

Oak Harbor City Council
Regular Meeting Minutes
March 15, 2022

This 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 and on Cable Channel 10/HD 1090

CALL TO ORDER

Councilmember Hizon called the meeting to order at 6:00 p.m.

Invocation – Led by Pastor Ron Lawler, Family Bible Church

Pledge of Allegiance – Led by Councilmember Hizon

ROLL CALL

City Council Present:

Mayor Robert Severns - absent
Mayor Pro Tem Beth 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
Development Services Director David Kuhl
Interim Public Works Director Mick Monken
City Engineer Alex Warner
Senior Planner Dennis Lefevre
Central Services Supervisor Sandra Place
Fire Chief Ray Merrill
Police Chief Kevin Dresker
Human Resources Director Emma House
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

EXCUSE ABSENT COUNCIL MEMBERS

1. APPROVAL OF AGENDA

Councilmember Hizon called the meeting to order and noted she was presiding this evening on behalf of Mayor Severns and Mayor Pro Tem Munns, who was representing the City on a meeting at the Pentagon. Councilmember Hizon noted staff had requested moving agenda item 9.b. Public Works Director Employment Contract, to immediately following the Consent Agenda. She called for any objection and for any other changes to the agenda. Hearing none, the agenda was approved as amended.

2. PRESENTATIONS

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

3. CITIZEN COMMENT PERIOD

Councilmember 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 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 one public comment since the March 1, 2022 meeting. This comment was from Joyce Amaturro and was provided to Council and displayed during the meeting.

Councilmember Hizon opened the floor for public comment from any audience member present.

1. Barbara Armes of Oak Harbor, addressed the Council on a variety of topics including a proposed roundabout, ball fields, electric buses, rate increases, spending and recycling.

Hearing no other comments, the public comment period was closed.

4. CONSENT AGENDA

Consent Items

- a. Approval of Payroll and Accounts Payable Vouchers
- b. Approval of Minutes of the March 1, 2022 Council Meeting
- c. Resolution 22-06: Establishing the Fee for the 2022 Whidbey Farmers Market
- d. Approval of Concessionaires Agreement with Whidbey Farmers Market
- e. Housing Action Plan Implementation Grant Contract

Councilmember Hizon called for any changes to the consent agenda and hearing none, the consent agenda was approved as presented.

9. CONTRACTS & AGREEMENTS

- a. Public Works Director Employment Contract

Human Resources Director House reviewed the process taken in the selection of Steve Schuller as Public Works Director. She and Administrator Oborn thanked the members of Council and staff who participated in the interview process and thanked Interim Public Works Director Mick Monken for his leadership and professional guidance over the past six months. This item is to approve the contract with Mr. Schuller was selected from a field of 24 applicants, four of which were selected for interviews.

Councilmember Hizon confirmed there were no comments by the public regarding this item.

Councilmembers Hoffmire and Hizon provided their relative questions and comments. Mr. Schuller was in attendance virtually and expressed his excitement to join the team at City of Oak Harbor.

Motion: Councilmember Evans moved to confirm the Mayor's appointment of Steve Schuller to the position of Public Works Director and approve the employment agreement with Steve Schuller as the Public Works Director for the City of Oak Harbor and authorize the Mayor to sign. The motion was seconded by Mayor Pro Tem Munns and carried unanimously.

5. MAYOR, COUNCIL & STAFF COMMENTS

a. Mayor - Councilmember Hizon provided the following comments on behalf of Mayor Severns:

St. Patrick's Day Parade: Thursday, March 17 at 4 pm is the annual St. Patrick's Day Parade along Pioneer Way featuring Grand Marshal Maria McGee. Please be advised that Pioneer Way will be closed from SE City Beach Street to SE Pasek from approximately 3pm to 6pm. Parking will be unavailable along parade route on March 17 in preparation for this event. Immediately following the parade Corned Beef & Cabbage dinners will be available for \$12 per plate at the American Legion.

Mainstreet Town Hall – The Oak Harbor Mainstreet Association will hold a public meeting to keep citizens informed about the Association's plans for downtown in 2022. They will review their projects and events, as well as sponsorship and partnership opportunities. Mainstreet invites you to join them March 22nd at 5:30 p.m. at Orlando's Bar and Southern Barbeque. Councilmembers, please let the City Clerk know if you plan to attend. If more than three, she will post a notice of attendance. Staff who attend are planning to have a form for attendees to provide questions of the City.

Marina office closure: The marina office will close early at 2 p.m. on Thursday, March 24 for training.

Council Retreat: The City Council Retreat is planned for Thursday, March 31st from approximately 8:30-4:30 in Council Chambers. A facilitator has been selected. Councilmembers, please confirm your availability with the City Clerk.

Little League Baseball Season Opener: The Oak Harbor Little League has requested a Councilmember or City Official throw out the first pitch at their opening game on Saturday, April 16th. The game begins at 10:00 a.m. at Windjammer Park. A volunteer from Council was requested. Councilmember Hoffmire volunteered.

Navy League Luncheon: The Navy League is hosting a program by Representative Rick Larsen at their May 3rd luncheon, 11:30 a.m. at the Oak Harbor Elk's Club. Councilmembers, please confirm with the City Clerk if you are planning to attend so a notice of attendance can be posted if necessary.

Boards, Commissions, and Committees – Openings are posted on the City's website. Mayor Severns plans to bring two Planning Commission confirmations to Council in April.

Windjammer Park Improvements Focus Group: The Community Focus group met last evening to review and take the survey shared with Council at the March 1st meeting. The Focus Group also took the survey electronically and provided comments on the printed version and on the project materials. Thank you to Councilmember Marshall for participating and providing his media experience. Staff will be creating a report to document the comments received. Public open houses will be held in April.

City Website Update: City staff had the first meeting with the website team from CivicPlus last week to discuss site layout, ease of use, colors, and branding. Additional meetings will address a variety of topics moving forward. Staff will provide a report to Council at a future meeting.

Congratulations to the Oak Harbor Wildcats Sailing Team: They finished 5th in gold fleet and 3rd and 13th in silver fleet and have officially qualified for Northwest Interscholastic Sailing Association districts.

b. Councilmembers

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

6. EXECUTIVE SESSION

Councilmember Hizon announced the Council would take a short break and then enter into Executive Session at 6:31 p.m. to discuss with legal counsel litigation or potential litigation per RCW 42.30.110 (1)(i). The Executive Session was anticipated to last for 20 minutes. Executive Sessions are not open to the public.

At 6:51 p.m., the Council requested the Clerk announce an extension of the Executive Session to 6:56 p.m.

At 6:56 p.m. the Council came out of Executive Session and resumed the open session. Councilmember Hizon noted no action was taken regarding the matter discussed.

7. PUBLIC HEARINGS & MEETINGS

- a. Ordinance No. 1946- Updated Comprehensive Plan and Capital Improvements Plan Amendments, Public Hearing Continued from March 1, 2022.

Development Services Director Kuhl presented the ordinance and spoke to two specific items discussed by Council at the March 1, 2022 Council meeting. Updates were presented at the February 23, 2022 Council Workshop as well as to the Planning Commission at their February meeting, and at the March 1, 2022 Council meeting. Director Kuhl noted staff had requested Council open the public hearing, provide the opportunity for Council review, and then continue the public hearing to March 15, 2022. He provided an abbreviated presentation, highlighted changes and reviewed recommended action steps.

a.i. Fakkema Road - City Engineer Warner provided background on the project which will design and construct approximately 2,000 feet of new public road to promote economic development to 11 parcels totaling 53 acres.

- 4 City-owned parcels totaling 17 acres (zoned OS Open Space, Recreation, and Agriculture)
- 7 privately-owned parcels totaling 36 acres (zoned C-4 Highway Service Commercial)

SR 20 in this area is a WSDOT Managed Access, Class 2 Highway

- Managed Access Class 2 favors highway mobility over access
- Current access to properties is from a single driveway to SR-20 that does not meet current standards for traffic safety
- WSDOT's Access Management Plan requires this driveway to be abandoned upon property development
- These properties will access SR-20 from Fakkema Road following project completion

The City received three pre-applications for commercial business on the properties that did not come to fruition due to difficulties with access

- The City has taken steps to provide safe access to properties
- Dedicated right-of-way for access road
- Completed a topographic survey of the property

Construction of the new access road will improve development potential at the north edge of the City, increase capacity of the City's street system, and preserve capacity and safety of SR-20.

City Engineer Warner reviewed the project timeline as well as draft plans:

- July 2016: Oak Harbor Transportation Comprehensive Plan identified this location for a “potential future street”.
- December 2016 right-of-way dedicated.
- 2018 City Council approved Fakkema Road funding.
- May 2019 topographic survey completed by Frazier Surveying.
- January 2020 Harmsen Engineering began design of road.
- August 2021 road design completed.
- Currently in discussion with U-Haul for a development agreement cost-share and road design modifications.

Councilmember Hizon thanked staff for the presentation and noted this was a continuation of the public hearing. She confirmed with the City Clerk that no public comments had been received. Hearing no comments from the public or questions from Council, staff proceeded with the next item.

a.ii Sewer Line Collection System - City Engineer Warner reviewed current efforts and projects for Slip Lining, Annual Sewer Line Replacements, and Inflow & Infiltration (I&I) Project Development Plan (PDP)

Slip Lining is a trenchless technology that creates a solid lining within an existing leaking sewer main. This allows for a reduced construction impact and fast deployment. A contract with Semrau Engineering in the not-to-exceed amount of \$23,300.00 was executed June 15th, 2021 to produce plans, specifications, and an estimate of slip lining several sewer mains on the east side of the City.

- Scope –Slip line ~1700 lineal feet of sewer main on SE Maylor St, SE 8th Ave, NE 9th Ave, and NE Meeter Ln
- Design –Underway
- Construction –Fall 2022

The sewer capital fund budgeted \$1,320,000 for sewer line replacements for 2021 to 2023.

- No sewer line replacements were completed in 2021.
- Sewer line replacements are being identified for design 2022 and construction 2023.

Engineer Warner explained staff is currently developing an Inflow & Infiltration (I&I) Project Development Plan (PDP) and anticipate this will be completed this spring. This will better position the City to obtain grant funding for projects that reduce and/or eliminate I&I

Councilmember Hizon again called for anyone wishing to speak regarding the proposed amendments. She confirmed with the City Clerk that no comments were received from the public and requested comments from Council.

Councilmember Evans and Mayor Pro Tem Munns provided their respective questions and comments.

Councilmember Hizon noted staff had requested continuation of the public hearing to May 17, 2022 in order to finalize changes to be presented.

Motion: Councilmember Stucky moved to continue the public hearing to the May 17th Council meeting. The motion was seconded by Councilmember Hoffmire and passed unanimously.

Councilmember Hizon announced the public hearing for Ordinance No. 1946- Updated Comprehensive Plan and Capital Improvements Plan Amendments was continued to the May 17, 2022 meeting.

b. Ordinance No. 1944 – Amendment No. 6 – 2021-2022 Biennial Budget, Public Hearing Continued from March 1, 2022

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 to May 17, 2022.

Councilmember Hizon noted this was also a continuation of 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 hearing no comments from the public, requested any comments from the Council. Hearing none, she called for a motion to continue the public hearing to May 17, 2022.

Motion: Councilmember Evans moved to continue the public hearing to the May 17th Council meeting. The motion was seconded by Councilmember Hoffmire and passed unanimously.

Councilmember Stucky inquired about the use of American Rescue Plan Act (ARPA) funding. Finance Director Goldman provided a brief outline of approved uses of the ARPA funds and noted he would provide a report to the Council.

8. ORDINANCES & RESOLUTIONS

a. Resolution 22-07: Amending Schedule D (Marina) of the Master Fee Schedule

Harbormaster Chris Sublet reviewed the fee schedule changes for the Marina as approved in March of 2019 by Resolution 19-09, providing for a yearly 3% increase for years 2019-2022. He noted the rate increase had been reviewed with the Marina Advisory Committee.

Councilmember Hizon confirmed no comments were received from the public.

Mayor Pro Tem provided her respective comments.

Motion: Mayor Pro Tem Munns moved to adopt Resolution 22-07 which amends Schedule D (Marina) of the Master Fee Schedule, effective April 1, 2022. Councilmember Hoffmire seconded the motion, which carried unanimously.

9. CONTRACTS & AGREEMENTS

a. Water Well No. 9 Rehabilitation – Professional Services Agreement, Amendment No. 3 with Pacific Groundwater Group

City Engineer Warner reviewed the item for Council to extend the contract. Well No. 9 was constructed in the 1960's and is steadily declining in production. The rehabilitation has been in the City's Capital Improvements Plan for many years and requires a hydrogeologist. Engineer Warner reviewed the scope of services and deliverables. This is a no cost contract extension to March 31, 2023.

Councilmember Hizon confirmed no public comments were received regarding the PSA Amendment and invited any present to speak.

Vicki Graham, Executive Director for the Greater Oak Harbor Chamber of Commerce inquired whether anyone locally was considered for this contract. Staff will review and provide information.

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

Motion: Councilmember Stucky moved to authorize the Mayor to sign the no-cost Professional Services Agreement, Amendment No. 3, for the rehabilitation of Well No. 9 with Pacific Groundwater Group, Inc. A no-cost extension until March 31, 2023. The motion was seconded by Mayor Pro Tem Munns and carried 6-1 with Councilmember Hoffmire opposed.

A brief discussion followed the vote with points made that this and other wells serve as a secondary water source for the City, that the contract at more than \$30,000 did go out to bid and was approved by a vote of the Council when initially introduced.

- b. Public Works Director Employment Contract - item was moved to earlier in the meeting.

10. OTHER ITEMS FOR CONSIDERATION

- a. Kirkendall Annexation Request

Development Services Director Kuhl reviewed the annexation process and request by Harold Kirkendall and Debra Frederick Kirkendall for their properties located at 1298 and 1307 Swantown Road. The property zoning is residential and is adjacent to Marin Woods. Director Kuhl noted the decision to annex is at the discretion of the City Council.

Councilmember Hizon confirmed no public comments were received regarding this agenda item.

Councilmembers Evans and Hizon provided their respective comments and questions.

Motion: Councilmember Hoffmire moved to accept the request to annex the requested properties along with an annexation agreement for the right-of-way dedication and utility extension, seconded by Councilmember Evans. The vote on the motion carried unanimously.

- b. Special Market Condition – Used Chip Seal Broom

Central Services Supervisor Place reviewed the requested purchase. The 2021-2022 Biennial budget includes funds to purchase a used paver to do asphalt work in-house. Due to the increase in the resurfacing of streets with chip seals versus overlays, the immediate need is for a chip seal broom. Supervisor Place provided a cost benefit analysis between owning and renting the equipment. Special market conditions allow exceptions to the competitive process in order to purchase favorably priced equipment at an auction.

Councilmember Hizon confirmed no public comments were received regarding this agenda item.

Councilmembers Evans and Hoffmire provided their respective comments and questions.

Motion: Mayor Pro Tem Munns moved to authorize staff to procure a mechanical sweeper in an amount not to exceed \$120,000. Councilmember Hoffmire seconded the motion, which carried unanimously.

- c. Special Market Condition – Excavator

Central Services Supervisor Place noted an excavator was not included in the 2021-2022 Biennial budget, but staff saw an opportunity for flexibility, service and cost savings over renting. Projects such

as the clearing for Harbor Heights and sewer main repairs would utilize an excavator. Supervisor Place included a cost benefit analysis and comparison to previous rental costs.

Councilmember Hizon confirmed no public comment was received regarding this item.

Councilmembers Woessner, Stucky, and Hizon provided their respective questions and comments.

Motion: Councilmember Hoffmire moved to authorize staff to procure a used excavator in an amount not to exceed \$60,000. The motion was seconded by Mayor Pro Tem Munns and carried unanimously.

11. REPORTS & DISCUSSION ITEMS

None.

ADJOURN

Motion: Motion by Councilmember Woessner to adjourn, second by Councilmember Marshall. Motion was approved by a unanimous vote, therefore the meeting adjourned at 8:01 p.m.

Certified by Julie Lindsey, City Clerk