



**City of Port Orchard  
Council Meeting Minutes  
Regular Meeting of September 10, 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	Absent
Councilmember Cucciardi	Present
Councilmember Diener	Absent
Councilmember Lucarelli	Present
Councilmember Rosapepe	Present
Mayor Putaansuu	Present

Staff present: Public Works Director Dorsey, Finance Director Crocker, Code Enforcement Officer Price, City Attorney Cates, Police Chief Brown, City Clerk Rinearson, and Deputy City Clerk Floyd.

**A. PLEDGE OF ALLEGIANCE**

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

**2. APPROVAL OF AGENDA**

**MOTION:** By Councilmember Cucciardi, seconded by Councilmember Lucarelli, to excuse Councilmember Diener for personal reasons and also excuse Councilmember Ashby for personal reasons. There is a good chance she will be here tonight, perhaps a little late.

**The motion carried.**

**MOTION:** By Councilmember Cucciardi, seconded by Councilmember Rosapepe, to approve the agenda, as amended.

**The motion carried.**

**3. CITIZENS COMMENTS**

**Eric Campbell**, McCormick Communities, spoke to progress made with the City and the City of Bremerton on the water moratorium and agreement. He hopes this will come back within two weeks.

**4. CONSENT AGENDA**

- A. Approval of Voucher Nos. 77440 through 77538, and 77543 through 77613 including bank drafts in the amount of \$1,055,950.35 and Electronic Payments in the amount of \$68,890.20 totaling \$1,124,840.55.
- B. Approval of Payroll Check Nos. 77429 through 77439, and 77539 through 77542, including bank drafts and EFT's in the amount of \$414,660.80; and Direct Deposits in the amount of \$376,966.52 totaling \$791,627.32.
- C. Adoption of a Resolution Adopting the Final Plat of Plat of Sherman Ridge (**Resolution No. 027-19**)
- D. Adoption of a Resolution Confirming Mayoral Appointment to the Lodging Tax Advisory Committee (**Resolution No. 028-19**)
- E. Approval of a Contract with the Washington State Department of Natural Resources for the Renewal of the Dekalb Street Waterway Permit No. 20-B12074 (**Contract No. 067-19**)
- F. Excusal of Councilmember Clauson Due to Business Obligations
- G. Added Item: Excusal of Councilmember Diener for Personal Reasons and Councilmember Ashby for Personal Reasons

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

The motion carried.

**5. PRESENTATION**

**A. Oath of Office: Police Officer Austin Culbert**

Police Chief Brown gave thanks for letting him administer the Oath of Office, publicly and in front of Council. He then read the Law Enforcement Code of Ethics into the record.

Chief Brown administered the oath of office to Police Officer Austin Culbert and then Mrs. Culbert pinned Police Officer Culbert's badge to his uniform.

Councilmember Ashby joined the meeting at 6:43 p.m.

**6. PUBLIC HEARING**

There were no public hearings.

**7. BUSINESS ITEMS**

- A. **Adoption of an Ordinance Amending Port Orchard Municipal Code Chapter 2.08 Appointive Officers and Creating a New Chapter 2.82 Abatement Hearing Officer**

**MOTION:** By Councilmember Lucarelli, seconded by Councilmember Rosapepe, to adopt an ordinance amending Port Orchard Municipal Code Chapter 2.08 and creating a new Chapter 2.82 as presented.

The motion carried.

**(Ordinance No. 035-19)**

**B. Adoption of an Ordinance Amending Port Orchard Municipal Code Chapter 20.212 Dangerous and Unfit Dwellings, Buildings and Structures**

**MOTION:** By Councilmember Chang, seconded by Councilmember Cucciardi, to adopt an Ordinance amending POMC Chapter 20.212 as presented.

The motion carried.

**(Ordinance No. 036-19)**

**C. Adoption of a Resolution Approving a Contract with Robinson Noble, Inc. for the 2019-2020 ESSB 6091 Foster Pilot Project Services and Documenting Procurement Procedures**

**MOTION:** By Councilmember Lucarelli, seconded by Councilmember Cucciardi, to adopt a resolution thereby approving a contract with Robinson Noble, Inc. for the 2019-2020 ESSB 6091 Foster Pilot Project Streamflow Augmentation/Restoration, Net Ecological Benefits and Hydrogeological Services in an amount not to exceed \$324,900.

The motion carried.

**(Resolution No. 022-19)**

**D. Adoption of a Resolution Approving a Contract with Ventilation Power Cleaning, Inc., for the 2019 Stormwater Catch Basin and Pipe Maintenance**

**MOTION:** By Councilmember Cucciardi, seconded by Councilmember Rosapepe, to adopt a resolution, thereby approving a contract with Ventilation Power Cleaning, Inc. for the 2019 Stormwater Catch Basin & Pipe Maintenance Contract in the amount not to exceed \$81,325.

The motion carried.

**(Resolution No. 026-19)**

**E. Adoption of a Resolution Approving a Contract with the Law Office of Thomas M. Pors for the 2019-2020 Water Rights-Legal Services**

**MOTION:** By Councilmember Lucarelli, seconded by Councilmember Ashby, to adopt a resolution, thereby approving a contract with the Law Office of Thomas M. Pors in the amount not to exceed \$137,500 for the 2019-2020 water rights related activities.

**The motion carried.**

**(Resolution No. 021-19)**

**F. Adoption of a Resolution Approving the Purchase of Vehicles for the Equipment Rental Revolving Fund 500**

**MOTION:** By Councilmember Rosapepe, seconded by Councilmember Ashby, to adopt a Resolution providing City Council approval of the purchase of vehicles in accordance with the City's fleet standardization policies and the 2019-2020 Biennial Budget.

**The motion carried.**

**(Resolution No. 029-19)**

**G. Approval of Amendment No. 1 to Contract No. 052-18 with Northwest Urban Law, PLLC for Special Projects and Land Use Attorney Services**

**MOTION:** By Councilmember Ashby, seconded by Councilmember Lucarelli, to approve Amendment No. 1 to Contract No. 052-18, with Northwest Urban Law, PLLC for special projects and land use attorney services, as presented.

**The motion carried.**

**H. Approval of Amendment No. 2 to Contract No. 029-11 with Key Bank National Assoc. to Lease Right-of-Way Adjacent to 1301 Bay Street**

**MOTION:** By Councilmember Cucciardi, seconded by Councilmember Rosapepe, to approve Amendment No. 2 to Contract No. 029-11, with KeyBank National Association to lease City right-of-way adjacent to 1301 Bay Street, as presented.

**The motion carried.**

**I. Approval of Special Event Application: Kitsap County Sherriff's Office Open House**

**MOTION:** By Councilmember Rosapepe, seconded by Councilmember Lucarelli, to approve the special event application for Kitsap County Sheriff's Office to hold their event and allow for a street closure, as presented.

**The motion carried.**

**J. Approval of the August 13, 2019, Council Meeting Minutes**

**MOTION:** By Councilmember Chang, seconded by Councilmember Cucciardi, to approve the August 13, 2019, regular Council meeting minutes.

The motion carried.

#### **K. Approval of the August 20, 2019, Council Meeting Minutes**

**MOTION:** By Councilmember Chang, seconded by Councilmember Rosapepe, to approve the Council meeting minutes of August 20, 2019.

The motion carried.

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

#### **A. Update on Water Systems Improvements and Agreements for the 580 Zone**

Mayor Putaansuu stated the City is making progress on negotiations with McCormick Communities, the City of Bremerton, and South Kitsap Fire and Rescue in an effort to make it possible to lift the building permit moratorium for the 580/660 zones. On August 13, 2019, the City of Port Orchard made a formal request to the City of Bremerton seeking an increase in water supply from 350 gallons per minute to 792.3 gallons per minute. On August 29, 2019, the City of Port Orchard received a response from the City of Bremerton which indicated that they could support a temporary increase in water supply to Port Orchard under certain conditions. On September 3, 2019, McCormick Communities provided a letter to the City of Port Orchard which indicated that they were willing to make certain improvements to both the City of Port Orchard and City of Bremerton water systems and to seek to have the moratorium lifted.

Council and the Mayor discussed the current progress; improvements; agreement; 580 and 660 water zones; and thanked staff, and the other agencies, for their work on this issue.

In response to Councilmember Ashby, Mayor Putaansuu said we do not have the water to provide until the agreements are in place.

#### **B. City of Port Orchard Promotional Videos**

Three economic development and tourism videos were shown. After watching the videos, Mayor Putaansuu asked, with Council's confirmation, to post them on our website and share with local organizations. Staff was directed to place them on the City's website.

#### **C. Draft Interlocal Agreement with the Public Facilities District for a Joint Community Center Funding**

Mayor Putaansuu said he took this item to the Economic Development and Tourism committee yesterday and the draft agreement has not changed since yesterday morning. He has two weeks from tonight before he will be before the PFD. He does intend to send the draft agreement to the PFD attorney. The agreement is asking for a phased approach. Additionally, on Task 6 on attachment B for financing alternative, the City is proposing the PFD pledge their cash flow to put more money to work and take advantage of the City's or the County's bonding capabilities.

Council and Mayor continued to discuss the agreement including increasing the time from 30 days to 60 or 90 days as this may not be enough time to wrap this up; and commitment from the PFD to the bank and feasibility study.

Mayor Putaansuu mentioned the PDF is scheduled to meet September 23<sup>rd</sup> and he invited Council to attend.

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

Mayor Putaansuu reported the Finance Committee is scheduled to meet October 8<sup>th</sup>.

Councilmember Ashby reported on the September 9<sup>th</sup> Economic Development and Tourism committee meeting. The next meeting is scheduled for the second Monday in October [October 14<sup>th</sup>].

Councilmember Lucarelli reported the Utilities Committee is scheduled to meet September 23<sup>rd</sup>. The Sewer Advisory Committee is scheduled to meet November 6<sup>th</sup>. The Chimes and Lights Committee is scheduled to meet next Monday [September 23<sup>rd</sup>].

Councilmember Cucciardi reported the Land Use Committee met on August 26<sup>th</sup>. The next meeting is scheduled for September 23<sup>rd</sup>.

Mayor Putaansuu and Councilmember Ashby reported on the KRCC [Kitsap Regional Coordinating Council] including the Legislative Reception and Retreat.

Councilmember Ashby reported on the PSRC [Puget Sound Regional Council] TransPOL.

## **10. REPORT OF MAYOR**

The Mayor reported on the following:

- September 17<sup>th</sup> work study topics;
- Recognition for Finance Director Crocker;
- Chimes and creating an ad-hoc committee for chimes songs;
- Public works and concrete panels;
- Initiative 976; and
- November 14<sup>th</sup> KRCC Legislative Reception.

**11. REPORT OF DEPARTMENT HEADS**

Finance Director Crocker reported on accounts payable process; mid-biennial review process; and monthly budget reports.

City Clerk Rinearson reminded Council to reach out to the Clerk's if they are attending the Legislative Reception; Kitsap Humane Society contract renewal; and will staff the Chimes ad-hoc committee.

**12. CITIZEN COMMENTS**

**Randy Jones, Dorothy Ackels, Kathleen Fritch, Rob Reynolds, Robert McGee, Chuck Huck, Gerry Harmon, and Ms. Rubish,** spoke to the Bay Street Pedestrian Pathway/Bike Path, discussing eminent domain; mitigation; effects on neighbors, businesses and jobs of the pathway decision in Annapolis; Whiskey Gulch accomplishments; marked walking trail options; working together with the community and more community outreach; financial status of project; recreation in Port Orchard; dedicated shuttle between ferry terminals; listening to the people in Annapolis; formal proposal to meet with Mayor and Council; 2014 vote on pathway; asking Council to put the community first; lack of transparency; change from walking path to bike path; and fighting to keep business, beautiful homes and trying to promote growth within Annapolis.

Councilmember Ashby asked the City Clerk to find if the City Council has ever taken a vote on eminent domain.

**13. EXECUTIVE SESSION**

There was no executive session.

**14. ADJOURNMENT**

The meeting adjourned at 8:25 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

