

Oak Harbor City Council
Regular Meeting Minutes
July 12, 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

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

Invocation – Pastor Josh Hubbard, Life Church

Pledge of Allegiance – Led by Mayor Severns

ROLL CALL

City Council Present:

Mayor Robert Severns
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
City Engineer Alex Warner
Senior Planner Ray Lindenburg
Fire Chief Ray Merrill
Police Chief Kevin Dresker
Senior Services Administrator Liz Lange
Finance & Performance Analyst Chas Webster
Communications & IT Manager Sabrina Combs
Executive Assistant Macalle Finkle
City Clerk Julie Lindsey

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

1. APPROVAL OF AGENDA

Mayor Severns and 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 – Economic Development Council for Island County –

Executive Director Sharon Sappington presented additional information about the Economic Development Council for Island County (EDCID) as requested by members of the Council at the June 29th workshop. The EDCIC is a private 501c6 membership organization with a board of directors and two employees who work to promote business growth and economic vitality in Island County. EDCIC also serves as an Associate Development Organization of behalf of Island County as a designated partner with the Washington State Department of Commerce. Ms., Sappington reviewed the EDCIC core elements, strategic priorities, highlights of what they do, and education and referrals. EDCIC clients are confidential. Ms. Sappington reported the EDCIC logged 393 hours of assistance for 74 businesses in 2021. 101.5 of those hours were for 15 unique businesses in Oak Harbor. For the January- June of 2022, the EDCIC logged 131 hours for 25 Island County businesses with 80 of those hours assisting 13 unique businesses in Oak Harbor. Examples of assistance provided included Financing, Start-up, Buying and Selling of a business, and Human Resources.

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

3. CITIZEN COMMENT PERIOD

Mayor Severns explained citizens may comment on subjects of interest not listed on the agenda or items listed on the Consent Agenda. Citizens may also comment on corresponding Agenda items. There are many ways to contact the City, the Mayor and Council, all of which were displayed. Citizens can visit the City's website for methods to submit public comment, or contact the City Clerk, Julie Lindsey by phone or email as displayed. 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.

Citizens may submit requests to staff or departments via the Contact Us form at www.oakharbor.org/contact. Citizens can also call (360) 279-4500 or email info@oakharbor.org. Councilmembers also have individual email addresses, all of which are listed on the City's website.

The City received several comments from the public since our last regular meeting which were forwarded to Council in advance of the meeting and displayed on screen.

Mayor Severns opened the floor for public comment from any audience member present.

1. Barbara Arms of Oak Harbor spoke regarding rapid change, the need to retain farms and open space, and the need for industrial park infrastructure to attract businesses and better paying jobs.
2. Vicki Graham, Executive Director of the Greater Oak Harbor Chamber of Commerce spoke in support of Sharon Sappington and the work of the EDCIC. Ms. Graham also thanked City staff, Fire, and Police for their assistance in coordination of the 4th of July weekend festivities.
3. Sisters Alisha and Alana Jones of Oak Harbor spoke in support of school counselors having a dog in their offices at each of the schools, noting it would improve morale, increase ease and companionship, reduce stress, keep dogs off the streets and help in their stabilization.

Mayor Severns noted while the City does not control the School District, staff would pass the girl's proposal along to the District. He called for any comments from Council regarding the proposal.

Mayor Pro Tem Munns reported that Help House, North Whidbey Food Center was celebrating its 45th anniversary on Saturday, July 16th from 9 a.m. – 5 p.m. Refreshments will be served.

Councilmembers Hoffmire and Woessner spoke favorably of the proposal for dogs at school.

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

4. CONSENT AGENDA

Consent Items

- a. Approval of Minutes of the June 7, 2022 City Council Meeting, and the June 29, 2022 Council Workshop
- b. Approval of Payroll and Accounts Payable Vouchers
- c. Approval of Agreement with Economic Development Council for Island County for Consultant Services
- d. Amendment – Professional Services Agreement with Pacific Law Group

Mayor Severns called for any changes to the consent agenda. Councilmember Marshall requested to remove item c. Approval of Agreement with Economic Development Council for Island County for Consultant Services for discussion. Mayor Severns noted items a., b., and d. were approved as presented.

Motion: Councilmember Hoffmire moved to approve a Professional Services Agreement with the Economic Development Council for Island County for 2022-2023, seconded by Councilmember Hizon.

Councilmembers Marshall, Hoffmire, Stucky, Evans, Woessner and Mayor Pro Tem Munns provided their respective questions and comments. Following discussion Mayor Severns called for a vote on the motion, which carried 5-1 with Councilmembers Marshall and Evans opposed.

5. MAYOR, COUNCIL & STAFF COMMENTS

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

The Boat Launch Ramp is open: Thanks to teamwork between the Marina and Public Works staff. More repairs are planned for the future. We thank the community for their patience following the damage incurred in early April. The float remains out of service for the time being.

4th of July Festivities: Thank you to the Oak Harbor Chamber and sponsors for a wonderful celebration. The festival at Windjammer Park, the parade and the fireworks were all spectacular!

Donations to Ukraine: The Oak Harbor Police Department donated body armor to the people of Ukraine. Learn more about this donation on the City's website under Latest News and on the Police Facebook page.

Upcoming Events: Mayor Severns provided a list of upcoming community events:

Whidbey Island Farmer's Market

Buskers on the Corner

Crabcakes & Cocktails

National Night Out: August 2nd at Windjammer Park - a unique crime prevention event involving citizens, law enforcement and emergency personnel -with many free family activities for all ages. In observance of National Night Out, the City Council Meeting that week will be held on Wednesday, August 3rd.

By the Harbor Vintage Market

Hydros for Heroes

Oak Harbor Music Festival – in its 10th year

- b. Councilmembers

Mayor Severns turned to Council for their comments and questions.

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

Motion: Councilmember Evans moved to conduct a third-party investigation of City Administration regarding current and past city staff and citizen concerns of workplace and citizen intimidation, fear, and retaliation. The motion was seconded by Mayor Pro Tem Munns. Discussion ensued. Councilmember Stucky inquired of City Attorney Evans if Council could hold a special meeting to address two separate issues. Attorney Evans confirmed a special meeting could be held either by direction of the Mayor or by a majority of Council. Following further discussion and a re-reading of the motion, Mayor Severns called for a vote on the motion which failed 5-2 with Councilmembers Hizon, Hoffmire, Marshall, Stucky and Woessner opposed and Councilmember Evans and Mayor Pro Tem Munns in favor.

Break: The Council took a five-minute break at 7:37 p.m. and resumed the meeting at 7:42 p.m.

6. PUBLIC HEARINGS & MEETINGS

a. Ordinance No. 1953: Residential Density Standards

Senior Planner Ray Lindenburg presented the Ordinance, noting the item had been discussed before with the adoption of the Housing Action Plan via Resolution 21-17 on June 1, 2021. The Housing Action Plan (HAP) included 20 recommended actions, including density and dimensional standards, and carried the Planning Commission's positive recommendation. The HAP called for a reduction in lot sizes and an update to bulk regulations to encourage missing middle housing. By comparison, other peer cities, have far smaller allowable lot sizes. He reviewed the residential dimensional code standards revisions per district as proposed in the ordinance.

R-1 District:

- Increase in maximum density
- Removal of minimum lot size
- Reduction in lot width and depth
- Reduction in setbacks
- Increase in maximum lot coverage
- Garage setback

R-2 District:

- Increase in minimum density

R-3 District:

- Increase in minimum density
- Revision to taller structure setbacks
- Specific language regarding entrances to parking structures

R-4 District:

- No change to density regulations

R-O District:

- Insertion of density standards found in R-4 district; this distinction was inadvertently removed with previous revisions.

Mayor Severns opened the Public Hearing and confirmed no public comments were received on this

item. He opened the floor for public comment from those present. Hearing no comments, the Public Hearing was closed.

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

Motion: Councilmember Marshall moved to adopt Ordinance No. 1953: amending OHMC Chapter 19.20, Articles II through VI, regarding density standards in residential zone districts. The motion was seconded by Councilmember Woessner. The vote on the motion carried unanimously.

b. Ordinance No. 1955: Crosby Villa Rezone (Closed Record Review)

Senior Planner Ray Lindenburg reviewed the ordinance and explained this was a closed record review for a general process rezone in which the applicant submitted a pre-application for a potential apartment complex on the subject site that included approximately 60 units. At that time, city staff let the applicant know that a rezoning application would need to be approved to allow for such density. Accordingly, an application was made for rezoning from the existing R-2 district (which would allow approximately 47 units on the parcel) to R-3 (which would allow approximately 62 units). The general process to rezone property includes a hearing before the Hearing Examiner who conducts the hearing and makes a recommendation to the City Council. The Hearing Examiner conducted a hearing on May 2, 2022, after due notices were published to the newspaper and neighbors. The Hearing Examiner then and closed the hearing and made a recommendation to the City Council.

Mayor Severns explained as this was a closed record review no additional public comment would be taken. He opened the Public Hearing and confirmed no public comment was received on this item and closed the Public Hearing.

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

Motion: Councilmember Hoffmire moved to accept the Hearing Examiner's recommendation and adopt Ordinance No. 1955, approving the rezoning of 3.92 acres of land, consisting of one parcel (R13334-385-2230) from Limited Multiple-Family Residential (R-2) to Multiple-Family Residential (R-3). The motion was seconded by Councilmember Stucky. The vote on the motion passed unanimously

c. Ordinance No. 1954: Amending the 2021-22 Biennial Budget – Mid-Year 2022, Amendment # 9

Finance Director Goldman presented the annual mid-year item, the purpose of which was to amend the 2021-2022 Biennial Budget to reconcile changes made up to mid-year of 2022, taking into account City Council actions, and grants received to date. Included were:

- \$50,000 to amend the budget to recognize T-mobile hometown grants funds and associated expenses for the replacement of the Windjammer Park Lagoon Dock.
- \$10,000 to amend the budget to recognize FIIRE Grant funds from the Department of Labor & Industries and associated expenses to purchase firefighter bunker gear.
- \$4,598 to amend the budget to recognize Washington State Association of Sheriffs and Police Chiefs' Traffic Safety Equipment grant funds and associated expenses to be used to purchase traffic safety equipment.
- \$70,000 to amend the budget to recognize 2021-2023 Stormwater Capacity Grant Funds from the Department of Ecology and associated expenses for the upgrade of the NPDESPro system.

- \$56,500 to amend the budget to appropriate Washington Department of Commerce Housing Action Plan Implementation grant funds and associated expenses to be used for the implementation of Oak Harbor's Housing Action Plan.
- \$12,000 to amend the budget to appropriate Washington Cities Insurance Association Risk Reduction grant funds and associated expenses to be used for concrete and concrete disposal for replacing City sidewalks that are in need of repair.

Mayor Severns opened the Public Hearing and confirmed no public comment was received on this item. Hearing no comments, the Public Hearing was closed.

Councilmember Woessner provided his respective questions and comments.

Motion: Councilmember Stucky moved to adopt Ordinance No. 1954 Budget Amendment #9 amending the 2021-2022 Biennial Budget and adopting an updated wage and salary schedule and plan of classification. Mayor Pro Tem Munns seconded the motion. The vote on the motion carried unanimously.

7. ORDINANCES & RESOLUTIONS

a. Resolution 22-17: Public Safety Fire Levy Lid Lift

Finance Director David Goldman presented the resolution and noted bond counsel and City financial advisors were in attendance virtually as needed for questions. Director Goldman explained the Council and staff had met multiple times over the past two years to discuss how best to improve response times for public safety. The growth of the population and development extending the City limits have resulted in decreased response times. Director Goldman explained this first resolution for a public safety fire levy lid lift would fund seven new firefighters, two lieutenants and a new engine. In increasing the safety rating, insurance costs for the City and citizens alike could be reduced.

Director Goldman shared the proposed ballot language, developed with input from the Council and with legal counsel. He read aloud the ballot language and reviewed the maximum 200-word explanatory statement that accompanies it in the ballot.

Mayor Severns confirmed no public comment had been received on this item.

Councilmembers Woessner and Hoffmire provided their respective questions and comments.

Motion: Councilmember Stucky moved to approve City of Oak Harbor Resolution 22-17, providing for a ballot proposition to be submitted to the qualified electors of the City on November 8, 2022, in conjunction with the State General Election to be held on the same date, of a proposition authorizing the City to levy regular property taxes in an amount in excess of the limitations provided in Chapter 84.55 RCW to provide for the provision of public safety services and equipment; setting forth the ballot title therefore; requesting that the Island County Auditor place the proposition on the November 8, 2022 ballot; designating the City Attorney and the City Clerk to receive notice of ballot title from the Auditor; and providing for related matters. Councilmember Hoffmire seconded the motion. The vote on the motion carried unanimously.

b. Resolution 22-18: Public Safety Fire Excess Levy

Finance Director David Goldman also presented the resolution and explained passage would place authorizing the City to issue a bond on the ballot for the purpose of acquiring property, constructing, and equipping a second fire station and acquiring a new ladder truck. The cost estimate being \$9,200,000.

Director Goldman noted the ballot language and 200-word maximum explanatory statement were included in the meeting packet.

Mayor Severns confirmed there were no comments received from the public on this item.

Councilmembers Hizon and Stucky provided their respective questions and comments.

Motion: Councilmember Stucky moved to approve City of Oak Harbor Resolution 22-18, providing for a ballot proposition to be submitted to the qualified electors of the City on November 8, 2022, in conjunction with the State General Election to be held on the same date, of a proposition authorizing the City to issue General Obligation bonds in the aggregate principal amount of no more than \$9,200,000 for the purpose of paying costs of constructing and equipping a second fire station including the acquisition of a new ladder truck, the principal of and interest on such bonds to be payable from annual excess property tax levies; designating the City Attorney and Finance Director to receive notices of ballot title from the Auditor; and providing for related matters. Mayor Pro Tem Munns seconded the motion, which carried unanimously.

c. Ordinance NO. 1957: Creating a Parks & Recreation Department with Director

City Administrator Oborn presented the ordinance, which was discussed in the Council workshop of June 29, 2022. The proposed amendments would:

- Create a Parks & Recreation department with director position
- Reassign Marina, Parks, and Senior Services from Administration and Public Works to Parks & Recreation
- Elimination of obsolete Oak Harbor Municipal Code provisions relating to the Public Works Director position

Administrator Oborn reviewed the proposed organizational chart as well as fiscal impacts. He provided a review of all ordinance amendments as follows:

- Ordinance No. 1957 – Section One
 - OHMC 2.05.030, Amended - Updates City Administrator’s duties to include supervising new Parks and Recreation Director
- Ordinance No. 1957 – Section Two:
 - OHMC 2.34.055, Amended - Adds new Parks and Recreation Director as an “at-will” department head position whose terms and conditions of employment are governed by a contract and deletes obsolete language in the Section
- Ordinance No. 1957 – Section Three:
 - OHMC 2.38.030, Amended - Changes reporting for Harbormaster to the new Parks and Recreation Director
- Ordinance No. 1957 – Section Four:
 - OHMC 2.70.020, Amended - For Public Works Director, deletes obsolete language in Section four
- Ordinance No. 1957 – Section Five:
 - OHMC 2.70.030, Amended – For Public Works Director, remove parks as assigned duty
- Ordinance No. 1957 – Section Six:
 - OHMC 2.80, Adopt Department of Parks and Recreation
 - 2.80.010 Department created – Pertaining to city parks, marina, and senior services
 - 2.80.020 Director – The parks and Recreation Director shall serve at the pleasure of the Mayor and approved by the City Council
 - 2.80.030 Powers and Duties of the Department -Conduct any form of recreation or cultural activity

- Plan, promote, manage and acquire, construct, develop, maintain, and operate parks
- Community buildings
- Coordinate with County, Parks Districts, Schools, etc.
- Ordinance No. 1957 – Section Seven:
 - OHMC 6.12.030, Amended – Assigns new Parks and Recreation Director as administrator over the Parks Division

Administrator Oborn noted members of the Council would be included on candidate interview panels and the proposed new Director would be approved by the Council.

Mayor Severns confirmed no public comment had been received on this item.

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

Motion: Councilmember Hoffmire moved to approve the recommended action as presented: Ordinance No. 1957, establishing the Parks & Recreation Department and amending Oak Harbor Municipal Code (OHMC) 2.05.030; amending OHMC 2.34.055; amending OHMC 2.38.030; amending OHMC 2.70.020; amending OHMC 2.70.030; amending OHMC 6.12.030; adopting Chapter 2.80 OHMC, entitled “Department of Parks and Recreation”; providing for severability; and establishing an effective date. Councilmember Stucky seconded the motion. Following additional discussion of the potential need for a Parks Operations Manager as well as a Parks Director, the vote on the motion carried unanimously.

Motion: At 8:50 P.m., Councilmember Hoffmire moved to suspend the Council Rules of Procedure and extend the meeting until 9:30 p.m. The motion was seconded by Councilmember Evans and passed unanimously.

8. CONTRACTS & AGREEMENTS

Interlocal Agreement with Island County, WA for Law Enforcement Co-Responder Behavioral Health Program

Chief of Police Dresker reviewed the Interlocal Agreement for the Council. He provided background information and explained the department has had the program in effect for about a month. This agreement establishes mutual aid and cooperation in allowing both the City and the County to join together to have a mental health professional co-respond with the city’s police force to provide an alternative police response for those people in need of behavioral health services with the City of Oak Harbor. The co-responding mental health professional will provide assistance with police response to people with mental health, substance use, behavioral, housing, veteran, and financial needs. The goal is to reduce repeated contacts by law enforcement, reduce incarceration rates, and reduce emergency services usage. OHPD will provide office space, some equipment and collaboration with OHPD Officers. Chief Dresker praised Island County for initiating the new program, noting it could provide great things.

Mayor Severns confirmed no public comment had been received on this item.

Councilmember Woessner provided his respective questions and comments.

Motion: Councilmember Woessner moved to authorize the Mayor to sign the Interlocal Agreement with Island County, WA for the Law Enforcement Co-Responder Behavioral Health Program. Councilmember Evans seconded the motion, which carried unanimously

9. OTHER ITEMS FOR CONSIDERATION

None.

10. REPORTS & DISCUSSION ITEMS

- a. Transportation Benefit District Annual Report

Finance Director Goldman introduced Finance & Performance Analyst Webster who provided the report. She reviewed the history of the Transportation Business District (TBD) and explained its oversight by Council. Analyst Webster also provided a financial summary and the overlay and locations of the 2021 TBD projects and the chip seal and overlay and locations for the upcoming 2022 TBD projects.

Councilmembers Woessner and Stucky provided their respective questions and comments.

11. EXECUTIVE SESSION

None.

ADJOURN

Mayor Severns thanked City staff for their hard work and dedication. Councilmember Hoffmire added his thanks to both the Mayor and staff.

Motion: Motion by Councilmember Hoffmire to adjourn, seconded Councilmember Woessner. The motion was approved by a unanimous vote, therefore the meeting adjourned at 9:03 p.m.

Certified by Julie Lindsey, City Clerk