

Oak Harbor City Council
Regular Meeting Minutes
September 20, 2022

This was both a physical meeting location and a virtual meeting. Meeting was viewable live via YouTube at www.youtube.com/cityofoakharbor and on Cable Channel 10/HD 1090

CALL TO ORDER

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

Invocation – Pastor David Parker, First United Methodist Church

Pledge of Allegiance – Led by Mayor Pro Tempore Hizon

ROLL CALL

City Council Present:

Mayor Robert Severns - absent
Mayor Pro Tem Tara Hizon
Councilmember Beth Munns
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
Public Works Director Steve Schuller
City Engineer Alex Warner
Principal Planner Cac Kamak
Fire Chief Ray Merrill
Police Chief Kevin Dresker
Harbormaster Chris Sublet
Finance & Performance Analyst Chas Webster
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

1. APPROVAL OF AGENDA

Mayor Pro Tem Hizon welcomed all in attendance 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 – Oak Harbor Garry Oak Society

- i. Oak Harbor Garry Oak Society – Kyle Renninger, Board Member and Special Projects Director - Garry Oak Mapping Website

Mr. Renninger provided an overview and demonstration of the Oak Harbor Garry Oak Society mapping website, data partners, tree monitoring and concerns regarding construction near Garry Oak trees in and around Oak Harbor.

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

3. CITIZEN COMMENT PERIOD

Mayor Pro Tem Hizon 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 Nester 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 two comments from the public since the last regular meeting which were forwarded to Council in advance of the meeting and displayed on screen:

1. Robert Sweeton of Oak Harbor wrote regarding the need for the Oak Harbor Police Department to have a K9 unit.
2. John White of Oak Harbor wrote requesting paving of Columbia Avenue from Oak Harbor Street to the end of Ensign and 3rd Street NW and also Whidbey Avenue from Oak Harbor Street to Heller Road One comment was in regard to the need for a K9 unit and the other was in regard to additional street paving needs.

Mayor Pro Tem Hizon opened the floor for public comment from any audience member present.

1. Laura Renninger of Oak Harbor, President of the Oak Harbor Garry Oak Society, acknowledged the members of the Garry Oak Society present in the audience and raised concerns of continued violations of the City code protecting Garry Oak trees, adopted via Ordinance No. 1839 in 2018.
2. Steve Dixon of Oak Harbor, thanked Councilmember Woessner who witnessed the incident and OHPD for their quick response and assistance to his daughter who was the victim of a hit and run accident yesterday as she drove to school. He requested the City install more traffic cameras, especially along Whidbey Avenue and near schools.

Hearing no other comments not related to agenda items, the public comment period was closed.

4. CONSENT AGENDA

Consent Items

- a. Approval of Minutes of the September 6, 2022 Council Meeting
- b. Approval of Payroll and Accounts Payable Vouchers

- c. Annual Review of the Lodging Tax Advisory Committee and Appointment of New Members: Megan Goodrich, Collector 1 position and Ken Huang, Collector 2 position
- d. Council Calendar Update – first meeting in November moved to November 1, 2022
- e. Island Regional Transportation Planning Organization (IRTPO) NE 7th Avenue Grant Request
- f. Marina Host Agreement
- g. Resolution 22-21: Authorizing the Auction of Vessels and Storage Shed Contents for non-payment of Marina charges
- h. State of Washington Opioid Settlement Participation Form and Allocation Agreement
- i. U.S. Navy Request for Right of Entry – City of Oak Harbor Marina

Mayor Pro Tem Hizon called for any changes to the consent agenda. Hearing none, the Consent Agenda was approved as presented.

5. MAYOR, COUNCIL & STAFF COMMENTS

- a. Mayor - Mayor Pro Tem Hizon provided the following comments and updates on behalf of Mayor Severns:

Naval Air Station Whidbey Island Open House: Mayor and Mrs. Severns were pleased to attend the NASWI Open House this past weekend. Councilmember Woessner was also in attendance.

Island County ranked 3rd healthiest in the State: As reported in the Whidbey News-Times, Island County ranks as the third healthiest county in the state overall, up from fourth healthiest in 2021, according to an ongoing national classification study by County Health Rankings & Roadmap, a program of the University of Wisconsin Population Health Institute.

City Receives Award from the Greater Oak Harbor Chamber of Commerce: The City was both surprised and honored with a Business of the Month Award at the Chamber's monthly meeting and farewell luncheon for outgoing Executive Director Vicki Graham last week. The award reads, "For Outstanding Contributions to the Oak Harbor Chamber and Business Community." This is truly an acknowledgement of City Staff and the behind the scenes work they do to partner with and support both the Chamber and the business community. The City of Oak Harbor was one of few cities that remained open during the COVID-19 pandemic and helped to coordinate and provide covid supplies and grant dollars to businesses. Once our community began to further reopen, City staff have continued to provide manpower, safety measures, and support for events that promote tourism and benefit citizens and businesses. We thank the Chamber for this award.

Pavement Preservation Projects: Paving work is almost complete for this season. See the City's website for a map that shows all details. Thank you to Public Works, Engineering, our Streets crew, and contractor Kreig Construction for demonstrating our Transportation Benefit District dollars at work.

Budget, Annual State Audit, and LTAC: Our small but mighty Finance Department is very busy in these three vital areas from now until the end of the year. The City is accepting Lodging Tax/Tourism Promotion Grant Applications by email submission only for the 2023 grant year beginning September 26, 2022 at www.oakharbor.org. Applications are due no later than 4:30 p.m. October 12, 2022.

Utility Billing: Kudos to the City's Utility Billing Department that has worked diligently with our customers to have only one past due account! Please note the Utility Payment Counter in City Hall will be closed for a network update at 2:00 p.m. on Thursday, September 22nd. Payments may still be made online or placed in the drop box that afternoon. A network update for other City offices will begin at 3:00 p.m. This will impact services as systems will be available intermittently during the process.

All Staff Training: Over the past two weeks, all members of staff including the City Administrator, Managers and Directors, participated in training Reducing Stress in the Workplace. Thank you to our Human Resources Department for arranging for this valuable training.

Coffee with a Cop: Our Police force will hold two events on:

- Thursday, September 29th from 11 am – 1 pm at Whidbey Coffee located at 31275 SR-20 in downtown Oak Harbor

- Thursday, October 20th from 11 am to 1 pm at Starbucks located at 31270 SR-20, Unit A-1

Stop in and enjoy this time for informal communication with our officers.

Fire Department Safety Events: Members of our Fire Department will be on-hand at both Home Depot and the Chamber of Commerce Luncheon next month to answer your questions about fire safety. See our Fire Department Facebook page for more details.

Upcoming Events – Upcoming community events were displayed on screen.

b. Councilmembers

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

6. Public Hearings & Meetings

a. Ordinance No. 1958: Amending Oak Harbor Municipal Code 19.28 – Height Limit Text Amendment

Principal Planner Kamak presented the proposed ordinance text amendment. The text amendment proposed a Conditional Use Permit process to consider structures, that have been determined as artistic or cultural to extend beyond the height limit restrictions of the underlying Public Facilities zoning districts. The proposed ordinance language was discussed at the Council's June 29th Workshop. The Planning Commission held a hearing on the text amendment at its July 26th meeting and recommended approval. Principal Planner Kamak noted the text amendment had been proposed due to the community's desire to have cultural and artistic structures located in public spaces. Existing processes were not designed for these types of structures, so a consistent process was needed to provide open and equal opportunity. The text amendment will be added to Ordinance 19.28 under Limitation of Uses – Regulation related to permitted uses – Height Limits, along with roof structures and flagpoles. Staff and the Planning Commission recommended a Determination Method of processing structure applications in which the City Council can first make the determination, then utilize a process which can include various forms of public input. After determination, a Land Use application would be sought via the Hearing Examiner and would follow the usual process of the examination of land use specific issues, notice to surrounding property owners, and a public hearing. It was noted this would be a criterion driven process with the Hearing Examiner having the ability to place conditions on any proposed structure. The proposed amendment would read as follows:

19.28.065 Conditional use permits for Structures deemed as Cultural/Historic, or a Sculpture/Artistic in Public Facilities District.

(1) Conditional use permits for artistic and culturally significant structures enumerated in OHMC 19.28.055 and exceeding the height limitation of the district may be granted so long as the following conditions are met:

(a) It can be demonstrated to be safe;

(b) It is located more than 30 feet away from the nearest property line or point thereon;

(c) It does not materially impair the view of surrounding properties;

(d) It does not materially increase fire or other safety risks for the property or surrounding area;

(2) The hearing examiner may require reasonable conditions to be met for granting a conditional use permit to exceed the height limitations, including but not limited to specifying the location, design, lighting, construction, and use.

Mayor Pro Tem Hizon opened the Public Hearing on the text amendment. She confirmed no public comments had been received. Hearing no one with a desire to speak, Mayor Pro Tem Hizon closed the Public Hearing and requested any comments by the Council.

Councilmembers Munns, Evans, and Woessner provided their respective questions and comments.

Motion: Councilmember Woessner moved to approve Ordinance No. 1958 approving the text amendment to Oak Harbor Municipal Code (OHMC) 19.28 Limitation of Uses, seconded by Councilmember Munns and passed unanimously.

b. Ordinance No. 1961: 2023-2025 Utilities Rates

Finance Director David Goldman was joined by Public Works Director Steve Schuller in presenting the proposed ordinance. He introduced FCS Group consultant Chris Gonzalez who in turn also introduced John Ghilarducci.

This City of Oak Harbor has four utilities which are accounted for in separate funds: Water, Sewer (also known as Wastewater), Solid Waste (components: Trash, Recycling, Dumpster, and Yard Waste), and Storm Drain. The rates of the City's utilities were set on October 20, 2020 via Ordinance 1899. The City Council, on March 23, 2022, entered into an agreement with FCS Group, Inc. to conduct a utility rate study. For the first phase of this study, FCS analyzed financial and business data to develop/update: 1) rate revenue requirements and 2) System Development Charges (SDCs). FCS presented their findings to the City Council at the August 24, 2022 City Council Workshop. Based on City Council feedback, staff brought forward Ordinance 1961, adoption of Utility Rates for 2023-2025 for City Council approval. The effective date of the new rates will be December 20, 2022. SDCs are not part of this Ordinance and staff will continue to gather feedback from City Council regarding them.

Mr. Gonzalez summarized the proposed utility rates. As discussed at the August 24, 2022 Council Workshop, the City can decrease sewer rates by 3%, keep water/storm drain rates at existing levels, and implement modest increase to solid waste (aggregate) rates. He explained that System Development Charges (SDC's) were not part of the utility rate ordinance and would be discussed further at Council at a later date. If approved, the Utility office will notify the public of the updated rates prior to the effective date of December 20, 2022 for 2023.

Mayor Pro Tem Hizon opened the Public Hearing on the proposed ordinance. She confirmed no public comments were received. Hearing no one with a desire to speak, Mayor Pro Tem Hizon closed the Public Hearing and requested any comments by the Council.

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

Motion: Councilmember Hoffmire moved to adopt Ordinance No. 1961 Establishing Water, Wastewater, Solid Waste, and Storm Drain Utility Rates for 2023-2025. Councilmember Stucky seconded the motion, which carried unanimously.

7. Ordinances & Resolutions

None.

8. Contract & Agreements
None.
9. Other Items for Consideration
None.
10. Reports & Discussion Items
None
11. Executive Session
None.

Adjourn

Motion: There being no further business, Councilmember Stucky moved to adjourn, seconded by Councilmember Munns. The motion was approved by a unanimous vote, therefore the meeting adjourned at 7:37 p.m.

Certified by Julie Nester, City Clerk