

GIG HARBOR CITY COUNCIL MEETING OF FEBRUARY 9, 2004

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

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE:

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 City Council Meeting of January 26, 2004.
2. Correspondence / Proclamations: Performing Arts Day.
3. Amendment to the Bylaws: Gig Harbor Arts Commission.
4. Lodging Tax Distribution of Fund Contracts – 2004.
5. Virtual Law Library – Westlaw Contract.
6. Liquor License Assumptions: Fred Meyer Marketplace & QFC #886.
7. Liquor License Renewals: Market Place Gourmet Deli; Fraternal Order of Eagles; Shell Food Mart; Tides Tavern; and Water to Wine.
8. Approval of Payment of Bills for February 9, 2004.
Checks #42337 through #42463 in the amount of \$892,242.53.
9. Approval of payroll for the month of January.
Checks #3007 through #3053 and direct deposit entries in the amount of \$242,075.33. Check #3031 was voided.

Councilmember Dick requested that item number five, Virtual Law Library – Westlaw Contract, be removed from the consent agenda, and tabled until the next meeting so that he could discuss the agreement with the Court Administrator.

MOTION: Move to approve the consent agenda as amended.
Ekberg / Picinich – unanimously approved.

OLD BUSINESS: None scheduled.

NEW BUSINESS:

1. Rotary Centennial Project. Mark Hoppen, City Administrator, presented information on the proposal by the two local Rotary Clubs to construct a multi-purpose community shelter building on the Jerisich Dock / Skansie Brothers' Park property during 2004 to celebrate the Centennial Year for Rotary. He used a PowerPoint presentation to demonstrate the proposed citing of the structure in relationship to the existing restrooms and to the Skansie House. What is being proposed is an open structure which is about the same height as the existing restrooms, but with smaller footprint. Mr. Hoppen asked for direction from Council to identify the location of the structure in order for the city crew to be able to install irrigation, plant grass and install minor landscaping improvements by

the first week in March. Mr. Hoppen also asked for direction on whether the existing garage and driveway should remain if it is determined that the garage has no historical significance and will be too costly to repair and maintain as a garage. This area too, could be replanted with grass this spring. He added that it would be helpful if the Historical Preservationist, whose contract is on the agenda later in the meeting, could make a determination and present the information to Council to make a decision by March 1st on how to proceed.

Mr. Hoppen explained that the agreement in the packet is similar to the one approved with the Lion's Club for construction of the Finholm Viewclimb project. The agreement provides indemnification and insurance provisions to ensure that the project will be built as required and without liability to the city. He continued to explain that the agreement is lacking an exhibit that outlines the scope of work as it has yet to be negotiated and asked for direction from Council for staff to pursue a complete agreement to be presented for approval at a later date. At that point, the project will have gone through the design approval as well as an historical preservationist evaluation.

Mayor Wilbert pointed out that her concerns regarding blocking the view to the water had been addressed by the open design of the structure.

Councilmember Franich said that he thought that the structure would be a great community asset. He asked for clarification on who would determine the location. Mr. Hoppen explained that many factors, including the topography, design review, and the historical context, would determine the exact location.

David Freeman, Snodgrass Freeman Associates Architects. Mr. Freeman, a Rotarian involved with the design of the proposed structure, explained that his interest in this site goes back 12-13 years when he was involved with the design of the Head of the Harbor restroom facilities at Jerisich Dock. He described the restroom as a timber-frame structure with mortise and tenon assembly. He said that the new structure would be similar in construction and would take several months to craft and assemble the pieces. Mr. Freeman explained that the plan cites the structure 15 feet from the bulkhead, which meets shoreline requirements, and that the transparent nature of the design would create a view corridor as you pass by. The open structure will act as a natural amphitheater and stage for social gatherings, as the ground rises as you move toward the Skansie House. The placement would help to preserve and value the historic nature of the site by not competing with the house, and would create a nice community pavilion where it would be most useful.

Councilmember Picinich thanked the Rotary Clubs for all the projects that they have completed around Gig Harbor.

MOTION: Move we direct staff to gain Rotary Club signature to the attached agreement, including an appropriate Exhibit 'A' and to return the agreement to Council for approval.
Picinich / Ekberg – unanimously approved.

2. First Reading of Ordinance – Text Amendment, 17.65 Special Uses. John Vodopich, Community Development Director, presented this ordinance that includes a definition for special uses and intends to clarify the existing regulations. He explained that currently, special uses are defined as an event that occurs less than seven days or less in a calendar year, and two special use permits are allowed per year. If exceeded, a conditional use permit would be required, which conflicts with other sections of the code. Many of the special uses typically involve retail sales in zones which it is already permitted, and therefore, not appropriate to require a conditional use permit. The concern that a traveling vendor might avoid a permanent business license by locating to a different site every few weeks was addressed by adding language to limit special uses to no more than two for any given applicant or site. Mr. Vodopich concluded that these changes have been reviewed and approved by the Planning Commission, and this ordinance will return for a second reading at the next meeting.

Councilmember Dick clarified that this ordinance will not affect the two existing Farmers Markets because one has a binding site plan and the other has a conditional use permit.

3. First Reading of Ordinance – RB-2 Text Amendment to Allow Single Family. Mr. Vodopich presented this ordinance which he described as housekeeping in nature. He explained that this ordinance amends the list of permitted uses in the RB-2 zone to allow for single-family attached and detached dwellings as an allowed use. He said that the Planning Commission reviewed the amendments and voted unanimously to recommend approval. This will return for a second reading at the next meeting.

Councilmember Franich asked for clarification on the density in the RB-2 zone. Mr. Vodopich replied that it is eight dwelling units permitted outright, with twelve allowed as a conditional use.

4. First Reading of Ordinance – B-2 Text Amendment – Hospitals as Conditional Use. John Vodopich presented this ordinance that amends the list of conditional uses in the General Business zone to conditionally allow hospitals. The Planning Commission voted unanimously to recommend approval after holding a public hearing. Mr. Vodopich said that a map delineating all the B-2 zones had been distributed, adding that this will return at the next meeting for a second reading.

5. First Reading of Ordinance – Correcting the Legal Description of Ordinance 938. John Vodopich presented this ordinance correcting a legal description of the annexation of one parcel of property adjacent to the city park on Vernhardson. The correction had been approved by the Washington State Department of Transportation Geographic Services Division.

Councilmember Dick asked if this annexation needed to be presented to the Boundary Review Board. Mr. Vodopich explained that this annexation was exempted from BRB review as it is city-owned and the intended use is for municipal purposes. This will return for a second reading at the next meeting.

6. Historic Preservation Services – Skansie Brothers Park. Mark Hoppen, City Administrator, presented this contract with Mr. Gene Grulich for services at the Skansie Brother’s Park. He explained the importance of such a contract to actualize the recommendations from the Ad Hoc Committee, to assist in applying for future federal grant funding, and to aid in the application for IAC funding, of which the city would be eligible for one more year. Mr. Hoppen described the grant options that might allow for the development of the netshed, the house, and perhaps a maritime pier, adding that the city is currently exploring the parameters of such a process. He explained that a master plan would greatly assist in backing up a grant application and to provide a roadmap for the future of the property; a valuable reason to approve the contract.

Councilmember Franich asked for clarification on the \$500,000 in IAC Grant Funds. Mr. Hoppen explained that out of all the entities that applied for the grant money awarded last spring, \$410,000 was anticipated for the city. He said that the award still depends on when the money is appropriated by the state. He explained that another organization is aggressively advocating additional IAC funds, and the prospect looks positive for the city to get the full \$500,000 in funding.

Councilmember Franich then asked if a Request for Proposals had been issued for the historical preservation services. Mr. Hoppen explained that thirteen firms were contacted through the small works roster process, and the most qualified has been determined to be Mr. Grulich’s firm.

Councilmember Dick clarified that RCW 35.80, regarding acquiring architectural and engineering services, doesn’t contemplate an RFP, only the process to choose from the small works roster. The RFP is a more formal process used for different types of services than is addressed in the statute for selection of these types of services.

Councilmember Franich stressed the interest shown by the Ad Hoc Committee to participate in any project concerning the Skansie Brother’s Park. He added that he thought it was supposed to be more of a “community-based” process with assistance from a preservationist on an on-call basis. Mr. Hoppen introduced Mr. Grulich to address this concern.

Gene Grulich, Principal of Grulich Architecture and Planning Services. Mr. Grulich explained that his firm has over 25 years experience in historic preservation and has received numerous awards. The opportunity to meet with representatives from the Ad Hoc Committee on an advisory level led to an invitation to submit information when the time came to choose a firm. Mr. Grulich stressed that he always encourages as much participation as possible from the people who are part of the community. This involvement makes the whole project more meaningful for everyone. He clarified that he doesn’t have a vision of an overall project at this time, but he knows the component piece that he would be involved in, specifically the development of the history of the property in terms of how it has evolved, and how that can be built into the information conveyed to the public in whatever form that is chosen. Mr. Grulich said that one component that is being proposed is an historic structures report which would include a

detailed inventory of the building as it has evolved and a brief history of the people and events that have occurred in relationship to this site. Information will be solicited from the general community.

Councilmember Picinich asked Mr. Grulich to clarify who would be responsible for an inventory of the site. Mr. Grulich explained that he did not have a fishing background, and so would look to those in the community who do to assist with the inventory of both the house and the netshed.

Councilmember Dick asked if the proposed Rotary project could be accommodated as far an appropriate location. Mr. Grulich explained that it was his intent to accommodate the rapidly approaching 2004 building season for the structure by proposing the location by the restrooms so that it would not compete with the historic structures.

Councilmember Picinich asked if Mr. Grulich was aware of the intent to construct a maritime pier on the site, as there was nothing mentioned in the proposal. Mr. Grulich said that he had a general awareness and had been shown sketches of the proposed location of the pier.

Councilmember Franich said that he would like see a more detailed description of the functions contained in the Scope of Work, as there were things that the community showed an interest in participating. He said that he would like to see a preservationist working with the Ad Hoc Committee to see that they followed any criteria for obtaining grant funding. Mr. Grulich explained that it was up to the client, the City of Gig Harbor, to determine his Scope of Work.

MOTION: Move to take the staff recommendation to approve the contract as presented in an amount not to exceed forty-one thousand, sixty dollars (\$41, 060.00).
Ekberg / Dick – Three voted in favor. Councilmembers Franich and Picinich voted no. The motion carried three to two.

7. First Reading of Ordinance – Gig Harbor Arts Commission. Mark Hoppen presented this recommendation from the Gig Harbor Arts Commission to amend the ordinance that forms and conducts the Arts Commission's activities. Specifically, they have difficulty in filling vacant positions. The proposed changes are a more liberal approach to the requirements for members to live and or work within the city limits. He introduced Lita Dawn Stanton, Chair of the Arts Commission, to answer questions.

Lita Dawn Stanton – 111 Raft Island. Ms. Stanton addressed the comment from Councilmember Dick in regards to the thrust of the membership requirements to focus on the city's involvement in the arts rather than the entire peninsula. She clarified that the reason for the proposed amendments is that there are dedicated members that wish to serve additional terms if qualified applicants do not come forward. Councilmember Picinich said that he had trouble with Section 'B', which amends the code to eliminate the requirement for seven members to either reside or work in the city. He said that he

would like to see that remain. Lita Dawn responded that this amendment would allow more flexibility. Councilmember Ekberg recommended changing the requirement to “A majority” rather than “seven,” to address the concern that the commission may end up comprised of people that have no ties to the city.

Lita Dawn stressed the importance of keeping the nine-member commission. Councilmembers continued to discuss the number and make-up of the group, and it was decided that serving more than two terms was okay, but that Council wished for the majority of the membership to reside or work in the city.

Mark Hoppen explained the purpose of the Gig Harbor Arts Commission to stimulate art projects in the community to Councilmember Franich. Councilmember Ekberg said that in addition, the Commission was formed to help advise the Council with art for the new Civic Center. Mr. Hoppen noted that the City Attorney had defined “working in the city” as someone who has a place of work within the city. Councilmember Ekberg said that if not enough qualifying citizens made application, the seats could remain empty. A motion was made to amend the ordinance to be brought back at the next meeting for a second reading.

MOTION: Move to amend the language in subsection ‘B’ to delete the word “Two” in the second to last sentence, and to delete the word “Seven” and substitute “A majority of the Commissioners shall reside or work within city limits at the time of the appointment ...” in the last sentence.
Dick / Ekberg – unanimously approved.

STAFF REPORTS:

1. GHPD – January Stats. No verbal report given.

PUBLIC COMMENT:

Mike Dickson – 5713 41st Ave NW. Mr. Dickson asked about the park at the head of town and asked what the future plans were for the property. John Vodopich explained that restrooms were scheduled to be constructed at the Donkey Creek Park, but no further plans for construction of toys or other facilities had been budgeted for at this time. Mr. Dickson then asked about the construction of sidewalks along 38th Street. Mr. Vodopich explained that it was a project included in the Six-year Transportation Plan, but due to the cost of the improvements, it was not included in the 2004 Budget.

Councilmember Dick noted that the city had just acquired a five-acre park on the Westside between 38th and the shopping area. He added that it would take awhile before the appropriate funds could be accumulated to make improvements to the property.

COUNCIL COMMENTS / MAYOR'S REPORT:

Councilmember Ekberg said that the Council had received the report on the finalized Building Size Analysis and suggested that staff put the recommendations into ordinance form for review by the Planning Commission. on the 19th of February. He made the following motion.

MOTION: To direct staff to place the recommendations received from the Building Size Analysis Report into ordinance form so that the Planning Commission could review and prepare written comments for Council to hold a public hearing at the first meeting in March.
Ekberg / Dick – unanimously approved.

John Vodopich advised Council that draft ordinances must be sent to the state for a sixty-day review period and that a SEPA analysis would also have to be completed.


Councilmember Franich asked for an update on the progress to update the Design Review Manual. Mr. Vodopich explained that the draft should be back before Council by the end of April. Councilmember Franich asked that the colors on the maps be better delineated to help clarify the zones.

ANNOUNCEMENT OF OTHER MEETINGS:

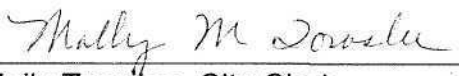
Pierce County Regional Council General Meeting – Thursday, February 19, 2004 at 6:30 p.m. at Bates Technical College South Campus.

MOTION: Move to adjourn at 8:40 p.m.
Ekberg / Picinich - unanimously approved.

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



Gretchen Wilbert, Mayor



Molly Towslee, City Clerk