

Oak Harbor City Council
Regular Meeting Minutes
June 6, 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 – Father Kyle Logan, Grace by the Sea Anglican 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
Councilmember Bryan Stucky
Councilmember Shane Hoffmire
Councilmember Eric Marshall
Councilmember Christopher Wiegenstein

Staff Present/Videoconference

City Administrator Blaine Oborn
Finance Director David Goldman
Public Works Director Steve Schuller
Development Services Director David Kuhl
Parks & Recreation Director Brian Smith
Fire Chief Ray Merrill
Police Chief Kevin Dresker
Central Services Supervisor Sandra Place
Building Official Ginger Pennington
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, noted all members of the Council were present and welcomed Councilmember Wiegenstein.

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 – Parks & Recreation Month – July

Mayor Severns noted the upcoming month of July is Parks & Recreation Month and introduced Parks & Recreation Director Smith who provided a short presentation.

Since 1985 the U.S. House of Representatives has designated July as Parks and Recreation Month and every year people in the United States have celebrated Parks and Recreation Month in July to promote building strong, vibrant and resilient communities through the power of parks and recreation and to recognize the full-time park and recreation professionals — along with hundreds of thousands of part-time and seasonal workers and volunteers — that maintain our country’s local, state and community parks. This year’s theme — “Where Community Grows” — celebrates the vital role parks and recreation play in bringing people together, providing essential services and fostering the growth of our communities.

At the Mayor’s request, Councilmember Stucky read the Proclamation.

b. Honors & Recognitions – Recognizing Mr. Karney’s 3rd Grade Class

Mayor Severns announced a recognition of Mr. Karney’s 3rd Grade Class at Broadview Elementary School for their submission of the winning name for the City’s Well Site 10 area adjacent to the school as “Explorer Park.”

Parks & Recreation Director Smith explained as noted in the resolution before Council later on the agenda, the concept of naming Well Site #10 at Broadview Elementary as a competition leading up to the Arbor Day Celebration was discussed at the Parks Board and a special process for a naming campaign was discussed with and approved by the School District, Parks Board, Mayor and Council leading up to the event. Classes at Broadview Elementary School held activities to nominate a park name as their class submission. Park name nominations were announced by Mayor Pro Tempore Hizon at the Arbor Day Celebration. Nominations were then presented to the Parks Board for review and selection of the winner based on the City’s policy for designating names for public parks. Explorer Park was chosen as the new official park designation, submitted by Mr. Karney’s 3rd Grade class.

Mr. Karney thanked the Parks & Recreation Department, the School District, and volunteers for what he termed an amazing Arbor Day Event and tree planting. He thanked the City Council for the invitation to attend this evening and called upon his students to introduce themselves and provide information on how the name for the park was chosen.

Mayor Severns read aloud from a plaque that will be delivered to the school, in honor of the students’ naming of the park. He called for a brief recess to allow he and the Councilmembers to go outside and take photos with the students. Also displayed was the artwork of several students depicting the new park, which will be displayed in Council Chambers this month.

c. Community Presentations – None

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 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. 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 two on-line public comment from Michael Eaves of Oak Harbor, regarding installation of public Electric Vehicle (EV) chargers on City property, and from Chelsea Ceaser of Oak Harbor, regarding concessions at Windjammer Park and the baseball fields.

Mayor Severns opened the floor for public comment from any other 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 May 16, 2023 Council Meeting, the May 17, 2023 Council Special Workshop – Joint Meeting with the Planning Commission, and the May 24, 2023 Council Workshop
- b. Approval of Payroll and Accounts Payable Vouchers
- c. Appointment: Arts Commission, Position 6 – Tracy Davidson
- d. Appointment: Planning Commission, Position 1 – Elaine Gore
- e. Appointment: Planning Commission, Position 5 – Joshua Engelbrecht
- f. Appointment: Planning Commission, Position 6 – Ryan Bradley
- g. Resolution 23-13: Renaming Wellsite 10 as “Explorer Park”
- h. Surplus List 2023

Mayor Severns called for any changes to the consent agenda. Councilmember Munns requested to pull Consent agenda item 4.f., wanting to welcome Mr. Bradley who was in attendance. Councilmember Woessner requested to pull all the appointees who were present in order to recognize them. Mayor Severns agreed and noted all appointments were pulled for recognition, with the remaining items approved as presented. Those appointees in attendance were Elaine Gore and Ryan Bradley who received thanks from the Mayor and Council. Mayor Severns called for a motion to approve the four listed appointments.

Motion: Councilmember Munns moved to approve the list of new appointees to Commission Boards. Mayor Pro Tem Hizon seconded the motion, which carried unanimously.

5. MAYOR, COUNCIL & STAFF COMMENTS

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

- Investment Committee: Mayor Severns thanked Councilmember Marshall for accepting an appointment to serve on the City’s Investment Committee, filling the seat vacated by Councilmember Evans’ resignation. As a reminder to community members, advisory board volunteer opportunities are listed on our website.
- Congratulations to the Class of 2023: The City is proud to offer our congratulations to all our 2023 Oak Harbor graduates, including this message, created by Oak Harbor School District graphic design students on our digital display downtown.
- City Council Summer Meeting Schedule: The City Council holds just one regular meeting and workshop in June and July. Upcoming meetings will be: June 28th, July 11th, and July 26th.
- Upcoming Events: Were displayed on the screen, including the 2023 State of the City Address.

b. Councilmembers

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

No members of the Council provided any additional comments.

6. PUBLIC HEARINGS & MEETINGS

- a. Ordinance No. 1976 – Building Code Updates – Amending Oak Harbor Municipal Code 17.05.030 and 17.05.060

Development Services Director David Kuhl reviewed the building code updates regarding plan checks and permit expirations.

Plan Check Fees (Section 17.05.030) - This code change would require payment of plan check fees at building application submittal. This is a common practice in many jurisdictions. If payment is not collected up front, and if the project does not move forward, the city does not currently collect the plan check fees. These fees reimburse the city for its time and expertise in doing the review of the building plans. The city experienced this in the past and it makes sense to eliminate this from happening again.

Permit Expiration (17.05.060) - The second proposed code change involves changing the expiration of a building permit from six (6) months to two years. This change would occur in the appendix section of the OHMC Section (105.3.2). This is a common practice in many jurisdictions, and it is a reasonable approach to keeping permits active. After two years, a permit may be renewed for one year beyond the original expiration date. This approach would provide staff with more time to complete their work without needing to go back and review permits every six months. The development community would gain more time to complete projects.

Mayor Severns opened the public hearing and confirmed no public comments had been received. He called for any comments from the public present. Hearing no one with a desire to address the Council, the public hearing was closed.

Councilmembers Munns and Woessner provided their respective questions and comments.

Motion: Councilmember Woessner moved to approve the text amendment to the Oak Harbor Municipal Code relating to “Plan Check Fees and Building Permit Expiration”, (Ordinance No. 1976). Councilmember Munns seconded the motion, which carried unanimously.

7. ORDINANCES & RESOLUTIONS

- a. Ordinance No: 1977: Adopting a new Oak Harbor Municipal Code (OHMC) Chapter 9A.250, relating to the use and possession of controlled or counterfeit substances or legend drugs

Chief of Police Dresker presented the ordinance, including background of the Blake Law and the fix the legislature voted into place during a special session called at the request of Governor Inslee. Chief Dresker noted cities can enact laws that are not inconsistent with the state law. The new law partly takes effect July 1, and the rest takes effect August 15, leaving a month a half gap of time. Chief Dresker reviewed the few options to address the gap:

1. Do nothing.
2. Adopt the suggested ordinance which will make possession of these narcotics, and public consumption of the narcotics, crimes punishable at a gross misdemeanor level.

The City Ordinance would only be in effect from July 1 – August 14, 2023, with state law taking effect August 15, 2023 and superseding this law, which would “sunset”. Chief Dresker reviewed notes relating to this topic. He was joined in responding to questions by City Attorney Hillary Evans.

Mayor Severns confirmed no public comment had been received on this item and called for any comments from the public present. Hearing none, he called upon the Council.

Councilmembers Stucky and Hoffmire provided their respective questions and comments.

Motion: Councilmember Woessner moved to approve the Ordinance (Ordinance No. 1977: Adopting a new Oak Harbor Municipal Code (OHMC) Chapter 9A.250, relating to the use and possession of controlled or counterfeit substances or legend drugs; providing for severability; authorizing corrections; and establishing an effective and expiration date), as proposed, making intentional possession or public use of illegal drugs a gross misdemeanor beginning July 1, 2023, and ending August 14, 2023, when the modified state law will take full effect, seconded by Councilmember Stucky. The vote on the motion passed unanimously.

8. CONTRACTS & AGREEMENTS

None

9. OTHER ITEMS FOR CONSIDERATION

a. Angel de la Creatividad Sculpture Placement

Parks & Recreation Director Smith presented the item. He noted the City Council, City Staff, Arts Commission, Parks Board, and Community Members have been working on the project since early 2021. The Location at Flintstone Park was approved by the City Council in February 2023. City Staff met onsite in March 2023 to discuss possible locations and identify any consideration for placement. An installation committee comprised of members of the City Council, the Arts Commission, the Parks Commission, and city residents met shortly after on site to discuss location proposals and agreed on a recommendation for placement of the statue.

The Professional Services Agreement between the City and Sculpture Northwest was signed in April 2023. Test borings and geotechnical analysis are currently being completed, and applicable permits have all been submitted for approval.

Director Smith explained Staff was looking for Council approval of the installation location and any final public comments before placement of the sculpture.

Mayor Severns confirmed no public comments had been received and called for any comment from those present. Hearing none, he called on Council for their comments.

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

Motion: Councilmember Munns moved to approve the installation of the sculpture “Angel de la Creatividad” in the location recommended by the placement committee, Parks Board, and Arts Commission, (in Flintstone Park). Mayor Pro Tem Hizon seconded the motion, which carried 6 to 1 with Councilmember Stucky opposed.

10. REPORTS & DISCUSSION ITEMS

None.

11. EXECUTIVE SESSION

None.

Adjourn

Motion: There being no further business, Councilmember Woessner moved to adjourn, seconded by Mayor Pro Tem Hizon. The motion was approved by a unanimous vote, therefore the meeting adjourned at 7:10 p.m.

Certified by Julie Nester, City Clerk