

Oak Harbor City Council  
Regular Meeting Minutes  
March 1, 2022

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**Due to COVID-19, there was both a physical meeting location and a virtual meeting per WA Proclamation 20-28. Meeting was viewable live via YouTube at [www.youtube.com/cityofoakharbor](http://www.youtube.com/cityofoakharbor) and on Cable Channel 10/HD 1090**

**CALL TO ORDER**

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

**Invocation** – Led by Reverend Greg Steible, Whidbey Presbyterian Church

**Pledge of Allegiance** – Led by Mayor Pro Tem Munns

**ROLL CALL**

City Council Present:

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

Staff Present/Videoconference

City Administrator Blaine Oborn  
Finance Director David Goldman  
Interim Public Works Director Mick Monken  
City Engineer Alex Warner  
Principal Planner Cac Kamak  
Project Manager Brett Arvidson  
Archeologist Gideon Cauffman  
Fire Chief Ray Merrill  
Police Chief Kevin Dresker  
Harbormaster Chris Sublet  
Communications & IT Manager Sabrina Combs  
Executive Assistant Macalle Finkle  
City Clerk Julie Lindsey

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

**1. APPROVAL OF AGENDA**

Mayor Pro Tempore Munns called the meeting to order and noted she was presiding this evening on behalf of Mayor Severns. She called for any changes to the agenda. Hearing none, it was approved as presented.

**2. PRESENTATIONS**

- a. Proclamations - None
- b. Honors & Recognitions - None
- c. Community Presentations – Island Transit, Todd Morrow – Executive Director

Island Transit Executive Director Todd Morrow provided an overview of “Island Transit Maximized” with a focus on equity and decarbonization, as well as service improvements being considered by that entity’s Board of Directors. Mr. Morrow noted Mayor Pro Tem Munns serves as the Board Chair, and explained he meets quarterly with Mayor Severns. Mr. Morrow reviewed the expansion of service to Sundays and extending some Monday-Friday routes from 8 to 10:00 p.m. on Whidbey Island and from 6:30 to 8:30 p.m. on Camano Island. He also reviewed potential route changes and the addition of new routes. Island Transit invites residents to complete a survey regarding service. Hard copies are available at various service locations, or inline at [www.islandtransit.org/island-transit-maximized](http://www.islandtransit.org/island-transit-maximized).

Councilmember Hoffmire and Mayor Pro Tem Munns provided their questions and comments.

### **3. CITIZEN COMMENT PERIOD**

Mayor Pro Tem Munns explained citizens could comment on subjects of interest. Public comment could be submitted via the online webform, electronically to the City Clerk at [jlindsey@oakharbor.org](mailto:jlindsey@oakharbor.org) or by calling 360-279-4571 after 5 p.m. on the Friday preceding the meeting and prior to the meeting. To ensure all comments are recorded properly, please state your name clearly when leaving a message. Please limit comments to three minutes.

The City Council received no employee comments and three public comments since the February 15, 2022 meeting. These were provided to Council and displayed during the meeting.

Mayor Pro Tem Munns opened the floor for public comment from any audience member present. Hearing no comments, the public comment period was closed.

### **4. CONSENT AGENDA**

#### Consent Items

- a. Approval of Minutes of the February 15, 2022 Council Meeting and the February 23, 2022 Council Workshop
- b. Approval of Payroll and Accounts Payable Vouchers

Mayor Pro Tem Munns called for any changes to the consent agenda and hearing none, the consent agenda was approved as presented.

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

- a. Mayor - Mayor Pro Tem Munns provided the following comments on behalf of Mayor Severns:

Mask Mandate Lift – In a press conference yesterday, Governor Inslee announced he is joining with the Governors of Oregon and California in lifting the statewide indoor mask mandate beginning March 12th. This includes inside schools and school buses. The mandate remains in effect for healthcare, long-term care, and corrections facilities, as well as Federal Government facilities. Employers may still require masking in their places of business.

Student News: Congratulations to student athletes John Blankman and Jordan Fay who competed in the WIAA State Competitions for the Swim and Dive Championships and wrestlers Cole Valdez, Pierce Hatfield and Alyssia Grose who competed in the Mat Classic. Congratulations as well to theater students Maggie Garrett, AJ Gibson, and Zoe Eisenbrey who competed in the International Thespian Excellence

Awards and have qualified for national level competition. And Congratulations to the Oak Harbor Navy Junior ROTC who have advanced to regionals.

Public Works Director Finalist Interviews: Friday, March 4, 2022. Members of Council will be participating as scheduled.

Council Service on Boards, Commissions, and Committees – Mayor Severns invites Councilmembers to provide updates from the various Boards, Commissions and Committees they serve on as representatives of the City. A great time for updates in our agenda is during Council Comments. As noted by Mr. Morrow, Mayor Pro Tem Munns serves on the Board of Directors for Island Transit.

Oak Harbor Wildcat Sailing Team: The sailing team will compete in an upcoming school competition regatta. 40 schools from western Washington will participate.

b. Councilmembers

Councilmembers Hoffmire, Woessner, and Mayor Pro Tem Munns provided their respective questions and comments. Councilmember Woessner commented on the Tourism Committee, the Parks Board and the group working towards a Windmill public/private partnership.

## 6. PUBLIC HEARINGS & PUBLIC MEETINGS

Finance Director David Goldman observed item a. Ordinance No. 1944 – Amendment No. 6 – 2021-2022 Biennial Budget, might have changes based on discussion of the next public hearing, Item b. regarding the Comprehensive Plan and Capital Improvements Plan Amendments, and as a result, recommended that item b. be heard first.

This recommendation met with the concurrence of the Council.

b. Updated 2021 Comprehensive Plan and Capital Improvements Plan Amendments for 2022-2027

Principal Planner Cac Kamak presented proposed updates to the Comprehensive Plan and Capital Improvements Plan (CIP). He noted these updates were presented at the February 23, 2022 Council Workshop as well as to the Planning Commission at their February meeting. Planner Kamak noted staff requested Council open the public hearing, provide the opportunity for Council review, and then continue the public hearing to March 15, 2022. He highlighted changes and reviewed recommended action steps.

Mayor Pro Tem Munns noted Council had discussed concerns and might wish to provide direction to staff moving forward. She requested a motion or motions directing staff to make the proposed changes discussed and bring these to Council when the public hearing is continued on March 15<sup>th</sup>.

**Motion:** Councilmember Hoffmire moved to remove from the CIP the City Hall parking lot expansion. Seconded by Councilmember Stucky. Councilmembers Hizon, Woessner, Marshall, Evans and Mayor Pro Tem Munns provided their questions and comments. Following discussion, the vote on the motion carried 6-1 with Mayor Pro Tem Munns opposed.

**Motion:** Councilmember Marshall moved to remove the Fakkema Road Access Project from the Capital Improvements Plan. Seconded by Councilmember Hoffmire. Councilmembers Woessner, Hizon, Marshall, Evans, Hoffmire, Stucky and Mayor Pro Tem Munns provided their respective questions and comments.

Following discussion, Councilmember Hoffmire proposed a friendly amendment to add “pending a proper transfer of transportation impact fees to another project. Seconded by Councilmember Marshall.

## **EXECUTIVE SESSION**

Following discussion, the Council took a five-minute break and then entered into Executive Session for the purpose of discussing a potential litigation matter with legal counsel at 7:38 p.m. At 7:48, Council requested the City Clerk announce an extension of the Executive Session for ten more minutes. Council came out of Executive Session at 7:58 p.m. and resumed the Open Session. Mayor Pro Tem Munns announced no action would be taken regarding the potential litigation matter discussed.

**Motion:** Councilmember Marshall moved to table the motion to remove Fakkema Road until the March 15th Council meeting. Councilmember Hoffmire seconded the motion to table, the vote on which carried unanimously. Councilmember Hoffmire moved to withdraw the friendly amendment, seconded by Councilmember Marshall. The vote on the withdrawal of the amendment carried unanimously.

Councilmember Evans noted he would like to see a change for the March 15th meeting for more urgency for sewer line repairs, (This was not directed in the form of a motion.)

**Motion:** Councilmember Hoffmire moved for staff to add Elwha Road back as an option to the Harbor Heights Sport Complex access and present more information on March 15th. The motion died for lack of a second.

Other items highlighted by the Council in discussion but not acted upon in a motion included:

- Purchase of the Marina Boatyard
- Schedule for Street Improvements
- Installation of the Portland Loos and closure/demolition of the Flintstone Park Restrooms
- Freund Marsh Feasibility Study in 2025-2026

Mayor Pro Tem Munns opened the Public Hearing for anyone wishing to speak regarding the proposed amendments. She confirmed with the City Clerk that no comments were received from the public. Mayor Pro Tem Munns requested a motion to continue the public hearing to March 15, 2022.

**Motion:** Councilmember Hoffmire moved to continue the public hearing to the March 15<sup>th</sup> Council meeting. The motion was seconded by Councilmember Stucky and passed unanimously.

Mayor Pro Tem Munns announced the public hearing was continued to the March 15, 2022 meeting.

### **a. Ordinance No. 1944 – Amendment No. 6 – 2021-2022 Biennial Budget**

Finance Director David Goldman noted that the changes requested by Council to the Capital Improvements Plan would require updates to the proposed amendment to the 2021-2022 Biennial Budget and requested a continuance of the public hearing.

Mayor Pro Tem Munns opened the Public Hearing for anyone wishing to speak regarding the proposed amendments. She confirmed with the City Clerk that no comments were received from the public and called for a motion to continue the public hearing to March 15, 2022.

**Motion:** Councilmember Stucky moved to continue the public hearing to the March 15<sup>th</sup> Council meeting. The motion was seconded by Councilmember Hoffmire and passed unanimously.

## **7. ORDINANCES & RESOLUTIONS**

None.

## 8. CONTRACTS & AGREEMENTS

### a. Oak Harbor Marina F-Dock Breakwater & Repairs – Change Order No. 2

Project Manager Arvidson reviewed the change order which included two items. As reviewed at the February 23, 2022 workshop, the Marina endured severe storm events in February 2020, January 2021 and November 2021, all with separate insurance claims. A portion of the costs of the repairs from the damage caused by these events is covered by insurance and a portion is funded by a Department of Commerce Grant. In September 2021 a navigation piling was damaged and has been added to the project. The first change order item is for replacement of two dock panels planned for re-purpose which sank in the November 15, 2021 storm and could not be recovered. The second change order item is the need to modify channel supports or whalers, attached to the pile hoops. The dock was constructed in two phases and some of the whalers did not conform to the design drawings. This was not initially observed as the whalers were underwater.

Mayor Pro Tem Munns confirmed no public comments were received regarding the contract renewal.

Councilmembers Evans provided his respective comments and questions.

**Motion:** Councilmember Hoffmire moved to authorize the signing of Change Order No. 2 for the F-Dock Breakwater and Float Repair Project with American Construction Company, Inc., in an amount of \$58,990.47, bringing the final contract amount to \$807,227.20. Councilmember Stucky seconded the motion which carried unanimously.

### b. 2022 Transportation Benefit District (TBD) Chip Seals – Interagency Agreement with Island County -

City Engineer Warner provided an update on the chip seal projects planned for 2022. He provided background on the TBD. City of Oak Harbor residents passed the Transportation Benefit District initiative in November 2019. For the past two years the City has contracted with Island County to perform the TBD projects which provide asphalt overlays and chip sealing for local residential streets. For 2022, Island County will perform only the chip seal work within the City. The overlays will be handled as a separate contract. The 2022 TBD revenue is projected to be \$900,000.00. Engineer Warner reviewed the 2022 TBD projects which intend to chip seal approximately 6 lane-miles in the southeast section of the city. He outlined what the City is responsible for under the agreement. The agreement with Island County is for a not-to-exceed amount of \$221,000.00. The work is anticipated to begin this summer.

Mayor Pro Tem Munns confirmed no public comments were received regarding the services agreement.

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

**Motion:** Councilmember Stucky moved to authorize the mayor to sign the Interagency Agreement, with Island County to provide services for the 2022 TDC Chip Seals for the City of Oak Harbor in a not to exceed amount of \$221,000. Councilmember Hizon seconded the motion, which carried unanimously.

Due to the lateness of the hour, Mayor Pro Tem Munns called for motion to extend the meeting.

**Motion:** Councilmember Evans moved to extend the Council meeting beyond 9:00 p.m., seconded by Councilmember Marshall. The vote on the motion carried unanimously.

## 9. OTHER ITEMS FOR CONSIDERATION

a. Utility Payment Plans Exceeding \$5,000

Finance Director Goldman reviewed the direction by Council to date. On October 27, 2021, the City Council directed staff to assist customers with finding resources to help pay for past due utility bills and to enter into payment plan agreements of up to 18 months not to exceed \$5,000. Balances in excess of \$5,000 are to be brought to City Council for approval. Of the five accounts that had past due balances over \$5,000, two have been paid off, one has been closed, and two have requested to be entered into payment plans. Staff has tentatively entered into payment arrangements with these two customers, pending consideration from the City Council.

Payment Plan 1: Received: February 4, 2022. Total past-due balance: \$5,696.29. Number of payments: 18. Average Payment Amount: \$316.46.

Payment Plan 2: Received: February 10, 2022. Total past-due balance: \$8,857.25. Number of payments: 18. Average Payment Amount: \$492.07.

Director Goldman explained if the payment plans were accepted by Council, staff will manage them in the same way as all other payment plans. If the payment plans are rejected by Council, the customers will be expected to pay the past due balance in full before the next disconnection date to avoid disconnection. Following established practice, customers will then be given 90 days to pay the past due balance before account is sent to collections.

Mayor Pro Tem Munns confirmed no public comments were received regarding this agenda item.

Councilmembers Hoffmire and Marshall provided their respective comments and questions.

**Motion:** Councilmember Evans moved to accept/reject Payment Plan 1, service address 1150 SE Dock Street, seconded by Councilmember Hoffmire. The vote on the motion carried unanimously.

**Motion:** Councilmember Evans moved to accept/reject Payment Plan 2, service address 930 SE Pioneer Way, seconded by Councilmember Stucky. The vote on the motion carried unanimously.

## 10. REPORTS & DISCUSSION ITEMS

None.

## 11. EXECUTIVE SESSION

There was no additional executive session.

## ADJOURN

**Motion:** Motion by Councilmember Hizon to adjourn, second by Councilmember Stucky. Motion was approved by a unanimous vote, therefore the meeting adjourned at 9:02 p.m.

Certified by Julie Lindsey, City Clerk