Whatcom County Northwest Minichain Agreement
- h. Purchase Authorization – Low Slope Roof Replacement for The Center
- i. Purchase Authorization – Sole Source Master Meters 2023 Resolution 23-02

Mayor Severns noted that some of the appointees might be in attendance and noted he would welcome them during his comments. He called for any changes to the consent agenda. Hearing none, he noted all items were approved as presented.

5. MAYOR, COUNCIL & STAFF COMMENTS

- a. Mayor - Mayor Severns provided the following comments and updates:

Boards and Commissions Appointments: Mayor Severns thanked all who applied and accepted appointments to the boards and commissions. He noted those appointees present and noted additional vacancies were available for applications.

Property Purchase: The City completed the purchase of the two parcels at 1081 and 1091 SE Pioneer Way this past week. Purchasing these properties provides an opportunity to further the City's plans to revitalize the downtown and clean-up the properties from previous businesses operating on the sites. The City negotiated a reduced rate for the purchase in consideration of the additional investment needed to address environmental contamination. Currently, the City plans to leverage grant funds to pay for remediating the sites. City Economic Development Coordinator Stephen McCaslin will lead this project and provide updates to the City Council and community as they become available.

The Center: The annual membership meeting for the Center in Oak Harbor is Wednesday, January 18th at 2:00 p.m. All members and potential members are invited to come and hear about updates from the Oak Harbor Senior Center Foundation and Center staff, meet Brian Smith, City of Oak Harbor Parks & Recreation Director, and share thoughts and ideas for programs and services at The Center.

Salmon Rearing Program: The Oak Harbor Marina will once again receive juvenile salmon from the Department of Fish & Wildlife. Approximately 30,000 baby salmon will arrive January 19th and reside in pens constructed last year for several months before their release.

King Tides: Another king tide event is expected in the coming week with tides estimated as high as 13.1 feet on Monday and Tuesday. Citizens can help to minimize flooding prior to the high tides by clearing leaves and debris from storm drains.

Tree Collection: City crews will pick up Christmas trees during yard waste routes the week of February 6-10. Trees must be placed in or next to yard waste carts on your usual pick-up day.

- b. Councilmembers

- i. Mayor Severns called upon the Council for any additional comments.

Councilmembers Hoffmire and Munns provided their respective comments. Councilmember Hoffmire noted the state legislature has returned to session in-person and the focus on legislative priorities. Councilmember Munns noted she, Mayor Severns, and Councilmembers Stucky and Marshall had attended the State of the Schools event. The Mayor recommended the student speaker for an Association of Washington Cities scholarship, which she had applied for.

6. Public Hearings & Meetings - None

7. Ordinances & Resolutions - None

8. Contracts & Agreements

- a. Agreement between the Opportunity Council and the City of Oak Harbor for low-income utility payment assistance

Finance Director David Goldman presented the item, along with Utilities Office Manager Ryan Kinker.

City of Oak Harbor Resolution 20-15 directed the Finance Director and staff to take actions necessary to work on solutions to assist customers financially impacted by the COVID-19 emergency such as waiving late fees or helping with payment plans as requested by those impacted. Governor Inslee issued Proclamation 20-23.16 on July 2, 2021, which extended the utility late fee and disconnection moratorium through September 30, 2021. City of Oak Harbor Resolution 21-26 further defines the types of payment plans permissible to assist customers. This interlocal agreement furthers the City Council's aim of assisting utility customers with paying their utility bills by creating a partnership where customers in need will contact the Opportunity Council to determine their eligibility for assistance. Households must earn less than 150% FPL (Federal Poverty Level) by family size. Once a determination has been made, the Opportunity Council will make payments to the City on behalf of eligible households. The Opportunity Council provided \$57,209.70 in payments for eligible customers in 2022.

Mayor Severns confirmed no public comments had been received and opened the floor for public comment.

Councilmembers Munns, Hoffmire and Stucky provided their respective questions and comments.

Motion: Councilmember Stucky moved to authorize the Mayor to sign the Low-Income Home Water and Wastewater Assistance Program Vendor Agreement with the Opportunity Council. Councilmember Munns seconded the motion, which carried unanimously.

- b. MOU Agreement for Security of Public Private Charter Schools on NAS Whidbey Island

Chief of Police Kevin Dresker reviewed the Agreement, which establishes a Memorandum of Agreement between the Oak Harbor Police Department (OHPD) and Naval Air Station Whidbey Island (NASWI) regarding police response and services at two local schools, Crescent Harbor Elementary and Clover Valley Hand-in-Hand/HomeConnection Public/Private Charter Schools, sited on what is known as the Oak Harbor School District Clover Valley Campus on Whidbey Island, which reside on NASWI property.

This MOU provides an agreement to establish a common understanding and delineation of law enforcement response responsibilities regarding the security of the schools, including coordination between law enforcement responders during routine patrols, emergent responses, and in the processing of offenses for law enforcement capabilities. Although the school facilities are located within the law enforcement jurisdiction of the Island County Sheriff's Department, the Oak Harbor School District provides funding to OHPD to provide a School Resource Officer (SRO) with law enforcement oversight for these school

facilities. Chief Dresker noted the MOU formalizes what is already taking place through the School Resources Officer contract.

Mayor Severns confirmed no public comments had been received and opened the floor for public comment.

There were no comments from the Council.

Motion: Mayor Pro Tem Hizon moved to authorize the Mayor to sign the Memorandum of Understanding for security of public private charter schools on Naval Air Station Whidbey Island (NASWI). Councilmember Hoffmire seconded the motion, which carried unanimously.

c. Memorandum of Understanding: North Sound Region Opioid Abatement Council Agreement

City Attorney Hillary Evans reviewed the background for the MOU:

In April 19, 2022, the Council authorized the Mayor to sign the One Washington Memorandum of Understanding (MOU) between Washington Municipalities regarding the Opioid Settlement. The MOU was signed and submitted through the City Attorney.

In September 20, 2022, the Council authorized the Mayor to sign the Participation Form and the Allocation Agreement. The form and agreement were signed and submitted through the City Attorney. In September 2022, the City Attorney submitted signed paperwork to participate in the One Washington Opioid Settlement. The City received the MOU outlining the requirements to the One Washington settlement along with stated amounts for each participating county and city. In December 2022, the City was notified that the first payment would be wire transferred by the end of the month. The City received payment for year one and two of the settlement on December 30, 2022 for a total of \$40,237.41. The MOU requires the City to participate in a regional Opioid Abatement Council (OAC). The North Sound Region OAC consists of Island, San Juan, Skagit, Snohomish and Whatcom Counties. In order to participate in the OAC and continue to receive annual payments, the City must sign the regional agreement.

Over 17 years, the City will receive \$539,983.34. The City received \$19,618.90 and \$20,618.51 (\$40,237.41) for years one and two of the settlement

Mayor Severns confirmed no public comments had been received and opened the floor for public comment.

Councilmember Hoffmire provided his respective questions and comments.

Motion: Councilmember Munns moved to recommend action to authorize the Mayor to sign the North Sound Region Opioid Abatement Council Agreement as part of the One Washington Opioid Settlement Memorandum of Understanding, allowing the City to participate in the North Sound Region OPAC and continue to receive annual installments from the settlement. Mayor Pro Tem Hizon seconded the motion, which carried unanimously.

d. Professional Services Agreement: Oak Harbor Main Street Association for Business & Occupation (B&O) Tax Reimbursement

Finance & Performance Analyst Chas Webster reviewed the Agreement and provided background information and history of the Main Street program as well as guiding resolutions. The City chose to participate in the Washington Main Street Tax Credit Program in order to provide funding for the Oak Harbor Main Street Association (OHMSA) on December 15, 2015 per Resolution 15-44. Following the resolution, upon appointment of a permanent Board of Directors and Executive Director, the City of Oak Harbor

will consider the execution of a professional service agreement. Similar to the previous contract, it is recommended that the City pledge a maximum contribution of \$95,000 to OHMSA. The City will receive a tax credit of 75% of the pledge to apply towards the following year's taxes. If the maximum pledge is reached, the City will receive a maximum tax credit of \$71,250 resulting in a reduction in excise tax liability for the following year.

The maximum contribution of \$95,000 and the following year maximum tax credit of \$71,250 (75% of contribution) are included in the biennial budget. The Professional Services Agreement includes the scope of work and terms of payment.

Mayor Severns confirmed no public comments had been received and opened the floor for public comment.

Councilmember Evans provided his respective questions and comments.

Motion: Councilmember Evans moved for the City to enter into a professional services agreement with the Oak Harbor Main Street Association, consistent with Resolution 15-44. Councilmember Marshall seconded the motion. The vote on the motion carried unanimously.

9. Other Items for Consideration - None

10. Reports & Discussion Items - None

11. Executive Session

Mayor Severns noted the Council would take a short break and then move into Executive Session to consider the selection of a site or the acquisition of real estate by lease or purchase as pertains to price per RCW 42.30.110 (1) (b), and to discuss with legal counsel – litigation of potential litigation per RCW 42.30.110 (1) (i). The anticipated duration of the Executive Session was 30 minutes. He noted action might or might not be taken upon return to the open session. Executive Sessions are not open to the public.

The Council entered into Executive Session at 7:25 p.m.

At 7:55 p.m. the Council announced an extension of the Executive Session by five minutes to 8:00 p.m.

At 8:00 p.m. the Council came out of Executive Session and resumed the open session. Mayor Severns noted no action would be taken on the matters discussed.

Adjourn

Motion: There being no further business, Councilmember Stucky moved to adjourn, seconded by Mayor Pro Tem Hizon. The motion was approved by a unanimous vote, therefore the meeting adjourned at 8:01 p.m.

Certified by Julie Nester, City Clerk