

Oak Harbor City Council
Regular Meeting Minutes
August 2, 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 – No invocation was given. A moment of silence was observed.

Pledge of Allegiance – Led by Mayor Severns

ROLL CALL

City Council Present:

Mayor Robert Severns
Mayor Pro Tem Tara Hizon
Councilmember Beth Munns - absent
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
Parks & Recreation Director Brian Smith
Fire Chief Ray Merrill
Police Chief Kevin Dresker
Police Captain Tony Slowik
Central Services Supervisor Sandra Place
Communications & IT Manager Sabrina Combs
Executive Assistant Macalle Finkle
City Clerk Julie Nester

Also in attendance: City Attorney
Lisa Marshall of Kenyon Disend, PLLC

EXCUSE ABSENT COUNCILMEMBERS

Mayor Severns welcomed all in attendance. He noted Mayor Pro Tem Hizon was participating remotely and that Councilmember Munns had asked to be excused and called for a motion. Councilmember Hoffmire moved to excuse Councilmember Munns, seconded by Councilmember Wiegenstein. The vote on the motion carried unanimously.

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 – None
- b. Honors & Recognitions – None
- c. Community Presentations – Big Brothers, Big Sisters of Island County – Annual Report

Executive Director Tiffany Scribner presented the Big Brothers Big Sisters (BBBS) Annual Report and touched on highlights of the programs offered and number of young people served. Ms. Scribner also provided options for how the community can become involved and ways of supporting BBBS programs.

Councilmembers Woessner and Hoffmire provided their respective comments.

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 public comments since the last regular meeting. One from Traynor Hunt of Coupeville regarding traffic conditions, and one from Pearl Almborg regarding the Windjammer Park Splash Pad.

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

1. Zachary Phillip of Oak Harbor, and a former member of the Planning Commission, spoke regarding increased utility rates and questioning why there were charges for stormwater when there had been so little rain.

Hearing no one else with a desire to address the Council, the public comment period was closed.

4. CONSENT AGENDA

Consent Items

- a. Approval of Minutes of the July 11, 2023 Council Meeting, the July 26, 2023 Council Workshop
- b. Approval of Payroll and Accounts Payable Vouchers
- c. Appointment: Park Board, Position 3 – Kate Rose
- d. Purchase Authorization – Skid Steer

Mayor Severns called for any changes to the consent agenda. Hearing none, he noted the items were approved as presented.

5. MAYOR, COUNCIL & STAFF COMMENTS

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

- Kudos to Marina Staff: The City was recently made aware of some great reviews posted to the Marinas.com website. The site has recognized the Oak Harbor Marina with a Boater's Choice award for the past 3 years.
- National Night Out: Last night staff from Fire, Police, Parks and Recreation, and Public Works along with many other partnering agencies and organizations hosted National Night Out at Windjammer Park. Mayor Severns noted he had the opportunity to attend this wonderful community event thanked all who worked to make the event happen.
- Active Transportation Plan: The community is invited to attend a virtual meeting on August 17 from 6-8 pm to discuss the draft action transportation plan.
- Facilities Maintenance: Air duct cleaning was performed at several city facilities. UV lights have also been installed on all HVAC units to aid in removing airborne contaminants.
- City Office Closures: The Utilities Office will be closed on August 16 from 11:30 am to 4:30 pm, and all city offices will be closed on August 24 from 10:45 am to 1:15 pm for staff training.
- Upcoming Events: Were displayed on screen.

b. Councilmembers

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

Councilmembers Hoffmire and Stucky provided their respective comments.

Councilmember Hoffmire commented on National Night Out and potentially moving the Council's first regular meeting in August of next year so that it did not coincide with the Sounds of Summer Concert Series. Councilmember Stucky noted Parks and Recreation Director Smith had sent out an email regarding the splash park features and reported staff is working to fix the issues. He also called upon Public Works Director Schuller regarding Mr. Phillip's comments. Director Schuller explained that water rates are based on consumption. Stormwater charges are based on compliance for the permit projects and costs associated with those projects and not the amount of rainwater received. The City Council develops a list of projects every two years to keep the system in compliance with NPDES regulations.

6. PUBLIC HEARINGS & MEETINGS

- a. Continuation of Public Hearing: Ordinance No. 1979: Approval of Franchise Agreement – Comcast Cable Communications, LLC.

City Administrator Oborn noted Attorney Lisa Marshall of Kenyon Disend was present. He reported staff was requesting a second continuance of the public hearing to September 5th to allow for additional time to follow-up on questions raised by the Council on July 11th.

Motion: Councilmember Stucky moved continue the public hearing for Ordinance No. 1979: Franchise Agreement with Comcast Cable Communications, LLC to September 5, 2023, seconded by Councilmember Wiegenstein. The vote on the motion passed unanimously.

7. ORDINANCES & RESOLUTIONS

- a. Resolution 23-16: Washington State Department of Ecology Shoreline Planning Competitive Grant Application

Public Works Director Schuller reviewed the application, noting this was a priority of both the Mayor and the Council in order to have infrastructure to serve future generations amidst changes in environmental laws and damaging conditions, such as the King Tides earlier this year. He thanked Grants Administrator Horn for her work on the grant process and this application, which requires a resolution of the Council, with a due date of August 17, 2023.

The Shoreline Planning Competitive Grant is meant to support local shoreline planning and planning-related efforts that advance climate resilience, improve the implementation of Shoreline Master Plans, or support local shoreline planning priorities. The City Council adopted the Shoreline Master Program in 2021. Public Works will use this funding, if awarded, to assess the state of Oak Harbor's shoreline, identify shoreline restoration, stabilization and protection projects, and develop an Oak Harbor Shoreline Restoration Plan to be implemented over time through Capital Improvement Projects. The maximum award amount is \$250,000.

The City of Oak Harbor has 10.6 miles of shoreline, including 2.3 miles between Freund Marsh and the Marina. The City has 17.74 lane miles of streets within 1,500 feet of the shoreline, as well as 60,580 linear feet of water main, 44,975 linear feet of sewer main, and 60,974 linear feet of storm drain within 1,500 feet of the shoreline. Director Schuller also reviewed weather impacts and outlined potential Department of Ecology shoreline grant planning priorities, including advancing climate resilience and improving the Shoreline Master Program implementation. A restoration plan will:

- Assess current conditions
- Identify hazards and risks
- Determine possible solutions
- List projects by level of urgency
- Outline future Capital Improvements Projects

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.

Councilmember Stucky provided his respective questions and comments.

Motion: Councilmember Stucky moved to approve Resolution 23-17, authorizing the Mayor to approve an application to the Washington State Department of Ecology for the Shoreline Planning Competitive Grant, seconded by Councilmember Hoffmire. The vote on the motion passed unanimously.

8. CONTRACTS & AGREEMENTS

- a. Agreement with the Oak Harbor Rotary Club for placing a Windmill in Windjammer Park

Public Works Director Schuller provided background on the item, which was presented by Brian Jones of the Oak Harbor Rotary at the September 28, 2022 Council Workshop, expressing the Rotary Club's interest in placing a new windmill structure at Windjammer Park, including an overview of the plans envisioned, and fundraising efforts.

Director Schuller outlined the proposed agreement had been reviewed and supported by staff and by the City Attorney. In attendance on behalf of the Oak Harbor Rotary were Brian Jones and Steve Schwabe.

As detailed in the draft agreement, some of the City's obligations include:

- 1) Ongoing Operation and Maintenance: The City shall accept ownership of the windmill by Resolution after satisfactory construction of the structure by the Rotary Club. The ongoing costs include items such

as facility rental management, janitorial, repainting, and repairs. Portions of these costs can be off-set by rental fees. Parks and Recreation Director Smith is working on preliminary estimates. Staff will have a better understanding once final construction plans are approved. Ongoing operations and maintenance costs would be included in future Parks and Recreation Department budgets as part of a future budget amendment and as part of the next biennial budget development process.

The lifespan of the structure will depend on the decisions by future elected leaders, staff and community members including annual maintenance levels, malicious damage to property, and severe weather events. The Rotary and the City are working together to specify long-lasting building materials and reduce maintenance costs, as possible and within budget constraints.

2) Payment: Upon satisfactory completion of construction, and acceptance of the work by the City, the City will contribute \$49,500 to the Rotary Club toward the windmill project. The total amount is approximately two dollars per citizen as defined by RCW 35.21.278, "Contracts with community service organizations for public improvements—Limitations."

3) Permit Fees: The Rotary Club shall apply for, coordinate, and obtain necessary permitting for the windmill, but in the draft agreement the City shall pay the cost of those permits, including city, state and federal, estimated at approximately \$7,000.

4) Water and Wastewater Connection: The City will manage and pay for the physical connection of building's water and sanitary sewer to the City's main lines and will also pay water and sewer system development charges. Total estimated costs for this task are about \$6,000.

The total one-time initial cost to the City is \$62,500 and is not identified in the current 2023-2024 Biennial Budget. Funding could come from the General Fund and/or the Arts Fund as part of a future budget amendment.

Director Schuller was joined by Brian Jones of the Oak Harbor Rotary in providing an update on the Windmill design, community outreach, and fundraising work.

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

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

Motion: Councilmember Woessner moved to authorize the Mayor to sign an agreement with the Rotary Club of Oak Harbor to construct a windmill in Windjammer Park, seconded by Councilmember Marshall.

Additional discussion ensued with Councilmember Stucky providing additional comments.

At approximately 6:55 p.m. an internet outage occurred causing the live video feed for the meeting to be lost, leaving only audio available. Mayor Severns called for a short break for staff to evaluate the outage at 6:57 p.m.

At 7:09 p.m. Mayor Severns reconvened the meeting and noted the lack of internet connection that prevented the live feed persisted, however, the meeting would continue to be recorded and then broadcast at a later time. He noted staff was trying to connect by phone with Mayor Pro Tem Hizon, who was participating remotely. Mayor Severns resumed discussion of item 8.a. noting there was a motion and a second on the item. Councilmembers Stucky and Woessner provided additional comments. The vote on the motion carried 5-0 with Mayor Pro Tem Hizon not yet reconnected.

The internet connection was regained at approximately 7:20 p.m. and shortly thereafter Mayor Pro Tem Hizon was reconnected to the meeting.

9. OTHER ITEMS FOR CONSIDERATION - None

10. REPORTS & DISCUSSION ITEMS

a. Oak Harbor Police Department Annual Report for 2022

Chief of Police Dresker thanked Chaplain Ron Lawler for his service and noted he would be missed in his retirement. Chief Dresker and Police Captain Slowik provided the Department's Annual Report, highlighting the department's mission and core values, and organization. Chief Dresker noted recognitions and retirements with PSO Lead Brian Braunstein recognized for his 20 years of service, and Captain Bill Wilkie retiring after 32 years of service. Also noted were seven new hires and three promotions, and Chief Dresker acknowledged Captain Slowik's 20 years of service.

Police Captain Slowik reviewed the department's metrics. The department responded to 12,852 calls for service, compared to 12,639 in 2021. Chief Dresker highlighted the department's community engagement, use of ARPA funding, and the number of officers lost nationwide while performing in the line of duty. The full report was attached to the meeting packet and will be placed online.

Mayor Severns thanked Chief Dresker and Captain Slowik for the report and called upon the Council for any remarks.

Councilmembers Hoffmire, Stucky, Wiegenstein and Marshall provided their respective comments.

11. EXECUTIVE SESSION

Mayor Severns announced the Council would take a short break and then move into Executive Session per RCW 42.30.110 (1) (b) To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price; and RCW 42.30.110 (1) (i) To discuss with legal counsel representing the agency litigation or potential litigation. He noted the anticipated duration was 25 minutes and that action might or might not be taken upon return to the open session. Executive Sessions are not open to the public.

The Council moved into Executive Session at 8:00 p.m.

At 8:25 p.m. the Council announced an extension of the Executive Session to 8:30 p.m.

At 8:30 p.m. the Council came out of Executive Session and resumed the open session of the meeting. Mayor Severns noted no action would be taken on the matters discussed.

Adjourn

Motion: There being no further business, Councilmember Woessner moved to adjourn, seconded by Councilmember Wiegenstein. The motion was approved by a unanimous vote, therefore the meeting adjourned at 8:31 p.m.

Certified by Julie Nester, City Clerk