

GIG HARBOR CITY COUNCIL MEETING OF JUNE 28, 2004

PRESENT: Councilmembers Young, Conan, Picinich, and Ruffo. Councilmember Franich acted as Mayor Pro Tem. Councilmembers Ekberg and Dick were absent.

CALL TO ORDER: 7:02 p.m.

PLEDGE OF ALLEGIANCE:

PUBLIC HEARING: Continuation of Moratorium on Water Hook-ups.

Mayor Pro Tem Franich opened the public hearing at 7:03 p.m. John Vodopich, Community Development Director, explained that on May 24th, Council took emergency action to adopt Ordinance No. 960 which imposed an immediate moratorium on connections to the city's water system, and the acceptance of certain development applications and outside utility extension agreements. A formal public hearing within sixty days of the adoption of the ordinance is required to adopt findings and fact to enact the ordinance for a period of six months.

David Freeman – Snodgrass Freeman & Associates, 3019 Judson Street. Mr. Freeman voiced his concerns that when the moratorium is lifted there will be a rush of applicants. He explained that he has three clients whose projects were in development and that are affected by this moratorium. He recommended that the applicants who had submitted projects prior to the moratorium be allowed to continue through the process of site plan review so that they can proceed with their site development so that they will not be pushed aside by new applications or experience further delays when the moratorium is lifted. He recommended a queuing system to first take those applications that were already in process when the moratorium was placed.

Theo Giddeon – Master Builders Association. Mr. Giddeon agreed with the concerns voiced by Mr. Freeman and with the recommendation for a queuing system. He said that this would allow a smoother transition once the moratorium is lifted.

Carol Morris, City Attorney, said that she did not recommend allowing applicants to continue on in the site plan process, as there is no guarantee when the moratorium will be lifted. She explained that this may give an applicant the idea that their project is vested, when the applicant may have to go through the review process a second time if code changes occurred during the moratorium.

Councilmembers briefly discussed these concerns.

There were no further comments and the public hearing closed 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 City Council Meeting of June 14, 2004, Special Council Meeting 6/1/04, Building Size Worksession 6/1/04, and Building Size Worksession 6/7/04.
2. Correspondence / Proclamations: a) Pierce County - Homeland Security
b) MultiCare – Certificate of Need Process c) Peninsula Neighborhood Assoc.
3. Civic Center Project Acceptance – Porter Brothers.
4. Resolution 625 – Declaration of Surplus Property.
5. Resolution 626 – Revision to Front Street Vacation.
6. Liquor License Application: Brix 25 Restaurant.
7. Approval of Payment of Bills for June 28, 2004:
Checks #44354 through #44471 in the amount of \$273,094.15.

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

OLD BUSINESS:

1. Rotary Pavilion Centennial Project. Mark Hoppen, City Administrator, explained that members of the Committee appointed to review the Rotary Pavilion placement and scale were going to make a presentation. He introduced Gary Glein and Chuck Hunter.

Mr. Glein and Mr. Hunter gave a joint report, naming the other members of the committee that had participated in several meetings. They summarized the points in the written report that resulted in a recommendation to locate the new Pavilion to a spot a few feet north of the garage site, a reduced structure size, and lower roof pitch. The smaller structure was recommended so not to compete with the Skansie House or Netshed. Mr. Glein asked that Council approve the recommendation and to expedite the process to allow the construction to be completed by the end of 2004.

Dave Freeman passed out a drawing showing the amended project and placement on the site.

Councilmembers commended the committee for their work and the timely submission of the recommendation.

MOTION: Move to approve the joint recommendation from the Ad Hoc Committee as presented and instruct staff to move the project through quickly to get the project completed before the end of the year.
Ruffo / Picinich – unanimously approved.

2. Continuation of Moratorium on Water Hook-ups. John Vodopich explained that the city applied for two pending water-right applications in 2000, and the Department of Ecology indicated that it would take six to eight years to process the permits. This led to a decision by Council to enter into a cost reimbursement program with DOE to pay for a third-party consultant to review the applications both up to and including the city's. A decision on the city's application should be rendered by September 10th, with a 30-day

appeal period. He said that the matter before Council is to prepare findings of fact to support the continued moratorium on the acceptance of certain development applications and outside utility extension applications for a period of six months.

Mr. Vodopich addressed questions regarding the volume and timing of the pending water applications.

Councilmembers address the concerns regarding a queuing system for those applications that were in process when the moratorium was placed. It was determined that these applications were far enough along in the process that they would have an advantage over a new application when they were able to resubmit when the moratorium was lifted. This will be reevaluated at the six-month mark to determine if any other action would be required.

MOTION: Move that we justify the continuation of the moratorium for an additional six months.
Ruffo / Picinich – unanimously approved.

3. Second Reading of Ordinance - Northwest Employment Center Annexation. John Vodopich presented this ordinance relating to the annexation of approximately 226 acres located west of Highway 16 and south of Bujacich Road.

Councilmember Young asked if congestion at the intersection at Rosedale and Skansie would be addressed in the Six-year TIP. Mr. Hoppen explained that there are no anticipated changes to that intersection. Mr. Vodopich explained that any development would have to go through a traffic analysis to evaluate the impacts to the intersection and possibly mitigate the effects.

Councilmember Franich voiced concern that the city is annexing this large property northwest of Highway 16, and said that at a future date, he would like to see Council address the size of the UGA.

MOTION: Move to adopt Ordinance No. 962 as presented.
Ruffo / Conan – four Councilmembers voted in favor.
Councilmember Franich voted no.

NEW BUSINESS:

1. First Reading of Ordinance – School Impact Fees. Mark Hoppen explained that there would be a public hearing at the next meeting and second reading of this ordinance regarding school impact fees. He said that there are two separate Council actions that will come before Council; the ordinance implementing school impact fees, and the Interlocal Agreement. He said that no action is required at this time. He explained that this has been in process for some time.

Laurel Schultz – 5303 138th Ave NW. Ms. Schultz spoke in favor of the school impact fees because of the projected growth and the potential for overcrowding in the schools.

Rachel Villa – 8309 52nd St. NW. Ms. Villa also spoke in favor of implementing school impact fees.

Marian Berejikian – Friends of Pierce County, PO Box 2084, Gig Harbor. Ms. Berejikian said that she is glad that the school impact fees are finally going to be implemented. She referred to a letter to Council from Gig Harbor North developer, John Rose, which also shows support for the fees. This is one way to assure a livable community. She thanked Council and said she would save further comments for the public hearing.

Councilmember Picinich said that this ordinance is long overdue. Councilmember Franich also supported moving forward with this ordinance, but voiced concern that the fee was too low.

This agenda item will return for a second reading at the next Council meeting.

2. Interlocal Agreement with Peninsula School District. This was discussed previously. This will return at the next meeting in conjunction with the ordinance to implement school impact fees.

3. Contract Authorization – Skansie Avenue Pedestrian Street Improvement Project. John Vodopich, Community Development Director, explained that this item was a 2004 Budget Objective, and only one contractor responded to the request for bids. The bid amount exceeds the budgeted objective by approximately \$9500, attributed to the rise in petroleum prices. He said that there adequate funds in the street budget to cover the increase.

MOTION: Move to authorize the award and execution of the contract for the Skansie Avenue Pedestrian Improvement Project to Fox Island Construction, Inc. in the amount of one hundred seven thousand four hundred fifty-nine dollars and no cents (\$107,459.00).
Ruffo / Picinich – unanimously approved.

STAFF REPORTS: None scheduled.

PUBLIC COMMENT: None.

COUNCIL COMMENTS / MAYOR'S REPORT:

Mayor Pro Tem Franich asked if Council would consider the zoning change issue that was taken off the table. Councilmembers recommended waiting for the completion of the visioning process. If it is still necessary, it could be brought back at that time.

ANNOUNCEMENT OF OTHER MEETINGS:

Council Worksession on all zones within the View Basin with the exception of the Waterfront and Downtown Business District Zones: Tuesday, July 6, 2004, 6:00 p.m.

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

MOTION: Move to adjourn to Executive Session at 7:47 p.m. for approximately 45 minutes.
Picinich / Ruffo - unanimously approved.

MOTION: Move to return to regular session at 8:25 p.m.
Picinich / Ruffo – unanimously approved.

MOTION: Move to adjourn at 8:25 p.m.
Young / Picinich – unanimously approved.

CD recorder utilized:
Disc #1 Tracks 1 – 17.



Jim Franich, Mayor Pro Tem



Molly Towslee, City Clerk