

Oak Harbor City Council  
Regular Meeting Minutes  
February 21, 2023

---

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

**CALL TO ORDER**

Mayor Pro Tempore Hizon called the meeting to order at 6:00 p.m.

**Invocation** – Pastor Ron Lawler, Family Bible Church

**Pledge of Allegiance** – Led by Mayor Pro Tempore Hizon

**ROLL CALL**

City Council Present:

Mayor Robert Severns - absent  
Mayor Pro Tem Tara Hizon  
Councilmember Beth Munns  
Councilmember Jim Woessner  
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  
Development Services Director David Kuhl  
Parks and Recreation Director Brian Smith  
Fire Chief Ray Merrill  
Police Chief Kevin Dresker  
City Engineer Alex Warner  
Deputy Fire Chief Mike Buxton  
Senior Planner Dennis Lefevre  
Central Services Supervisor Sandra Place  
Human Resources Director Emma House  
Communications & IT Manager Sabrina Combs  
Executive Assistant Macalle Finkle  
City Clerk Julie Nester

Also in attendance: City Attorney  
Alexandra Kenyon of Kenyon Disend, PLLC

**EXCUSE ABSENT COUNCILMEMBERS**

No Councilmembers were absent.

**1. APPROVAL OF AGENDA**

Mayor Pro Tem Hizon noted she was presiding at the request of Mayor Severns and welcomed all in attendance. She called for any changes to the agenda. Mayor Pro Tem Hizon suggested moving the Planning Commission Report to the start of the meeting, however, the Chair of the Planning Commis-

sion was not yet present, so Mayor Pro Tem Hizon withdrew the suggestion. Hearing no others, the agenda was approved as presented.

## **2. PRESENTATIONS**

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

## **3. CITIZEN COMMENT PERIOD**

Mayor Pro Tem Hizon noted citizens may comment on Consent Agenda items or subjects of interest not listed on the agenda at this time and that citizens would 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 eight comments since the last regular meeting. Six of the comments were in regard to the Public Hearing and regular agenda items and were displayed with those items. The other two comments were from Maile Jones of Oak Harbor regarding Lift and Uber services, and Tami Pino, a former resident, regarding her displeasure with the City’s utilities billing system, both of which were displayed on the meeting screen.

Mayor Pro Tem Hizon opened the floor for public comment for items that were not listed on the agenda or the consent agenda from any audience member present. Hearing no one with a desire to address the Council on items not listed on the agenda, the public comment period was closed.

## **4. CONSENT AGENDA**

### Consent Items

- a. Approval of Minutes of the February 7, 2023 Council Meeting
- b. Approval of Payroll and Accounts Payable Vouchers
- c. Professional Services Agreement: - BHC Contract Extension
- d. Purchase Authorization – Quint and Engine for the Fire Department

Mayor Pro Tem Hizon called for any changes to the consent agenda. Hearing none, she noted all items were approved as presented.

## **5. MAYOR, COUNCIL & STAFF COMMENTS**

a. Mayor - Mayor Pro Tem Hizon Severns provided the following comments and updates on behalf of Mayor Severns:

- Association of Washington Cities Action Days: The City was well-represented at the AWC Action Days last week in Olympia. Some 350 city officials met with legislators in Olympia to review legislative priorities. Mayor Severns, City Administrator Oborn, and Councilmembers Woessner, Hoffmire and Mayor Pro Tem Hizon attended. Oak Harbor appreciates the support of State District 10 legislators Representative Paul, Representative Shavers and Senator Muzzall.

- Thank You: Mayor Pro Tem Hizon thanked the Oak Harbor Police and Fire Departments for their swift incident response whenever called upon in the community. She noted Mayor Severns also wished to acknowledge the service of three fine community volunteers: Bruce Freeman, retiring from the Planning Commission, Rosemary Morrison, retiring from the Parks Board, and Peter Hunt, Past-President of the Oak Harbor School Board.

- Boards & Committees: The City has openings on the Salary Commission, Historic Preservation Board, Planning Commission and Parks Board. Please see the City website for more details.

- Upcoming Community Events: these were displayed on screen

- b. Councilmembers

- i. Mayor Pro Tem Hizon called upon the Council for any additional comments.

Councilmembers Munns, Woessner and Mayor Pro Tem Hizon provided their respective comments.

## 6. PUBLIC HEARINGS & MEETINGS

- a. Ordinance No. 1968 – Sullivan Annexation (1741 NE 126<sup>th</sup> Avenue, Oak Harbor, WA Parcel #R13336-485-0180; 6.6 acres)

Senior Planner Lefevre presented the annexation item. He explained an Intent to Commence Annexation Proceedings was received by the city for a single 6.6-acre parcel zoned R-3, owned by Mr. Raymond Sullivan. This request was received September 26, 2022 for parcel R13336-485-0180 located adjacent to NE 16<sup>th</sup> Avenue. In conformance with RCW 35A.14.120 a meeting was held with the City Council and initiating party within 60 days after the filing of the notice of intent. At that November 15, 2022 meeting, the City Council agreed to the geographic scope, the proposed zoning district and required the initiating parties proportionate share of City indebtedness. A formal petition, meeting the requirements of RCW 35A.01.040 and 35A.14.120 was submitted and forwarded to the Island County Assessor for their determination of sufficiency. This public hearing was noticed in conformance with RCW 35A.14.130 and the Oak Harbor Municipal Code Section 18.20. Senior Planner Lefevre explained approval of this Ordinance will initiate the final phase of this annexation. That phase involves the preparation of the special census materials, mapping, and assembly of the WA Office of Financial Management (OFM) package for their review and final certification. OFM final certification takes approximately six months to complete. Senior Planner Lefevre noted no proposed development had been submitted at this time for this parcel.

Positive fiscal impacts result from additional property tax assessment, utility fee collection, and economic development. Negative fiscal impacts result from the impacts to police and fire services as well as other general City services.

Senior Planner Lefevre reviewed public notification requirements taken and next steps.

Mayor Pro Tem Hizon opened the public hearing. She noted two public comments had been submitted in advance for the public hearing and were displayed on the screen. Comments were received from:

1. Mollie Brodt of Oak Harbor, owner of a neighboring property, with a request for only single-family homes and not apartments, green space, traffic and displacement of wildlife.
2. Kristy Southard of Oak Harbor, a neighboring property owner with questions of the ingress/egress, traffic, and the change in zoning and protection for an adjacent private HOA park and facilities.

Mayor Pro Tem Hizon requested any other comments. All speakers were members of the adjacent Homeowners Association. Those residing on Taftson Street noted they did not receive a notice.

1. Ed Fry – spoke on behalf of the Homeowners Association and submitted written comments and concerns that will be attached to these minutes. Other members of the Homeowners Association voicing their comments and concerns included:
2. Brandon Parham
3. Nadine Guidry
4. Leon Guidry
5. Cheri Reichle
6. Bill Tolson
7. Gazel Campbell

Mayor Pro Tem Hizon closed the public hearing and requested Council comments.

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

**Motion:** Councilmember Hoffmire moved to approve Ordinance No. 1968 annexing a 6.6-acre parcel to the City of Oak Harbor. Councilmember Marshall seconded the motion. Following additional discussion, the vote on the motion carried six to zero with Councilmember Stucky abstaining, citing his property being in this vicinity.

## **7. ORDINANCES & RESOLUTIONS - None**

## **8. CONTRACTS & AGREEMENTS**

- a. Professional Services Agreement with Cabot Dow Associates, Inc. for Comprehensive Classification and Compensation Study for Non-Represented Employees

Central Services Supervisor Sandra Place presented the item and provided background information.

The City's last Non-Represented Classification and Compensation Study review was conducted five (5) years ago. This project is a comprehensive study of classification and compensation.

The City's functional objectives for this Project include:

1. Provide internal consistency within each department and between other departments, eliminate any salary compression between management and staff, and provide a fair, competitive wage in the labor market to attract and retain a professional, productive, and diverse workforce. For this study, the labor market shall consist of private and public sector labor markets.
2. Provide any recommendations for compensation administration, including rules and policies, to maintain long-term competitiveness, ensure equity, and position the organization for future development.
3. Recommend base salary ranges and classification placement within those ranges, total salaries, and benefits, including the compensation package of insurance and other benefits (including paid leave).
4. Provide a job evaluation methodology that logically compares jobs to assess their relative worth for classification review for this project and the City's use after the project is complete.

On January 7, 2023, the City issued a Request for Proposal (RFP) for a Non-Represented Classification and Compensation Study. The submission deadline was February 3, 2023, and the City received four (4) proposals.

An evaluation team of ten (10) staff members evaluated the proposals. The evaluation criteria were based on the following technical qualifications:

Thoroughness and understanding of the tasks to be completed.

Background and experience in organizational analysis and evaluation.

Staff expertise and overall experience of personnel assigned to the work.

Time required to accomplish the requested services.

Responsiveness to the requirements of the project.

Recent public-sector experience, preferably in a municipal setting, conducting similar studies.

Cost Based on the evaluation team's scores and two favorable reference checks,

Central Services Supervisor Place presented the staff recommendation to enter into a Professional Services Agreement with Cabot Dow Associates, Inc., noting the firm's experience in compensation and employee relations. She explained CDA's clients are primarily public sector based, including 70% cities, 10% counties, 10% libraries, and 10% transportation agencies. CDA also provides services to non-profit and private sector clients, including job classifications, health, pension, and total compensation analysis, and is based in Bellevue, Washington. The biennial 2023-2024 budget includes \$100,000.00 to fund an outside consultant to conduct a thorough classification and compensation study.

Mayor Pro Tem Hizon confirmed no public comment was received regarding this item.

Councilmembers Stucky and Munns provided their respective questions and comments,

**Motion:** Councilmember Hoffmire moved to authorize the Mayor to enter into an agreement with Cabot Dow Associates, Inc. for a Non-Represented Classification and Compensation Study to be conducted in the amount of \$32,000.00. Councilmember Munns seconded the motion, which carried unanimously.

- b. Second Amendment to Professional Services Agreement – Sculpture Northwest for Consultant Services – Determination of Angel de la Creatividad Sculpture Location

Public Works Director Schuller reviewed both the second amendment to the Professional Services Agreement and the options for the Council to consider for location of the Angel de la Creatividad sculpture. He provided background information as follows:

On September 7, 2021 the City signed both a Professional Services Agreement with Sculpture Northwest for consulting services regarding the Angel de la Creatividad sculpture and an Agreement for terms of the gift of the art sculpture.

On December 14, 2021 both parties signed First Amendment to the Professional Services Agreement to extend the term to December 31, 2023.

The City and Sculpture Northwest have since met to discuss the siting of the sculpture. Director Schuller reviewed the two park locations discussed were the southwest corner of Windjammer Park and Flintstone Park. The recommendation to Council was to determine a location and consider action to approve a proposed Second Amendment to the Professional Services Agreement.

Director Schuller explained the Sculpture Northwest had paid for a geotechnical report for the Windjammer Park location. If the Council were to select the Flintstone Park location, a geotechnical study for that site would be needed, as would a shoreline permit. Staff is suggesting these be paid from the Arts Fund. Sculpture Northwest has provided a proposed maintenance plan for the sculpture. Required for either site would be a flood plane permit, a biological assessment, a building permit, and Planning Commission approval. This process is expected to take approximately 6-8 months. Per the

second amendment, the City would pay for all permits and Sculpture Northwest would pay the cost of the installation.

Mayor Pro Tem Hizon noted the Council had received four public comments on this item in advance of the meeting. These were displayed on screen. Comments were received from:

1. Susie Thompson of Oak Harbor in favor of either location.
2. Ric Dutton of Oak Harbor favoring a location near the Marina
3. Jana Tate of Oak Harbor favoring the Flintstone Park location
4. Richard Almberg of Oak Harbor, favoring the Windjammer Park location

Mayor Pro Tem Hizon requested any other public comment on the item. Hearing no one else, the floor was closed.

Mayor Pro Tem Hizon requested Council comments.

Councilmembers Stucky, Munns, Woessner, Hoffmire, Evans, Marshall, and Mayor Pro Tem Hizon provided their respective questions and comments.

**Motion:** Following a lengthy discussion, Councilmember Hoffmire moved to locate the Angel de la Creatividad sculpture at a proposed location of Flintstone Park and authorize the Mayor to sign a Second Amendment to the Professional Services Agreement with Sculpture Northwest. Councilmember Munns seconded the motion.

Councilmember Woessner made a friendly amendment to enter into an Agreement with modifications to language regarding payment for flood plain permits, biological assessments, approval language, storage and permit costs. The friendly amendment was seconded by Councilmember Marshall.

Mayor Pro Tem Hizon called for a vote on the friendly amendment, which carried six to one with Councilmember Munns opposed. Following additional discussion, Mayor Pro Tem Hizon called for a vote on the motion as amended, with a proposed location at Flintstone Park. The amended motion passed five – two with Councilmembers Evans and Stucky opposed.

The now amended Agreement will return to Sculpture Northwest for their consideration.

Mayor Pro Tem Munns requested a five-minute recess.

**Motion:** Councilmember Munns moved to move the Planning Commission Annual Report, agenda item 10.a. to before item 8.c on the agenda. The motion was seconded by Councilmember Marshall and carried unanimously.

**Motion:** Councilmember Munns moved to extend the meeting past 9:00 p.m., seconded by Councilmember Woessner. The motion carried unanimously.

## **10. REPORTS & DISCUSSION ITEMS**

- a. Planning Commission Annual Report to City Council

Development Services Director Kuhl noted staff had drafted the report for 2022; the work program for 2023; and prepared the action details based on approved meeting minutes. Staff requested that the Council receive the report and work program for 2023 and provide input on the program moving forward.

Director Kuhl reviewed 2022 Planning Commission Accomplishments:

Regular Meeting Minutes February 21, 2023

1. 2021 Comp Plan/CIP amendments Ord. 1946
2. Site specific Rezone amendments Ord. 1949
3. ADU's and Industrial amendments Ord. 1950
4. Density Standards amendments Ord. 1953
5. Crosby Villa Rezone Ord. 1955
6. Height limit amendment Ord. 1958
7. Critical Areas Ordinance 1959
8. Existing Building Code amendment Ord. 1962

Director Kuhl shared Planning Commission On-Going Projects:

- Implement Housing Action Plan
- Active Transportation Plan
- Main Street Association support
- Joint Planning area/UGA
- Stormwater NPDES Phase II Basin Analysis
- Windjammer Shoreline Permitting

And New Projects:

- Downtown/Marina downtown revitalization
- Economic Development Staff
- Community Development Code updates
- 2025 Comp Plan update
- Infrastructure Planning
- Windmill review and inspections
- Amend the County interlocal agreement

Director Kuhl noted the Planning Commission was using the City Council goals and priorities as a guide for their 2023 work program, with bylaws review and approval dependent on Council guidance. Director Kuhl reviewed major interdepartmental accomplishments with the new permitting system and the implementation of Kaizen continuous "lean" improvements, as well as Development Services Staff accomplishments and promotions. He introduced Planning Commission Chair Greg Wasinger who noted he was pleased to see the interaction of Council and the Public. Mr. Wasinger voiced appreciation for City staff and their efforts.

Councilmembers Munns, Hoffmire, and Mayor Pro Tem Hizon provided their respective questions and comments. Mayor Pro Tem Hizon suggested a joint workshop once per year with the Planning Commission and the City Council.

## **8. CONTRACTS & AGREEMENTS**

- c. Water main Oversizing Agreement for Municipal Water Main System Extension – Marin Woods, LLC

City Engineer Warner reviewed the project. He explained the City of Oak Harbor's 2014 Comprehensive Water System Plan established the project T-5: Westside Water Main Extension with an estimated project cost of \$7,609,000.00 and a proposed year of later than 2019.

City Engineer Warner reviewed background information: The Marin Woods development (owned by Marin Woods) located between Fairway Lane, SW Putnam Drive, and SW Robertson Drive was submitted to in 2018. It is within the "future service area" as defined in the 2014 Water Comprehensive Plan. This development was approved in 2020, began civil construction 2021, completed civil construction 2023 and is now seeking final plat approval. Negotiations between the City and the Owner for

Regular Meeting Minutes February 21, 2023

the watermain oversizing agreement began in 2019 and proceeded with various owners, city attorneys, and city engineers. The owner chose to proceed with construction of their development including the 18-inch watermain without an oversizing agreement in place. The 18-inch watermain has now been installed, inspected, and approved by the City. As part of the 2022 Water Comprehensive Water Plan Limited update the project DS-6: Marin Woods Waterline Upsize was identified as necessary to increase the standard water main size of 8 inches to 18 inches

in order to conform with the Water System Plan as a portion of the T-5: Westside Water Main Extension project. This project installs 1,200 feet of the 16,000 feet identified in T-5 with an estimated cost of \$250,000.00. Oak Harbor Municipal Code section 13.28.020(2)(d) states "If adequate money is available in the water department fund, the city shall pay the material cost difference in cases where the comprehensive water plan calls for a main size larger than eight inches.". To determine a fair and accurate cost, a third-party estimate was prepared by Semrau Engineering and Surveying. The methodology used consists of utilizing the Washington State Department of Transportation's (WSDOT) standard unit bid items and historical costs consistent with when this work was performed. They determined that the cost to install an 8-inch waterline is \$162,215.00 and the cost to install a 18-inch waterline is \$394,122.34. Therefore, the cost difference is \$231,907.34. This approach is consistent with the most recent watermain oversizing reimbursement agreement that was executed in 2016 for the Colin Lane Industrial Park development. In the 2023/2024 Biennial Budget the placeholder budget before an estimate was available was set at \$100,000.00. The water department fund has sufficient funds; however, a budget amendment at a later date will be necessary to reflect Council action.

Mayor Pro Tem Hizon confirmed no public comment was received on this item. She called for any comments from the public in attendance, and hearing none, called for a five-minute break. Following the break, she requested Council input.

Councilmembers Stucky, Munns, Woessner, Hoffmire, Evans, Marshall, and Mayor Pro Tem Hizon provided their respective questions and comments.

**Motion:** Councilmember Munns moved to authorize the Mayor to sign the Water Main Oversizing Agreement for Municipal Water Main System Extension between Marin Woods, LLC ("Owner") and the City of Oak Harbor ("City") in the amount of \$231,907. Councilmember Hoffmire seconded the motion, which carried four to three with Councilmembers Evans, Stucky and Woessner opposed.

## 9. OTHER ITEMS FOR CONSIDERATION-

### a. Conservation Futures Grant Application

City Administrator Oborn reviewed the proposed grant item and voiced appreciation for Director Schuller, Grant Coordinator Horn, and Engineer Warner and staff. The City of Oak Harbor currently owns two parcels of wetland and estuarine marsh located to the west of the City's Windjammer Park. These parcels total 44.31 acres. One was purchased in 1998. The other was a donation from the Freund family. There are three smaller parcels surrounding the City-owned parcels that are undeveloped and are a combination of wetlands, estuarine marshes and beachfront. The total acreage for these three parcels is 3.96 acres. The City of Oak Harbor is proposing to purchase these three parcels for the following reasons: wetland and marshland conservation; climate change mitigation; and public access to beachfront and scenic views. The grant request to Island County would be for \$582,490.

The City Council heard a report from Public Works regarding Freund Marsh drainage during the June 17, 2020 regular meeting. Further discussion was conducted at the July 7, 2020 regular meeting with a motion to develop a letter of intent to perform storm water modeling.



Mayor Pro Tem Hizon confirmed no public comments had been received on this item and called for any from those present. Hearing no one with a desire to address the Council, the floor was closed.

Councilmember Stucky provided his respective questions and comments.

Motion: Councilmember Woessner moved to authorize the Mayor to sign the Conservation Futures Fund grant application requesting up to \$582,490.00 for the purchase of three parcels adjacent to City-owned Freund Marsh. Councilmember Munns seconded the motion, which carried unanimously.

## **10. REPORTS & DISCUSSION ITEMS -**

- b. Planning Commission Annual Report to City Council – **NOTE:** this item was moved to earlier in the agenda.

## **11. EXECUTIVE SESSION - None**

### **Adjourn**

**Motion:** There being no further business, Councilmember Woessner moved to adjourn, seconded by Councilmember Marshall. The motion was approved by a unanimous vote, therefore the meeting adjourned at 9:43 p.m.

Certified by Julie Nester, City Clerk