

GIG HARBOR CITY COUNCIL MEETING OF OCTOBER 25, 2004

PRESENT: Councilmembers Ekberg, Young, Franich, Conan, Picinich, Ruffo and Mayor Wilbert. Councilmember Dick was absent.

CALL TO ORDER: 7:05 p.m.

PLEDGE OF ALLEGIANCE:

SWEARING IN CEREMONY: Community Services Officer Lynnette Mock and Officer Garrett Chapman.

Mayor Wilbert introduced the new members of the Gig Harbor Police Department, and their families. She then read a brief biography for both. Mayor Wilbert asked Judge Tom Larkin to come forward to perform the swearing in ceremony for Community Services Officer, Lynn Mock. Judge Larkin explained that he is a long-time co-worker and friend of Lynn and her husband, Scott. He then performed the ceremony and presented Officer Mock to the Mayor. When this concluded, Mayor Wilbert performed the swearing in for Officer Chapman.

PUBLIC HEARING: Revenue Sources – 2005 General Fund Budget.

The Mayor opened the public hearing at 7:14 p.m. David Rodenbach, Finance Director, explained that this is the annual hearing for revenue sources for the next year's general fund budget. He gave an overview of the breakdown of revenue sources. He said that he was recommending a 1% increase in the property tax levy.

No one signed up to speak, and the Mayor closed the public hearing at 7:15 p.m.

CONSENT AGENDA:

These consent agenda items are considered routine and may be adopted with one motion as per Gig Harbor Ordinance No. 799.

1. Approval of the Minutes of Council Worksession on the Design Review Manual of October 4, 2004 and City Council Meeting of October 11, 2004.
2. Correspondence / Proclamations: a) American Association of University Women; b) Boys & Girls Clubs.
3. Resolution No. 632 Adopting Hearing Examiner Rules of Procedures.
4. Liquor License Renewals: Maritime Mart; Finholm's Market and Deli; Gig Harbor Chevron.
5. Special Occasion Liquor License: Knights of Columbus.
6. Approval of Payment of Bills for October 25, 2004:
Checks #45338 through #45456 in the amount of \$273,111.55

MOTION: Move to approve the consent agenda as presented.
Picinich / Ruffo – unanimously approved.

OLD BUSINESS:

1. Second Reading of Ordinance – Prentice Avenue Street Vacation Request. John Vodopich, Community Development Director, presented this ordinance responding to a request by Nick Tarabochia to vacate a portion of Prentice Avenue. He said that the property is subject to the non-user statute of 1896 and recommended approval.

MOTION: Move to adopt Ordinance No. 971.
Picinich / Ruffo – unanimously approved.

2. Second Reading of Ordinance – Adding a Rounding Provision for Calculating Residential Density. Steve Osguthorpe, Planning / Building Manager, presented this second reading of an ordinance to add a rounding provision for determining residential density. He addressed Council's questions on the projected net impacts and how the density provision coordinates with minimum lot size.

Mary Souza – 5426 Olympic Dr. NW. Ms. Souza spoke on behalf of the applicant, Sheila Kosciuk. Ms. Souza pointed out that there is contradictory information in the code, making it difficult for the Planning Department to implement. She spoke in favor of the rounding provision.

Jack Bujacich – 3607 Ross Avenue. Mr. Bujacich asked for clarification on what this would mean if he were to short plat his lot. Mr. Osguthorpe explained that this amendment would have no impact, as the minimum lot size requirement was not being changed.

Carl Halsan – 7218 Northcreek Loop. Mr. Halsan clarified that Pierce County and King County have used density rather than lot size for quite some time. This is standard practice, and minimum lot size was abandoned as density works better for the Growth Management requirements. He further discussed the benefits of using density standards verses lot size standards, and said that he was in favor of the Planning Commission recommendation to add the rounding provision.

MOTION: Move to adopt Ordinance No. 971.
Picinich / Ruffo – unanimously approved.

3. Pierce County 2005 Comprehensive Plan Amendments. Mr. Vodopich explained that Pierce County had opened up the application period for the 2005 Comprehensive Plan Amendment cycle. He said that there are 30 acres located off 96th Street that is in the city's service area but outside the Urban Growth Area, and asked for support for staff to send an application requesting an amendment to the Urban Growth Area to include these 30 acres. He added that the zoning designation should be amended to read Single Family before the application is sent.

The Mayor asked if the property owners had been notified of the intent to include them in the UGA. Mr. Vodopich explained that the city was the applicant, and that it would be up to Pierce County to send notification, as they were the party taking action.

There was a great deal of discussion about extension of service in this area and what would occur if this area were left out of the UGA. Mr. Vodopich explained that the city had been identified as the water service provider for these 30 acres. The city provided water to a few of the properties prior to the formation of the UGA, and the exclusion of the 30 acres was an oversight. The city could not extend further water service to the other properties if the area is not included in the UGA. The city would then have to petition to be removed as the service provider to this area.

Councilmember Franich said that one of the property owners had contacted him with concerns about the change in density if this area was included in the city's UGA. Mark Hoppen advised Council that Pierce County could take this action without an application from the city. There was further discussion on notification of the property owners by the city staff. Councilmember Picinich said he was in favor of moving forward on this action tonight.

Jake Bujacich – 3607 Ross Avenue. Mr. Bujacich explained how the water service areas came about to determine who could better serve an area that had no service. He stressed that this 30 acres is in the city's service area, whereas Slippery Hill is not.

MOTION: Move that we wait two weeks, and ask staff to send notification to the property owners, and then bring this back at the next Council meeting for consideration.
Ruffo / Franich – five voted in favor. Councilmember Picinich voted no.

NEW BUSINESS:

1. First Reading of Ordinance – 2004 Property Tax Levy. David Rodenbach said that the total levy recommended for 2005 is \$1,403,072, the maximum amount under the 1% limit that the city is authorized to collect. He gave a breakdown of the total assessed valuation for this year, and explained that the typos in the document will be corrected before it returns for the second reading. He responded to the request to clarify the collection rate.

2. First Reading of Ordinance – Amending Design Manual. Steve Osguthorpe, Planning/Building Manager explained that both this agenda item and the next are related. He said that the first ordinance would amend the Design Manual, and the second ordinance would amend each zoning district chapter to incorporate the Design Manual rather than it being a stand alone document. He said that the Council Workshops resulted in both minor and substantive changes, which would require another public hearing which is scheduled for the second reading of the ordinances on November 8th. He said that he had prepared a red-lined document showing the changes, explaining that the draft would be prepared in a more formal manner for the

next meeting. He then discussed a few required changes that would be made to the document before the public hearing.

Mr. Osguthorpe said that he had included a proposal to form a Design Review Procedures Committee to review the process and make a recommendation to the Planning Commission. The committee should include two members of the Design Review Board, two members of the City Council, the City Attorney, and the Planning / Building Manger. He said that he also included a proposed schedule of worksessions, the first to begin on November 15th. He said that final recommendation should be given to the Planning Commission for a public hearing at their January 6th meeting. A recommendation from the Planning Commission could be back before Council at the January 24th Council Meeting.

Mr. Osguthorpe said that it was his recommendation to adopt both ordinances, clarifying that neither would change the design review process. He continued to say that after receiving a recommendation from the Planning Commission, Council could then come back and make the necessary changes.

There was further discussion on the Design Review Committee, and Councilmember Conan and Franich volunteered to represent the City Council.

Jeannie (name and address unclear). This lady asked about the past discussions to use a facilitator to help in the visioning process, and where this fits in the Design Review process.

Councilmember Young explained that the current Design Review Manual needs to be updated now, as it has serious flaws which have resulted in buildings that have recently been constructed. He added that there is a budget request for 2005 for a facilitator for the visioning process.

Chuck Hunter – 8829 Prentice Avenue. Mr. Hunter said the he was not sure that the north side of North Harborview Drive from Burnham to Peacock Hill should be included in the Historic District. He said that the first three lots are residential, and are not appropriate for this designation. He asked someone to look into this.

Mr. Hunter continued to say that he was not in favor of codifying the Design Manual. He then asked if the Planning Commission had reviewed the second ordinance or if the changes are just a staff recommendation. Councilmember Young responded that the Planning Commission always reviews land-use issues. Mark Hoppen, City Administrator, said that the Design Review Manual is already code, and that the second ordinance is a matter of form.

Steve Osguthorpe explained that the ordinance will add the Design Review Manual as a chapter of the code, which will allow the information to be presented to the public as one document. The updates to the zoning code with all the various standards are necessary to make it consistent with the Design Manual.

Councilmember Franich asked Mr. Osguthorpe to address the concern with the Historic District. Mr. Osguthorpe explained that this change expands the Historic District to both sides of North Harborview Drive. He said that a street is a poor place to divide a zone, and this allows the same type of development on both sides of the street. He explained that the more restrictive Historic District standards only affect the B-2 District, and not the residential lots.

3. First Reading of Ordinance – Amending Chapters in Title 17. This was discussed during the previous agenda item.

4. Change Order No. 1 – Skansie Avenue Pedestrian Improvement Project (CSP-0302). John Vodopich presented this change order that came about as a result of the discovery of unsuitable foundation materials during excavation. He said that the additional funds were not anticipated in the original budget; however, there are adequate funds in the street capital fund to cover the cost of the increase.

MOTION: Move to authorize the execution of Change Order No. 1 for the Skansie Avenue Pedestrian Improvement Project in the amount of Ten Thousand Three Hundred Nine dollars and Thirteen cents (\$10,309.13), including retail sales tax.
Ruffo / Picinich – unanimously approved.

5. Emergency On-Call Support Services to Wastewater Treatment Plant and Pump Station – Consultant Services Contract. John Vodopich presented this contract to provide technical support on an on-call basis. He answered questions and explained that nothing would be charged unless the company was called on to respond.

MOTION: Move to authorize the execution of the Consultant Services Contract with Advanced Industrial Automation for consulting services related to the plant controls upgrade in an amount not to exceed Six Thousand Four Hundred Dollars and no cents (\$6,400.00).
Ruffo / Picinich – unanimously approved.

STAFF REPORTS:

1. David Rodenbach, Finance Director – Third Quarter Financial Report. Mr. Rodenbach said that all funds are on track. He alerted Council that the building section of the general fund is over by \$30,000 due to unexpected repairs to the Civic Center HVAC system. The funds are available, but it will require a budget amendment to change the appropriation. Mr. Rodenbach answered questions about the inter-governmental funds.

PUBLIC COMMENT: None.

COUNCIL COMMENTS / MAYOR'S REPORT:

Councilmember Young requested that Council revisit the 3500 s.f. building size exclusions for the building moratorium. He explained that he based his vote on what would be considered a normal standard of measurement for living space within the home. He said that due to the way building size is calculated in the code, staff had interpreted this to include covered patios, which was not his intent.

Councilmember Ekberg said that he thought the concern was building size, and that it should include everything.

Mr. Osguthorpe clarified that staff did not include roof overhangs in the calculations, but did include a covered carport and covered deck. He said that he thought the concern was with overall mass, and the roofline determines mass. He said that staff could draft language stating that calculation will include all heated living area and garages, but excludes covered carports and decks.

Councilmember Young thanked him for the clarification and said that he looked forward to what staff brings back for consideration.

Mayor's Report - Establishing an Eddon Boatworks Ad Hoc Steering Committee. Mayor Wilbert thanked John McMillan, Lita Dawn Stanton, Chuck Hunter, Guy Hoppen, and Councilmember Steve Ekberg, who have volunteered to serve on the Steering Committee to begin the focus on the Eddon Boat Park if the bond passes.

Councilmember Picinich asked for an update on the Latecomers Agreement with Peninsula School District. Mr. Vodopich explained that the school was in the process of recalculating the area and sending out notice.

Councilmember Picinich then asked about St. Anthony's Hospital. Mr. Vodopich said that they are in the process of evaluating the transportation impacts and that two meetings are scheduled with the Development Team to discuss the issue. He added that Franciscan may perform a voluntary EIS to facilitate the process.

ANNOUNCEMENT OF OTHER MEETINGS:

EXECUTIVE SESSION: For the purpose of discussing pending litigation per RCW 42.30.110(1)(i).

MOTION: Move to adjourn to Executive Session at 8:56 p.m. for approximately fifteen minutes for the purpose of discussing pending litigation.

Franich / Picinich - unanimously approved.

MOTION: Move to return to regular session at 9:10 p.m.

Franich / Picinich – unanimously approved.


MOTION: Move to return to Executive Session for an additional ten minutes.

Franich / Picinich – unanimously approved.

MOTION: Move to return to regular session at 9:20 p.m.
Franich / Picinich – unanimously approved.

MOTION: Move to adjourn at 9:20 p.m.
Conan / Picinich – unanimously approved.

CD recorder utilized:
Disc #1 Tracks 1 – 15
Disc #2 Tracks 1 – 11.



Gretchen A. Wilbert, Mayor



Molly Towslee, City Clerk