



**City of Port Orchard  
Council Meeting Minutes  
Regular Meeting of March 12, 2019**

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**1. CALL TO ORDER AND ROLL CALL**

Mayor Putaansuu called the meeting to order at 6:30 p.m.

Roll call was taken by the City Clerk as follows:

Mayor Pro-Tem Ashby	Present
Councilmember Chang	Present
Councilmember Clauson	Present
Councilmember Cucciardi	Absent
Councilmember Diener	Present
Councilmember Lucarelli	Present
Councilmember Rosapepe	Present
Mayor Putaansuu	Present

Staff present: Public Works Director Dorsey, Finance Director Crocker, Development Director Bond, City Attorney Cates, Human Resource Coordinator Howard, and City Clerk Rinearson.

**A. PLEDGE OF ALLEGIANCE**

Mayor Putaansuu led the audience and Council in the Pledge of Allegiance.

**2. APPROVAL OF AGENDA**

**MOTION:** By Councilmember Clauson, seconded by Councilmember Diener, to move the Executive Session to the end of the meeting; with no action being taken.

The motion carried.

**MOTION:** By Councilmember Ashby, seconded by Councilmember Lucarelli, to approve the agenda as amended.

The motion carried.

**3. CITIZENS COMMENTS**

**Steve Seago** said the proposed new zoning code works, and we can see it in action with the Community Event Center. He encouraged Council to support the new code changes and thanked them for their hard work.

**Gary Anderson** said there is a difference today than several years ago with the level of interest from people expressing a desire in coming to Port Orchard. The City has provided him with information that he can now share with those people to give them a reason to come to Port Orchard.

**Noel Larsen** encouraged adoption of the zoning updates as it is well organized, clear, and provides flexibility in high quality development.

**Robert Baglio** voiced his support of the updated new zoning code. It is exciting what is going on in Port Orchard and noted Council is taking a leadership role.

#### **4. CONSENT AGENDA**

- A.** Approval of Checks Nos. 76266 through 76268, and Check Nos. 76274 through 76322, and ACH payments totaling \$1,234,298.36; February Electronic Payment Dates 2/1/2019 through 2/28/2019 totaling \$73,787.92; and Bi-Weekly Payroll Check Nos. 76269 through 76273, and electronic payments, totaling \$290,052.10.
- B.** Approval of the February 19, 2019, Council Meeting Minutes
- C.** Excusal of Councilmember Shawn Cucciardi Due to Business Obligations

**MOTION:** By Councilmember Ashby, seconded by Councilmember Diener, to approve the consent agenda as presented.

The motion carried.

#### **5. PRESENTATION**

- A. Proclamation: Port Orchard Community Service Day**

Mayor Putaansuu read the proclamation into the record.

#### **6. PUBLIC HEARING**

There were no public hearings.

#### **7. BUSINESS ITEMS**

- A. Adoption of an Ordinance Amending Port Orchard Municipal Code Title 20, Including Repealing Chapters, Adding New Chapters, Repealing Interim Ordinance No. 015-18, Repealing Ordinance No. 019-17, and Amending the Zoning Map**

**MAIN MOTION:** By Councilmember Diener, seconded by Councilmember Rosapepe, to approve an ordinance adopting the 2019 updated Zoning Code as presented, with the Alternative 2 Zoning Map, and corrections to scrivener errors as identified by the Code Publishing Company.

Councilmember Ashby mentioned a scrivener's error in section 20.39.345, to remove "[six]" from the paragraph.

She noted she would like more Council discussion on sections 20.39.615 'Home Occupation'; section 20.39.620 'Home Business'; and section 20.134.100 'General Requirements' to discuss ADU's (Accessory Dwelling Units), as they all seem to have conflicting information.

Council and staff discussed the sections and clarification of home businesses and activities.

**AMENDED MOTION:** By Councilmember Ashby, seconded by Councilmember Diener, to restate bullet point 6 in that section [20.39.620] to say no more than 2 employees of the business shall work on the premise in addition to the owner.

Council discussed the number of employees and parking at home based businesses.

**The amended motion carried.**

Council and staff discussed the amount of traffic and clients visiting home based businesses.

**AMENDED MOTION:** By Councilmember Rosapepe, seconded by Councilmember Clauson, to [amend 20.39.620 #9 to state] no more than 12 vehicle trips per day are permitted at the home business.

**The amended motion carried.**

Council and staff continued discussion of the definitions of home bases businesses and ADU's [accessory dwelling units].

**AMENDED MOTION:** By Councilmember Diener, seconded by Councilmember Rosapepe, under 20.134.100(f) the title of subsection "f" should say Home Occupation and Home Businesses, and the section should read "Home occupation and home businesses shall be allowed subject to existing regulations. However, for residential ADU's in both the main residence and the ADU contain a home business, only 1 of the 2 is permitted to receive customers."

**The amended motion carried.**

**The main motion carried.  
(Ordinance No. 011-19)**

**B. Adoption of an Ordinance Amending Port Orchard Municipal Code Chapters 12 and 20, Establishing Regulations Related to a Street Cut Moratorium [Prohibition] on Newly Paved Streets Within the City**

**MOTION:** By Councilmember Diener, seconded by Councilmember Clauson, to adopt an ordinance thereby updating POMC Chapters 12.04.020 and 20.24.080 and establishing regulations related to a Street Cut Moratorium [Prohibition] on newly paved streets within the City, with final form approved by the City Attorney.

The motion carried.  
(Ordinance No. 002-19)

**C. Adoption of an Ordinance Approving the Reclassification of the Human Resources Coordinator and Assistant Finance Director Job Positions to an Exempt Status**

**MOTION:** By Councilmember Clauson, seconded by Councilmember Ashby, to adopt an ordinance, approving the reclassification of the Human Resource Coordinator and Assistant Finance Director positions to an exempt status, as presented.

The motion carried.  
(Ordinance No. 012-19)

**D. Approval of Change Orders No. 14 through 18 to Contract No. 037-17 with Active Construction Inc. for Tremont Street Widening Project**

**MOTION:** By Councilmember Lucarelli, seconded by Councilmember Rosapepe, to authorize the Mayor to execute Change Orders No. 14 through 18, with Active Construction, Inc. in an amount not to exceed \$221,856.15.

The motion carried.

**E. Approval of Reimbursement Expenses for Police Chief Candidates**

**MOTION:** By Councilmember Clauson, seconded by Councilmember Lucarelli, to approve the Mayor's authorization for the reimbursement expenses for the Police Chief candidates, for a maximum of \$1,000 per candidate; but no more than \$5,000 for all candidates.

The motion carried.

**F. Approval of the February 26, 2019, Council Meeting Minutes**

**MOTION:** By Councilmember Ashby, seconded by Councilmember Diener, to approve the minutes as presented.

**The motion carried. Councilmember Clauson abstained.**

#### **8. DISCUSSION ITEMS (No Action to be Taken)**

There were no discussion items.

#### **9. REPORTS OF COUNCIL COMMITTEES**

Councilmember Clauson reported the Finance Committee is scheduled to meet March 26<sup>th</sup> at 5:30pm.

Councilmember Ashby reported on the March 11<sup>th</sup> Economic Development and Tourism Committee meeting. The next meeting is scheduled for the second Monday in April [April 8<sup>th</sup>].

Councilmember Lucarelli reported on the February 27<sup>th</sup> Utilities Committee meeting. The next meeting is scheduled for April 15<sup>th</sup>. She reported on the February 27<sup>th</sup> Festival of Chimes and Lights committee meeting. The next meeting is scheduled for March 18<sup>th</sup>.

Mayor Putaansuu reported the Land Use Committee is scheduled to meet March 25<sup>th</sup>.

Councilmember Rosapepe briefly reported on lodging tax funds and policies and noted the committee will be meeting around the first week in April.

Mayor Putaansuu reported on the 2020 Census and job opportunities.

#### **10. REPORT OF MAYOR**

The Mayor reported on the following:

- April 27<sup>th</sup> Community Service Day;
- Kitsap Transit request for the Carlisle safety improvements;
- Public Works Director Dorsey's appointment to the Public Works Board;
- News article about opportunities in Port Orchard;
- Presentation to the Public Facilities Board;
- Derelict sailboat near Dekalb Pier;
- Reopening of Swimdeck; and
- Council retreat.

After a brief discussion, Council decided not to hold an independent Council Retreat this year, but should topics arise they could incorporate it as part of a Work Study Session.

#### 11. REPORT OF DEPARTMENT HEADS

Public Works Director Dorsey reported on Well No. 9; McCormick Village Park; Rockwell Pocket Park; Bay Street Pedestrian Pathway Segment 3; Well No. 13; and the Tremont Street Widening project.

Finance Director Crocker reported that they are implementing new software and going live with the new payroll this week.

HR Coordinator Howard reported on new City employees and noted her position has been posted to the website.

City Clerk Rinearson reported that she received an update from EVI on how the three short videos are going and she will work the Economic Development and Tourism Committee to continue to move the project forward.

#### 12. CITIZEN COMMENTS

In response to **Gerry Harmon**, Finance Director Crocker noted the new utility billing will be going live in April and they will continue to send out notices and post information on the City's website.

**Gerry Harmon** reminded the Council that the downtown parking hours have been changed before.

#### 13. EXECUTIVE SESSION

At 8:06 p.m., Mayor Putaansuu recessed the meeting for a 20-minute executive session to discuss a potential litigation matter pursuant to RCW 42.30.110.(1)(i). City Attorney Cates, Development Director Bond, and Public Works Director Dorsey were invited to attend.

#### 14. ADJOURNMENT

The meeting adjourned at 8:26 p.m. No other action was taken. Audio/Visual was successful.

  
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Brandy Rinearson, MMC, City Clerk

  
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Robert Putaansuu, Mayor

